

**BOROUGH OF BERGENFIELD
COUNTY OF BERGEN**

ORDINANCE NO. 2024-2635

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 126 OF THE CODE OF THE BOROUGH OF BERGENFIELD ENTITLED “BUILDINGS UNFIT FOR HUMAN HABITATION” TO ALLOW THE BOROUGH TO ABATE NUISANCES AND CHARGE THE COST OF SAME AS LIENS AGAINST THE PREMISES.

WHEREAS, N.J.S.A. 40:48-2.12(f) authorizes a municipality to adopt an ordinance allowing the municipality to abate a nuisance, correct a defect, or put the premises in proper condition so as to comply with the requirements of any municipal ordinance or State law applicable thereto and charge the costs of doing so against the owner or lessor as lien on the property; and

WHEREAS, the Governing Body of the Borough of Bergenfield has determined that it is in the best interest of the municipality to enact such a provision under the Borough Code.

NOW, THEREFORE, BE IT ORDAINED by the governing body of the Borough of Bergenfield, County of Bergen, State of New Jersey, that the portions of the Borough Code set forth below are hereby amended and those portions of the Borough Code not set forth below shall remain unchanged.

Section 1. Part II, General Legislation, of the Borough of Bergenfield Code, Chapter 126, entitled, “Buildings Unfit for Human Habitation” shall be amended to **add** the following section:

Section 126-13. Abatement of Nuisances in General

- A. The Borough, upon giving notice to the owner or lessor of the premises, may abate a nuisance, correct a defect, or put the premises in proper condition so as to comply with the requirements of the Borough Code or State law applicable thereto and expend Borough funds for such purpose.
- B. Any funds expended by the Borough to abate the nuisance, correct a defect, or put the premises in proper condition may be charged against the owner or lessor of the property.
- C. The Borough, by resolution of the governing body, shall determine what amount of the funds expended by the Borough in order to abate the condition, correct the defect, or put the premises in proper condition shall be included as a lien against the premises, and authorize the Borough’s Tax Office to effectuate the same.
- D. Any lien against the premises shall be collectible by the Borough pursuant to the applicable State laws.

Severability All provisions of this Ordinance are severable. If for any reason, any provision of this Ordinance is held to be invalid, the validity of the remainder of the Ordinance shall not be affected.

Effective Date. This Ordinance shall become effective upon final approval and publication, pursuant to law, and upon completion of all outstanding cases.

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced at a meeting of the Borough of Bergenfield on the 7th day of November, 2024 and passed on first reading, and the same was ordered for final passage at a meeting of the Council to be held at the Municipal Building in the Borough of Bergenfield, Bergen County, New Jersey, on the 3rd day of December, 2024 at 8 p.m., at which time and place all persons interested will be given an opportunity to be heard concerning such Ordinance.

Borough Clerk