

CHAPTER 9
URBAN REDEVELOPMENT: STRUCTURAL DETERMINATION

Authority
 N.J.S.A. 55:19-55.

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 R.2003 d.215, effective April 28, 2003.
 See: 34 N.J.R. 3412(a), 35 N.J.R. 3186(d).

Chapter Expiration Date
 Chapter 9, Urban Redevelopment: Structural Determination, expires on April 28, 2008.

Chapter Historical Note
 Chapter 9, Urban Redevelopment: Structural Determination, was adopted as R.1997 d.506, effective December 1, 1997. See: 29 N.J.R. 3759(a), 29 N.J.R. 5061(a).

Chapter Historical Note
 Chapter 9, Urban Redevelopment: Structural Determination, was readopted as R.2003 d.215, effective April 28, 2003. See: Source and Effective Date.

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SUBCHAPTER 1. BUILDINGS AND STRUCTURES

5:9-1.1 Hazardous and unfit buildings and structures

(a) For purposes of section 36 of P.L. 1996, c.62 (N.J.S.A. 55:19-55), a building or structure shall be deemed to be inimical to the welfare, including the economic welfare, of the residents of the municipality wherein it is located, and unfit for human habitation or occupancy, in any of the following cases:

1. The construction official having jurisdiction has issued a notice of unsafe structure, pursuant to N.J.A.C. 5:23-2.32(a), determining the building or structure to be unsafe or unsanitary, or to contain deficient or blocked exitways, or to constitute a fire hazard, or to be used or occupied in an illegal or improper manner that causes it to be unsafe, or otherwise to be dangerous to human life or public welfare, and has ordered correction of such condition(s), and the person served with the notice of unsafe structure has failed or refused to comply with the

order to abate the unsafe condition within the time allowed by the construction official and the order is not under appeal;

2. The construction official having jurisdiction has issued a notice of imminent hazard and order to vacate, pursuant to N.J.A.C. 5:23-2.32(b), determining the building or structure to be unsafe and a hazard to life and prohibiting entry for any purpose other than the making of repairs or demolition and the order is not under appeal; or

3. The building, or part thereof, has been damaged to such an extent that nothing remains but the walls, or parts of walls and other supports.

5:9-1.2 Rehabilitation in a timely manner

(a) For purposes of section 36 of P.L. 1996, c.62 (N.J.S.A. 55:19-55), a building or structure shall be deemed to be undergoing rehabilitation in a timely manner if:

1. A construction permit for the rehabilitation work has been issued by the construction official having jurisdiction; and

2. The permit has not become invalid, in accordance with N.J.A.C. 5:23-2.16(b), by reason of the authorized work not having commenced within 12 months after the issuance of the permit or by reason of the authorized work having been suspended or abandoned for a period of six months after the time of commencing the work.

SUBCHAPTER 2. REIMBURSEMENT OF COSTS

5:9-2.1 Procedure for submission of claims

(a) Pursuant to section 36 of P.L. 1996, c.62 (N.J.S.A. 55:19-55), the New Jersey Redevelopment Authority, or any subsidiary corporation formed by the New Jersey Redevelopment Authority, may reimburse a municipality for the postage costs and search fees associated with providing notice to owners of properties that have been determined by to be abandoned and to their mortgagees, servicing organizations and property tax processing organizations.

(b) An applicant for reimbursement for postage costs and search fees shall submit to the New Jersey Redevelopment Authority or subsidiary corporation, as the case may be, a list of the abandoned properties with respect to which costs were incurred, including an itemization, with costs specified, of the mailings and searches made with respect to each such property. The application shall be certified by the chief finance officer of the municipality.