

**TOWNSHIP OF MANSFIELD
BURLINGTON COUNTY**

RESOLUTION 2021-5-16

DECLARING THE PREMISES AT 364 NEW YORK AVENUE, BLOCK 26, LOT 2.01, MANSFIELD TOWNSHIP, TO BE UNSAFE FOR HUMAN HABITATION, OCCUPANCY AND USE PURSUANT TO MANSFIELD CODE CHAPTER 25B “HOUSING STANDARDS” AND AUTHORIZING THE DEMOLITION OF SAID PREMISES BY THE TOWNSHIP PURSUANT TO SECTION 25B-5.D AND FURTHER AUTHORIZING THE FILING OF A CERTIFICATE OF LIEN AGAINST THE PROPERTY FOR THE COSTS OF DEMOLITION AND ALL RELATED COSTS AND EXPENSES PURSUANT TO SECTION 25B-5.E.

WHEREAS, the Code of the Township of Mansfield, Chapter 25B, “Housing Standards” incorporates the New Jersey State Housing Code within the Township of Mansfield; and

WHEREAS, pursuant to Section 25B-3, as the designee of the Township Administrator the Township Construction Official inspected the premises at 364 New York Ave., also known as Block 26, Lot 2.01, Mansfield Township; and

WHEREAS, after said inspection, the Construction Official determined that the condition of the premises included unsafe sanitary conditions and determined that, within the meaning of Chapter 25B, the premises is unfit for human habitation, occupancy or use; and

WHEREAS, pursuant to Section 25B-4, the Construction Official issued a Notice of Violation and ordered the owner to demolish the premises or correct the unsafe and unsanitary conditions by March 22, 2021, said notice having been served on the owner by certified mail, return receipt requested; and

WHEREAS, in accordance with Section 25B-4, no action having been taken by the owner to demolish the building or to cure or abate the unsafe and unsanitary conditions within a reasonable time, the Construction Official scheduled a hearing on April 20, 2021 at 2 PM, which was not less than 7 nor more than 30 days after the Notice of Violation; and

WHEREAS, the Construction Official sent a Notice of said Hearing by certified mail, return receipt requested, and by regular mail, advising the owner that, at the hearing, the Township would seek the entry of an order declaring that the premises are unfit for human habitation and ordering the owner thereof to demolish the building and all improvements within 30 days; said notice further providing, in accordance with Section 25B-5.D. that the failure by the owner to demolish the building within said 30 days would result in the demolition of the building by Mansfield Township and that the cost of said demolition, together with the Township

costs and expenses, would be assessed against the property as a lien on the property in accordance with Section 25B-5.E.; and

WHEREAS, the owner did not accept or respond to the certified mail or the regular mail notice of said hearing, and the owner did not participate in the hearing on April 20, 2021; and

WHEREAS, no action has been taken by the owner to demolish the building or to cure or abate the unsafe and unsanitary conditions at the premises.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mansfield, County of Burlington, and State of New Jersey, as follows:

Section 1. In accordance with Mansfield Township Code, Chapter 20 5B, the premises and building known as 364 New York Avenue, also known as Block 26, Lot 2.01 on the tax map of Mansfield Township, is hereby declared to be unsafe for human habitation, occupancy and use and shall be demolished not sooner than 30 days after notice of the adoption of this Resolution and service, posting, publication and recording of this Resolution as set forth in Section 3 below.

Section 2. The cost of clearing and demolition of the building and premises, including the cost of clearing and leveling the lot, together with all legal and advertising costs, shall be a municipal lien against the real property described herein; provided that there shall be credited against the cost of removal or demolition, the proceeds of any sale of materials or any sum derived from any contract for the removal or demolition of the building.

Section 3. A certified copy of this Resolution shall be (a) served on the owner by certified mail and regular mail; (b) posted in a conspicuous place on the premises; (c) published in the Burlington County Times and (d) recorded in the Office of the Clerk of Burlington County.

**MOTION:
ROLL CALL VOTE**

SECOND:

AYES:

NAYS:

ABSTAIN:

ABSENT:

CERTIFICATION

I, **LINDA SEMUS, RMC**, Municipal Clerk of the Township of Mansfield, do hereby certify the foregoing to be a true and accurate copy of the resolution adopted by the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey at a meeting held on May 19, 2021 at 7:00 PM.

LINDA SEMUS, RMC, CMR, Municipal Clerk