

**Borough of Hillsdale****Ordinance Number 10-06****(Adoption)****Title: An Ordinance Adopting Revisions to the International Property Maintenance Code of 2009 in the Borough of Hillsdale**

An ordinance of the Borough of Hillsdale adopting the 2009 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 building and structures unfit for human occupancy and use, and the demolition of such existing structures in the Borough of Hillsdale; providing for the issuance of permits and collection of fees therefor; repealing Ordinance No. 05-13 of the Borough of Hillsdale and all other ordinances and parts of the ordinances in conflict therewith.

WHEREAS, the Mayor and Council of the Borough of Hillsdale desire to continue excellent standards of property maintenance in the Borough;

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

Section 1: That a certain document, three (3) copies of which are on file in the office of the Borough Administrator of the Borough of Hillsdale, being marked and designated as the International Property Maintenance Code, 2009 edition, as published by the International Code Council, be and is hereby adopted as the Property Maintenance Code of the Borough of Hillsdale in the State of New Jersey for regulating and governing the conditions and maintenance of all property, buildings, and structures; by providing the standard 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 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 Hillsdale 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 prescribed in Section 2 of this ordinance.

Section 2: The following sections are hereby revised:

Section 101.1 is changed to read as follows: Title. These regulations shall be known as the International Property Maintenance Code of the Borough of Hillsdale, hereinafter referred to as 'this code'.

Section 103.5 is changed to read as follows: Fees. The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be as indicated and set forth in Chapter 138, Fees of the Code of the Borough of Hillsdale.

Section 112.4 Insert "not less than 500 dollars or more than 2,000 dollars."

Section 302.4 Insert "4 inches" as height maximum.

Section 304.14 Insert “May 1<sup>st</sup> to September 30<sup>th</sup>”

Section 602.3 Insert “October 1<sup>st</sup> to May 1<sup>st</sup>”

Section 602.4 Insert “October 1<sup>st</sup> to May 1<sup>st</sup>”

Section 3: That Ordinance No. 05-13 of the Borough of Hillsdale entitled AN ORDINANCE OF THE BOROUGH OF HILLSDALE, COUNTY OF BERGEN, STATE OF NEW JERSEY, ADOPTING INTERNATIONAL PROPERTY MAINTENANCE CODE 2003, and all other ordinances or parts of ordinances in conflict or inconsistent herewith are hereby repealed to the extent of such conflicts or inconsistencies.

Section 4: That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, or otherwise invalid by any court of competent jurisdiction, or by any legislative action, such decision shall not affect the validity of the remaining portions of this ordinance. The Mayor and Council hereby declare that they would have passed this ordinance, and each section, subsection, clause and phrase thereof, irrespective of the fact that any one or more section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, or otherwise invalid by any court of competent jurisdiction, or by any legislative action.

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 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 is hereby ordered and directed to cause this ordinance to be published as required by law.

Section 7: That this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect immediately upon and after the date of its final passage, adoption and publications as required by law.

<b>Council member</b>	<b>Motion</b>	<b>Second</b>	<b>Yes</b>	<b>No</b>	<b>Absent</b>	<b>Abstain</b>
Arnowitz, Max			X			
DeJoseph, Jonathan			X			
Giancarlo, Michael			X			
Hanlon, Marie		x	X			
Schiavone, Donna	x		X			
Weinstein, Andrew			X			

Adopted: April 6, 2010

Robert P. Sandt, RMC

Mayor John Sapanara

