

**ORDINANCE 2013-13 OF THE TOWNSHIP OF BERLIN, COUNTY OF CAMDEN, AND STATE OF NEW JERSEY, AMENDING CHAPTER 249 OF THE CODE OF THE TOWNSHIP OF BERLIN ENTITLED "PROPERTY MAINTENANCE"**

**WHEREAS**, Chapter 249 of the Code of the Township of Berlin, entitled "Property Maintenance," regulates, in pertinent part, the maintenance of private property within the Township of Berlin; and

**WHEREAS**, the Governing Body has determined it necessary for the health, safety and welfare of the residents of the Township of Berlin to revise Chapter 249 regarding storage of junk vehicles on private property; and

**WHEREAS**, pursuant to N.J.S.A. 40:48-2, the Governing Body is authorized to enact and amend ordinances as deemed necessary for the preservation of the public health, safety and welfare and as may be necessary to carry into effect the powers and duties conferred and imposed upon the Township by law; and

**NOW THEREFORE BE IT ORDAINED**, by the Mayor and the Township Council of the Township of Berlin, as follows:

**SECTION 1:** Chapter 249, entitled "Property Maintenance," Article 2, entitled "Junk, Waste and Equipment Storage," Section 7, entitled "Exemptions," is hereby amended, revised and supplemented as follows:

Section 249-7. Exemptions.

- A. Nothing herein contained shall prohibit the keeping of one (1) junk vehicle on private lands. In such a case, the vehicle shall be parked only in the rear yard area. The one (1) junk vehicle parked in the rear yard shall be covered at all times unless restoration work is being performed on the vehicle. For purposes of this Chapter, rear yard shall have the meaning set forth in Section 340-4 of the Code of the Township of Berlin.
- B. **[NO CHANGE]**
- C. **[NO CHANGE]**
- D. **[NO CHANGE]**
- E. The owner of any property upon which one or more junk vehicles is stored or has been stored as of the effective date of the amendment of Section 249-7(A) above shall have ninety (90) days from said effective date to comply with the requirements of this Chapter as amended. Failure to comply with the amended provisions of this Chapter within said ninety (90) day period shall subject the property owner to the enforcement

provisions of this Chapter, including but not limited to fines and/or imprisonment for each day a violation continues.

**SECTION 2:** Except as set forth in Section 1 above, the balance of Chapter 249 shall not be affected by this Ordinance.

**SECTION 3:** All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

**SECTION 4:** If the provisions of any section, subsection, paragraph, subdivision, or clause of this Ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this Ordinance.

**SECTION 5:** This Ordinance shall take effect twenty (20) days after final adoption and publication as required by law.

Notice is hereby given that the foregoing Ordinance was introduced and passed upon first reading at a meeting of the Mayor and Council of the Township of Berlin, Camden County, New Jersey on September 9, 2013 and the same was ordered published pursuant to statute. Said ordinance will be further considered for final adoption at a meeting of the Mayor and Council of the Township of Berlin on October 28, 2013 at 6:30 p.m. at the Berlin Township Municipal Hall, 135 Route 73 South, West Berlin, NJ.

Catherine Underwood  
Township Clerk