

**AN ORDINANCE AMENDING CHAPTER 14, SECTIONS 20.4 AND 20.7 OF THE
REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WEST ORANGE
(PENALTIES FOR FAILURE TO REPORT and PENALTIES FOR FAILURE TO
MAINTAIN PROPERTY)**

BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF WEST ORANGE, NEW JERSEY that Chapter 14, Sections 20.4 and 20.7 of the Revised General Ordinances of the Township of West Orange be and are hereby amended as follows:

I. PURPOSE

The purpose of this ordinance is to modify the fines set forth in Chapter 14, Sections 20.4 and 20.7 of the Revised General Ordinances of the Township of West Orange to be amendable by Resolution such that it is amendable in the future by approval of the Township Council, a necessity in an everchanging socioeconomic climate.

II. CHAPTER 14, SECTIONS 20.4 AND 20.7 SHALL BE AND HEREBY IS AMENDED AND SUPPLEMENTED TO INCORPORATE THE FOLLOWING:

§14-20.4 BE AND HEREBY AMENDED AS FOLLOWS:

- The portion entitled “Penalties for Failure to Report” which specifies the fine an out-of-state creditor will endure for failure to appoint an in-State representative through the filing of a foreclosure notice, shall be repealed and replaced by the following language:

Any out-of-State foreclosing creditor that is found to be in violation of the requirement to appoint an in-State representative through the filing of a foreclosure notice shall be subject to a fine prescribed by Resolution for each day of the violation. Any fines imposed on a foreclosing creditor for failure to appoint an in-State representative shall commence on the day after the ten-day period set forth in subsection 20.3a for providing notice to the Township Clerk that a summons and complaint in an action to foreclose on a mortgage has been served.

§14-20.7 BE AND HEREBY AMENDED AS FOLLOWS:

- The portion entitled “Penalties for Failure to Maintain Property” which specifies fine a foreclosing creditor endures per day for failure to comply with Chapter 14, Sections 20.5 and 20.6 of the Revised General Ordinances of the Township of West Orange, shall be repealed and replaced by the following language:

A foreclosing creditor found to be in violation of subsection **14-20.5** of this chapter shall be subject to a fine prescribed by Resolution for each day of the violation. Fines shall begin to accrue 31 days following receipt of the notice provided for in subsection **14-20.6** of this chapter, except if the violation presents an imminent risk to public health and safety, in which

case any fines shall begin to accrue 11 days following receipt of such notice.

III. REPEAL OF CONFLICTING ORDINANCES

Any Ordinances of the Township which are in conflict with this Ordinance are hereby repealed to the extent of such conflict.

IV. SEVERABILITY

If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereof shall not affect the remaining parts of this Ordinance.

V. EFFECTIVE DATE

This Ordinance shall take effect upon final passage and publication in accordance with the law.

SUSAN MCCARTNEY, MAYOR

**TAMMY WILLIAMS,
COUNCIL PRESIDENT**

KAREN J. CARNEVALE, R.M.C., MUNICIPAL CLERK

INTRODUCED: March 21, 2023

ADOPTED:

Legislative History

The purpose of this ordinance is to modify the fines set forth in Chapter 14 of the Revised General Ordinances of the Township of West Orange to be subject to adjustment by Resolution.