

16-1 INJUNCTIVE RELIEF.

In case any building or structure is erected, constructed, altered, repaired, converted, or maintained, or any building, structure or land is used in violation of this chapter or any regulation made under authority conferred hereby, the proper local authorities of the municipality or an interested party, in addition to other remedies, may institute any appropriate 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 the building, structure or land, to prevent any illegal act, conduct, business or use in or about such premises. (Ord. No. 581 § 15-1)

16-2 SELLING BEFORE SUBDIVISION.

If, before Final Subdivision approval has been granted, any person transfers or sells or agrees to transfer or sell, except pursuant to an agreement expressly conditioned on Final Subdivision approval, as owner or agent, any land which forms a part of a subdivision for which municipal approval is required by this chapter, such persons shall be subject to a penalty not to exceed one thousand (\$1,000.00) dollars, and each lot disposition so made may be deemed a separate violation. In addition to the foregoing, the municipality may institute and maintain a civil action:

16-2.1 For injunctive relief; and

16-2.2 To set aside and invalidate any conveyance made pursuant to such a contract of sale if a certificate of compliance has not been issued in accordance with N.J.S.A. 40:55D-56, but only if the municipality (1) has a Planning Board, and (2) has adopted by ordinance standards and procedures in accordance with N.J.S. 40:55D-38.
(Ord. No. 581 § 15-2)

16-3 GENERAL PENALTY.

Any person, firm or corporation violating any provision of this chapter (except for a violation of the sort described in Section 16-2) shall, upon conviction, be punished by one (1) or more of the following penalties:

16-3.1 A fine not exceeding two thousand (\$2,000.00) dollars. The Zoning Officer or other enforcement official shall provide a thirty (30) day period in which the owner shall be afforded the opportunity to cure or abate the condition and shall also be afforded an opportunity for a hearing before a court of competent jurisdiction for an independent determination concerning the violation. Subsequent the expiration of the thirty (30) day period, a fine greater than one thousand two hundred fifty (\$1,250.00) dollars may be imposed if a court has not determined otherwise or, upon reinspection of the property, it is determined that the abatement has not been substantially completed. If, during that thirty (30) day period, the abatement has been substantially completed, the municipal court may impose a fine not greater than one thousand two hundred fifty (\$1,250.00) dollars.

16-3.2 Imprisonment in the County Jail for a period not to exceed ninety (90) days.

16-3.3 By a period of community service not to exceed ninety (90) days.

16-3.4 Each day that a violation continues shall be deemed to be a separate and distinct offense.
(Ord. No. 581 § 15-3; Ord. No. 890 § 1g; Ord. No. 2006-1417 § 2)