

Borough of Matawan

Notice of Pending Ordinance

The ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the governing body of the Borough of Matawan, in the County of Monmouth, State of New Jersey, on September 16, 2014. It will be further considered for final passage, after public hearing thereon, at a meeting of the governing body to be held at the regular meeting of the governing body in the Borough on October 21, 2014 at 7:00 o'clock pm. During the week prior to and up to and including the date of such meeting, copies of the full ordinance will be available at no cost and during regular business hours at the Clerk's office for the members of the general public who shall request the same.

Karen Wynne, RMC
Municipal Clerk

ORDINANCE 14-13

AN ORDINANCE AMENDING PROVISIONS OF ORDINANCE 2-57 AND REVISING OTHERS FOR THE PAYMENT OF DELINQUENT PROPERTY TAXES, ASSESSMENTS, AND WATER AND SEWER BILL PRIOR TO ISSUANCE OF LICENSE OR PERMIT

WHEREAS, Ordinance 2-57 was adopted by the Mayor and Council of the Borough of Matawan in 1971 under the provisions of Code Section 2-26.31 as amended; and

WHEREAS, since 1971, the Borough of Matawan Governing Body has engaged in and implemented a successful accelerated tax sale certificate program, which has addressed the issues that were originally public policy considerations that predated the adoption of Ordinance 2-57 in 1971; and

WHEREAS, the Borough of Matawan, as a result of accelerated tax sale certificate program, does have the ability to offer the sale of tax lien certificate for delinquent tax and utility obligations at an accelerated rate; and

WHEREAS, since 1971, the provisions of Ordinance 2-57 have impacted the ability of new businesses to open in a timely fashion, thereby penalizing prospective tenants of commercial real estate and not the individuals who may be in default on the taxes or utility charges, which prevents economic growth and vitality;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Matawan as follows:

1) The provisions of Ordinance 2-57.1, 2-57.2, and 2-57.3 are deleted in their entirety.

2) The provisions of Ordinance 2-57.4 are replaced and amended as follows:

As a condition for the issuance of any license, permit, or certificate requiring approval of the Borough, the owner or applicant shall pay any delinquent property taxes or utility bills on property that is the subject for the following approvals:

- a) Permits required pursuant to the Uniform Commercial Code;
- b) Soil removal permits;
- c) Tree removal permits;
- d) Junk-dealer licenses;
- e) Certificates of Occupancy required; however, if a Certificate of Occupancy is needed for closing of title, a conditional, temporary Certificate of Occupancy may be issued upon delivery of executed contracts for the sale of the property to the Borough Clerk. The conditional, temporary Certificate of Occupancy shall be contingent upon the payment of all taxes at the time of closing of title. If not paid within ten days after closing, the conditional, temporary Certificate of Occupancy shall be deemed revoked;
- f) Food service licensing;
- g) Animal or dog pound licenses;
- h) Amusement licenses;
- i) Nursing home licenses;

If any part of this Ordinance is deemed to be illegal or ineffective, the other provisions shall nonetheless remain in force.

This Ordinance shall take effect upon second reading and publication according to law.