

**SUSSEX BOROUGH
ORDINANCE NO. 2021-10**

**AN ORDINANCE REVISING CHAPTER 12-4, PROPERTY MAINTENANCE CODE,
OF THE CODE OF THE BOROUGH OF SUSSEX**

WHEREAS, the Borough of Sussex is desirous to revise Chapter 12-4, Property Maintenance Code, of the Borough Code to provide for enforcement at law or equity in addition to the existing remedies;

NOW, THEREFORE, by the Borough Council of the Borough of Sussex, hereby amends Chapter 12-4, Property Maintenance Code, as follows:

SECTION 1

Subsection 12-4.5 (Enforcement Procedure) is amended to add new subsection (f) as follows:

§ 12-4.5(f)

In case any building or structure is erected, constructed, altered, repaired, converted, or maintained, or any building, structure or land is used in violation of this Property Maintenance Code or the Municipal Land Use Law, N.J.S.A. 40:55D-1, et seq. (“MLUL”) or any other ordinance or regulation made by authority conferred by the MLUL the Borough or an interested party, in addition to other remedies, may institute any appropriate action or proceedings at law or equity to prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance or use, to restrain, correct or abate such violation, to prevent the occupancy of said building, structure or land, or to prevent any illegal act, conduct, business or use in or about such premises.

SECTION 2

If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be invalid by a Court of competent jurisdiction, such a decision shall not affect the validity of the remaining portions of this Ordinance. All ordinances or parts of ordinances or resolutions that are inconsistent or in opposition to the provisions of this Ordinance are hereby repealed in their entirety.

SECTION 3

This Ordinance shall take effect immediately after final passage and publication.

NOTICE

TAKE NOTICE that the above Ordinance was introduced at a regular meeting of the Borough Council of the Borough of Sussex conducted on Tuesday, May 18, 2021. It will be considered for adoption, after final reading and public hearing thereon, at a regular meeting of the Sussex Borough Governing Body, to be conducted at 7:00 pm on Tuesday, June 1, 2021 at Borough Hall, 2 Main Street, in the Borough of Sussex at 7:00 p.m. or via the internet, connectivity information available at www.sussexboro.com and that at such time and place all persons interested be given an opportunity to be heard concerning said Ordinance.

Antoinette Smith, Clerk

Edward Meyer, Mayor

Introduced: May 18, 2021

Adopted: June 1, 2021