

TOWNSHIP OF MAPLE SHADE

Ordinance 2022-08

AN ORDINANCE AMENDING CHAPTER 152 “PROPERTY MAINTENANCE” OF THE TOWNSHIP CODE OF MAPLE SHADE TOWNSHIP

BE IT ORDAINED by the Township Council of the Township of Maple Shade, County of Burlington as follows:

Section 1. Chapter 152 entitled “Property Maintenance” is hereby amended as follows:

- a. Sections 152 -1 and 152-2 are replaced with the following:

152-1. Adoption of standards; copies on file.

- A. A certain document, three copies of which are on file in the office of the Township Clerk, pursuant to N.J.S.A. 40:49-5.1 et seq., being marked and designated as the "International Property Maintenance Code, 2021 Edition," be and is hereby adopted as the Property Maintenance Code for the Township of Maple Shade, for the control of buildings and structures as herein provided, and each of the regulations, provisions, penalties, and conditions of the 2021 Property Maintenance Code and any subsequent supplements or amendments thereto or new editions thereof, are hereby adopted and made a part hereof as if fully set forth in this article.
- B. To the extent that any other regulation or ordinance requires more strict standards than exists in the International Property Maintenance Code 2021 or any subsequent supplements or amendments, then the more strict standards shall apply within the Township of Maple Shade.

152-2. The changes, additions and exceptions elective in this municipality to said code are as follows (section references hereinafter set forth are to sections as set forth in said International Property Maintenance Code):

- a. Section 101.1- insert “Maple Shade Township”
- b. Section 102.3 is deleted and replaced with: "Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the State Uniform Construction Code Act, the State Uniform Safety Act, and any other standards or procedures required by the laws of State of New Jersey and by federal law. If none are applicable, repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the International Building Code, International Fuel Gas Code,

International Mechanical Code and the ICC Electrical Code."

- c. Section 103.1 is deleted.
- d. Section 103.2 is deleted and replaced with "Inspections and issuing orders in connection therewith under the provisions of the 2021 International Property Maintenance Code shall be the exclusive responsibility of the Code Enforcement Official."
- e. Section 103.3 is deleted.
- f. Section 108 is hereby retitled "Appeals" and replace A.108.1 with the following:
 - (a) Any person affected by a decision of the Code Official of a notice or order issued under this Code shall have the right to appeal such determination to the Superior Court of the State of New Jersey in accordance with appropriate state statutes or court rules.
 - (b) Any ruling, action, notice, order or decision of a local enforcing agency that enforces either the State Uniform Construction Code or the Uniform Fire Code, including, without limitation, any refusal to grant an application or any failure or refusal to act upon an application, but not including any order requiring the taking of emergency measures pursuant to N.J.A.C. 5:23-2.32(b) may be appealed to the Burlington County Construction Board of Appeals.
- g. Section 109 Violations regarding enforcement, inspections, abatement, notice, lien for abatement, violations and penalties shall be governed by Sections 152-22 through 152-27 of the Township Code.
- h. Section 202.2 is hereby amended to define Code Official as follows: "the Code Enforcement Officer who is charged with the administration and enforcement of this Property Maintenance Code or any other duly authorized representative of the Township of Maple Shade.
- i. Section 302.4- Insert "8 inches."
- j. Section 302.8 Section PM-302.8 is amended to add subsection 302.8a :Machinery.

302.8a Machinery. Except as provided from in other regulations, no inoperative machinery or building materials which are not in contemplation of immediate use in the construction, repair or remodeling of any house, building or other structure on the lands shall be parked, kept or stored on any premises in any residential zone.
- k. Section 304.14 Delete "during the period of () to ()" and begin section with "Every door, window..."

- l. Section 602.3 insert “Oct 1 to April 30”
- m. Section 602.4 Insert “Oct 1 to April 30”

Section 2. Section 152-5 Creditor is amended as follows (Strikethrough indicates deletions and boldface indicates additions)

- A. Creditor responsibility. ~~Pursuant to the provisions of the Public Laws of 2014, Chapter 35,~~ a creditor filing a summons and complaint to foreclose a lien on a residential **or commercial** property that is vacant and abandoned, whether the filing of the summons and complaint is made before or after the determination that the property is vacant and abandoned, shall be responsible for the care, maintenance, security, and upkeep of the exterior of the residential property. This obligation applies whether the determination that the property is vacant and abandoned is made by the public officer pursuant to the provisions of Chapter **51** of the Code of the Township of Maple Shade (see Ch. **51**, Abandoned Property), pursuant to the provisions of N.J.S.A. 2A:50-73 or otherwise.

All other sections of Chapter 152 shall remain as written

Section 3. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance, which shall otherwise remain in full force and effect.

Section 4. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

Introduction: July 21, 2022

COUNCIL	MOTION	SECOND	AYES	NAYS	ABSTAIN	ABSENT
Kauffman			x			
Schmidt			x			
Volpe			x			
Wiest						x
Nunes			x			

Adopted: August 18, 2022

COUNCIL	MOTION	SECOND	AYES	NAYS	ABSTAIN	ABSENT
Kauffman	x		x			
Schmidt			x			
Volpe		x	x			
Wiest			x			
Nunes			x			

CERTIFICATION

I hereby certify the foregoing to be a true copy of an Ordinance adopted by the Maple Shade Township Council at a meeting held on August 18, 2022.

Andrea T. McVeigh, Township Clerk