

MANNINGTON TOWNSHIP

ORDINANCE NO. 22-01

AMENDMENT OF MANNINGTON TOWNSHIP CODE CHAPTER 102 (“PROPERTY MAINTENANCE”) TO REPEAL AND DELETE ARTICLE III ENTITLED “ABANDONED RESIDENTIAL PROPERTY REGISTRATION”

WHEREAS, on July 6, 2017, the Mannington Township Committee adopted Ordinance No. 17-02 to enact Article III of Chapter 102 of the Mannington Township Code entitled “Abandoned Residential Property Registration” in response to concerns about housing conditions that existed in Mannington Township at that time; and

WHEREAS, the Mannington Township Committee has received a Memorandum dated December 6, 2021 from the Solicitor of the Gloucester Salem Cumberland Counties Municipal Joint Insurance Fund (TRICOJIF) informing that vacant property registration fee ordinances are facing a number of legal challenges on various grounds; and

WHEREAS, the Mannington Township Committee is concerned about the possibility that its abandoned residential property registration requirements might not be lawful; and

WHEREAS, aside from concerns about the lawfulness of the Township’s abandoned residential property registration requirements, the Mannington Township Committee questions whether the provisions of aforesaid Article III continue to be necessary to address housing conditions in the Township or related public health, safety and welfare issues because there may no longer be many, if any, abandoned properties in the Township whose problems cannot be addressed by the requirements of other provisions of the Mannington Township Code, including but not limited to Articles I and II of Chapter 102, or resolved in due course by new owners upon resale given what appear to be generally improved residential real estate market conditions in Mannington Township and the South Jersey region; and

WHEREAS, for the above reasons, the Mannington Township Committee deems it prudent to repeal aforesaid Article III in its entirety, with the understanding that it might later be reenacted if and when appropriate.

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Mannington, in the County of Salem, State of New Jersey, that Article III “Abandoned Residential Property Registration” of Chapter 102 of the Mannington Township Code is hereby repealed and deleted in its entirety.

1. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph subdivision, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.
2. All ordinances or parts of ordinances inconsistent with or in conflict with the Ordinance are hereby repealed to the extent of such inconsistency.

3. This Ordinance shall take effect immediately upon adoption and publication in accordance with the laws of the State of New Jersey.

NOTICE

Notice is hereby given that the foregoing proposed Ordinance No. 22-01 was introduced and passed on first reading by the Township Committee of the Township of Mannington, County of Salem, State of New Jersey, at a regular meeting held on January 6, 2022. A second reading and public hearing on the foregoing Ordinance will be conducted by the Township Committee at a regular meeting to be held on February 3, 2022 at 6:30 p.m., in the Mannington Town Hall, 491 Route 45, Mannington Township, New Jersey, after which the Ordinance will be considered for final passage

ATTEST:

/s/Esther A. Mitchell, Township Clerk

/s/Donald C. Asay, Mayor

CERTIFICATION

I hereby certify the above to be a true copy of an Ordinance introduced and passed by the Mannington Township Committee on second reading following a public hearing at a regular meeting held on February 3, 2022.

/s/Esther A. Mitchell, Township Clerk

ADOPTED: 2/3/2022