

**ORDINANCE 3 - 2015**

**ORDINANCE FOR THE ADOPTION OF THE  
INTERNATIONAL PROPERTY MAINTENANCE CODE**

**STATEMENT**

An Ordinance of the Borough of Woodbury Heights adopting the **most current** edition of the International Property Maintenance Code, regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures in the Borough of Woodbury Heights; providing for the issuance of permits and collection of fees therefore; repealing all other ordinances and parts of the ordinances in conflict therewith.

BE IT ORDAINED by the Borough Council of the Borough of Woodbury Heights, as follows:

**Section 1.** That a certain document, three (3) copies of which are on file in the office of the Borough Clerk of the Borough of Woodbury Heights, being marked and designated as the International Property Maintenance Code, **most current** edition, as published by the International Code Council, be and is hereby adopted as the Property Maintenance Code of the Borough of Woodbury Heights, County of Gloucester, in the State of New Jersey for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code on file in the office of the Borough of Woodbury Heights are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance.

**Section 2.** The following sections are hereby revised:

**Section 101.1. Title.** These regulations shall be known as the *Property Maintenance Code* of the Borough of Woodbury Heights, hereinafter referred to as "This code".

**Section 103.5. Fees.** The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be as indicated in the following schedule. Fees include: application, inspection and one re-inspection.

*Fees.* For all those inspections conducted by the Agency in connection with the sale or rental of a single family dwelling, including condominiums and townhouses, the fee shall be seventy-five (\$75.00) dollars per unit and fifty (\$50.00) dollars per unit for re-inspection. For inspections conducted in connection with rental units in an apartment

complex, the fee shall be seventy-five (\$75.00) dollars per unit and fifty (\$50.00) dollars per unit for re-inspection.

1. For inspection conducted in connection with a Continued Certificate of Occupancy of a commercial structure the fee shall be one hundred fifty (\$150.00) dollars and seventy-five (\$75.00) dollars for re-inspection.

**Section 112.4. Failure to comply.** Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than one-hundred (\$100.00) dollars or more than one-thousand two-hundred and fifty (\$1,250.00) dollars.

**Section 302.3 Sidewalks and driveways.** Sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair, and maintained free from hazardous conditions.

**Section 302.3 A. Snow and ice removal; duty of owners or occupants to remove.**

1. The owners, occupant or occupants, tenant or tenants of premises abutting or bordering upon any street shall remove all snow and ice from the abutting sidewalks of such streets or, in the case of ice which may be frozen as to make its removal impractical, shall cause the same to be thoroughly covered with sand, salt or cinders within 24 hours after the same shall fall or be formed thereon.
2. In case the building is occupied by more than one family or business unit, then the tenant or occupant of the first floor or story shall thereof is hereby required to remove all snow and ice from such portion of the sidewalk or, in the case of ice is impractical to remove, cover the same with sand, salt or cinders within 24 hours after the same shall fall thereon. The sidewalk shall be cleared from snow and ice. Creating a clear open path not less than 24 inches in width.
3. No person, firm or corporation, owner, tenant or occupant of any premises abutting on any street shall throw, place or deposit any snow or ice into or upon any street, it being the intent and purpose of this provision to prohibit all persons from throwing, casting, placing or depositing snow and ice, which is accumulated within the private property belonging to said person, upon the sidewalks or streets of above mentioned Municipality.
4. Violations and penalties. Any person or persons or corporation or corporations neglecting to comply with the provisions of this article shall be punishable by a fine not to exceed \$1,000, imprisonment for a period not to exceed 90 days or a period of community service not exceeding 90 days, or any combination thereof, for every such neglect.

**Section 302.4. Weeds.** All *premises* and *exterior property* shall be maintained free from weeds or plant growth in excess of ten (10) inches. All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens.

**Exception: Empty Lots without structures shall be exempt from 302.4**

Upon failure of the *owner* or agent having charge of a property to cut and destroy weeds after service of a notice of violation, they shall be subject to prosecution in accordance with Section 106.3 and as prescribed by the authority having jurisdiction. Upon failure to comply with the notice of violation, any duly authorized employee of the jurisdiction or contractor hired by the jurisdiction shall be authorized to enter upon the property in violation and cut and destroy the weeds growing thereon, and the costs of such removal shall be paid by the *owner* or agent responsible for the property.

**Section 302.8 Motor vehicles.** Except as provided for in other regulations, not more than one inoperative or unlicensed motor vehicle shall be parked, kept or stored on any premises, and no vehicle shall at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside an *approved* spray booth.

**Exception: A vehicle of any type is permitted to undergo major overhaul, including body work, provided that such work is performed inside a structure or similarly enclosed area designed and *approved* for such purposes.**

**Section 304.14. Insect screens.** During the period from April 1 to November 1, every door, window and other outside opening required for *ventilation* of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored shall be supplied with *approved* tightly fitting screens of not less than 16 mesh per inch (16 mesh per 25 mm), and every screen door used for insect control shall have a self-closing device in good working condition.

**Exception:** Screens shall not be required where other *approved* means, such as air curtains or insect repellent fans, are employed.

**Section 602.3 Heat supply.** Every *owner* and *operator* of any building who rents, leases or lets one or more *dwelling units* or *sleeping units* on terms, either expressed or implied, to furnish heat to the *occupants* thereof shall supply heat during the period from October 1 to April 1 to maintain a temperature of not less than 68°F (20°C) in all habitable rooms, *bathrooms* and *toilet rooms*.

**Exceptions:**

1. When the outdoor temperature is below the winter outdoor design temperature for the locality, maintenance of the minimum room temperature shall not be required provided that the heating system is operating at its full design capacity.

The winter outdoor design temperature for the locality shall be as indicated in Appendix D of the *International Plumbing Code*.

2. In areas where the average monthly temperature is above 30°F (-1°C) a minimum temperature of 65°F (18°C) shall be maintained.

**Section 602.4 Occupiable work spaces.** Indoor occupiable work spaces shall be supplied with heat during the period from January 1 to December 31 to maintain a temperature of not less than 65°F (18°C) during the period the spaces are occupied.

**Exceptions:**

1. Processing, storage and operation areas that require cooling or special temperature conditions.
2. Areas in which persons are primarily engaged in vigorous physical activities.

**Section 3.** That all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

**Section 4.** That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. Mayor and Council hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.


**Section 5.** That nothing in this ordinance or in the Property Maintenance Code hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 3 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

**Section 6.** That the Borough Clerk shall certify to the adoption of this ordinance, and cause the same to be published as required by law; and this ordinance shall take effect and be in force from and after its approval as required by law.

**BOROUGH OF WOODBURY HEIGHTS**


  
\_\_\_\_\_  
**ROBBIE J. CONLEY, MAYOR**

**ATTEST:**

  
\_\_\_\_\_  
**JANET PIZZI, BOROUGH CLERK**

**CERTIFICATION**

The foregoing Ordinance was introduced at a Regular Meeting of Borough Council of the Borough of Woodbury Heights held on the **18<sup>th</sup> day of FEBRUARY, 2015**, and will be considered for final passage and adoption at a Regular Meeting at which time any person interested therein will be given an opportunity to be heard. Said meeting to be held on **18<sup>th</sup> day of MARCH, 2015**, at the Borough Hall, 500 Elm Ave, Woodbury Heights, New Jersey.

  
\_\_\_\_\_  
**JANET PIZZI , BOROUGH CLERK**