

**KNOWLTON TOWNSHIP
COUNTY OF WARREN
ORDINANCE 2023-16**

**AN ORDINANCE AMENDING SECTIONS 11-50 AND 124-4 OF THE CODE OF THE
TOWNSHIP OF KNOWLTON REGARDING THE FILING OF ZONING AND
NUISANCE COMPLAINTS WITH THE ZONING OFFICER**

WHEREAS, the Township of Knowlton seeks to require all zoning and nuisance complaints to be writing in order to facilitate better record-keeping and organization; and

WHEREAS, the Township also desires to clarify the procedures regarding enforcement of zoning violations and the assessment of penalties.

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Knowlton, in the County of Warren and State of New Jersey, as follows:

SECTION 1. Section 11-50 of the Code of the Township of Knowlton, entitled “General Violations,” is hereby deleted in its entirety and replaced with the following:

§11-50 General Violations.

A. Complaints of Zoning Ordinance violations.

Any person may file a complaint if there is any reason to believe a violation of this chapter exists. All such complaints must be in writing and shall be filed with the Zoning Officer, who shall properly record such complaint and immediately investigate.

B. Procedures for abatement of violations.

- 1) In case any building or structure is erected, constructed, reconstructed, altered, repaired, converted or maintained, or any building, structure or land is used, in violation of this chapter or of any ordinance or regulation made under authority conferred hereby, the Zoning Officer or other proper official, in addition to other remedies, may institute any appropriate legal action or proceedings 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 about such premises.
- 2) A violation of any of the terms of this chapter shall be abated within five days, or within as reasonable time as may be determined, after written notice has been served, either by mail or personal service.

C. Violations and penalties.

- 1) In addition to the foregoing penalties, the municipality may enforce the provisions of this chapter in accordance with the provisions set forth in N.J.S.A. 40:55D-18.
- 2) Any person or entity who or which violates, disobeys, omits, neglects, or refuses to comply with or who or which resists the enforcement of the provisions of this chapter or any order, decision or determination by the Land Use Board and who or

which refuses to abate the violation within five days after written notice has been served upon him or her or it by registered mail or by personal service shall, for each and every violation, be subject to a fine of not more than \$1,250.

- 3) Any person who is convicted of violating this chapter within one year of the date of a previous conviction of the same chapter shall be sentenced by the court to an additional fine as a repeat offender. The additional fine imposed by the court upon a person for a repeated offense shall not exceed \$1,250 and shall be calculated separately from the fine imposed for violating the chapter.
- 4) Each and every day that such a violation continues, after service of proper notice, shall be considered a separate and specific violation of this chapter without the service of additional notice.
- 5) In addition to the above penalties, a stop-work order shall be issued by the appropriate township authority until the violations are remedied.

SECTION 2. Section 127-4 of the Code of the Township of Knowlton entitled “Complaint; investigation,” which pertains to the filing and investigation of nuisance complaints, shall be amended as follows (deletions noted in strikethrough ~~thus~~ and additions noted in bold italic ***thus***):

§ 127-4 Complaint; investigation.

Upon the complaint of any resident or property owner of the township or any employee of the township or upon his own motion, the Zoning Officer, Health Officer, Uniform Construction Code Official, or Police Officer, or their designated agents, shall make an investigation of the conditions complained of and report therein, in writing, to the Township Clerk for transmittal to the Township Committee. ***All complaints of residents or property owners must be in writing and shall be filed with the Zoning Officer, who shall properly record such complaint and investigate accordingly.***

SECTION 3. All ordinances or parts of ordinances in conflict or inconsistent with any part of this Ordinance are hereby repealed to the extent that they are in conflict or inconsistent.

SECTION 4. If any section, provision, or part of provision of this Ordinance shall be held to be unenforceable or invalid by any court, such holding shall not affect the validity of this Ordinance, or any part thereof, other than the part so held unenforceable or invalid.

SECTION 5. This Ordinance shall take effect after passage and publication in the manner provided by law.

Introduction: October 26, 2023

Motion: Shipps

Second: Van Horn

AIF: Bates-Yes, Cuntala- Absent, Mazza-yes, Shipps-yes, Van Horn-yes

Adoption: November 13, 2023

Motion: Cuntala

Second: Shipps

AIF: Bates-Yes, Cuntala- yes, Mazza-yes, Shipps-yes, Van Horn-yes