Chapter 119A

PROPERTY MAINTENANCE

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§ 119A-1. Purpose.

The purpose of this chapter is to protect the public health, safety, morals and welfare by establishing minimum standards governing the maintenance, appearance, condition and occupancy of dwelling units and nonresidential premises; to establish minimum standards governing utilities, facilities and other physical conditions essential to making the aforesaid facilities fit for human habitation, occupancy and use; to fix certain responsibilities on owners and operators and distinct separate responsibilities and duties upon occupants; to establish procedures for inspection of residential and nonresidential premises; to fix penalties for violation of the chapter. This chapter is hereby declared to be remedial and essential for the public interest, and it is intended that this chapter be liberally construed to effectuate the purposes as stated herein.


For the purpose of this chapter, the following terms, phrases, words and their derivations shall have the meanings stated herein unless the use in the text of this chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future; words used in the plural number include the singular number; and words used in the singular number include the plural number. The word “shall” is always mandatory and not merely directory.

ACCESSORY STRUCTURE — A structure, the use of which is incidental to that of the main building and which is attached thereto or located on the same premises.

ANSI — American National Standards Institute, Inc.

BATHROOM — Enclosed space containing one or more bathtubs or showers, or both, and which shall also include toilets, lavatories or fixtures serving similar purposes.

BASEMENT — The portion of the building that is partly underground which has more than 1/2 of its height, measured from clear floor to ceiling, above the average adjoining ground level. Where the natural contour of the ground level immediately adjacent to the building is interrupted by ditching, pits or trenching, then the average adjoining ground level shall be the nearest natural contour line parallel to the walls of the building without regard to the levels created by the ditching pits or trenching.

BUILDING — A combination of materials to form a structure adapted to permanent or continuous occupancy or use for public, institutional, residence, business, industrial or storage purposes.

BUILDING CODE — The adopted building code of the Township of East Hanover.

BUILDING OFFICIAL — The officer or other designated authority charged with the administration and enforcement of the BOCA Basic Building Code or the Uniform Construction...
Code; the Construction Official or a duly authorized representative.

CARBON MONOXIDE DETECTOR — Any device designed to detect and alert the presence of abnormal carbon monoxide levels within a building, dwelling or structure.

CELLAR — The lowermost portion of the building partly or totally underground, having 1/2 or more of its height measured from clear floor to ceiling below the average adjoining ground level. Where the natural contour of the ground level immediately adjacent to the building is interrupted by ditching, pits or trenching, then the average adjoining ground level shall be the nearest natural contour line parallel to the walls of the building without regard to the levels created by the ditching, pits or trenching.

CERTIFICATE OF COMPLIANCE — A certificate required to be obtained by the owner of any residential real estate prior to the rental or lease or transfer of title of such property involving a new occupant, a new tenant or a new owner of said property. It shall be the owner’s obligation to make application for a certificate of compliance from the Code Enforcement Officer and in that connection shall pay a fee as provided for in § 119A-40 hereof in order to obtain the certificate. The certificate certifies that all requirements of the appropriate codes and ordinances, or such adjustments thereof which have been approved by the appropriate Township authority, and all other applicable requirements have been complied with.

CHANGE OF USE — An alteration by change of use in a building heretofore existing, such as from a one-family to a two-family dwelling or from a commercial use to a residential use or any other change, whether from less intensive to more intensive or from more intensive to less intensive.

DETERIORATION — The condition or appearance of a building or part thereof, characterized by holes, breaks, rot, crumbling, cracking, peeling, rusting or other evidence of physical decay/neglect, lack of maintenance or excessive use.

DWELLING — Any structure designed for use by human occupants for sleeping and living purposes, whether occupied or vacant, except that the foregoing shall not apply to hotels.

DWELLING UNIT — Any room or group of rooms located within a dwelling forming a single habitable unit, which includes facilities for living, sleeping, cooking, eating, bathing and toilet purposes.

ENFORCEMENT OFFICER — The duly appointed Enforcement Officer of the Township of East Hanover.

EXPOSED TO PUBLIC VIEW — Any premises or any part thereof or any building or any part thereof which may be lawfully viewed by the public or any member thereof from a sidewalk, street, alleyway, licensed open-air parking lot or from any adjoining or neighboring premises.

EXTERIOR OF THE PREMISES — Those portions of a building which are exposed to public view and the open space of any premises outside of any building erected thereon.

EXTERMINATION — The control and elimination of insects, rodents and vermin by exterminating their harborage places; by removing or making inaccessible material that may serve as their food; by poisoning, spraying, fumigating, trapping or by other approved means of pest elimination.
FIRE CHIEF — The Fire Chief of the Township of East Hanover.

FIRE HAZARD — Anything or any act which increases or may cause an increase of the hazard or menace of fire to a greater degree than that customarily recognized as normal by persons in the public service of preventing, suppressing or extinguishing fire; or which may obstruct, delay or hinder or may become the cause of an obstruction, a delay, a hazard or a hindrance to the prevention, suppression or extinguishment of fire. (See also “nuisance.”)

GARBAGE — Putrescible animal and vegetable waste resulting from the handling, preparation, cooking and consumption of food. (See also “refuse” and “rubbish.”)

IMMEDIATE FAMILY — The head of the family, spouse, the parents and children (including adopted children) of either the head of the family or spouse. There shall be a rebuttable presumption that three or more persons occupying any dwelling unit are not related to one another so that any two or more shall be members of an immediate family, and the burden on proving such relationship shall be on the person or persons asserting it.

INFESTATION — The presence of insects, rodents, vermin or other pests on the premises which constitute a health hazard.

KITCHEN — Any room or part of a room used for cooking or the preparation of food.

MULTIPLE DWELLING — Any building or structure of one or more stories and any land appurtenant thereto, and any portion thereof, in which three or more units of dwelling space are occupied or intended to be occupied by three or more persons who live independently of each other or in which two units of dwelling space are occupied by two or more persons who live independently of each other in cases where none of said persons is the owner of the premises.

NUISANCE —

A. Any public nuisance known at common law or in equity jurisprudence, or as provided by the statutes of the State of New Jersey or the ordinances of the Township of East Hanover or any other local or state code.

B. Any attractive nuisance which may prove detrimental to the health or safety of children, whether in a building, on the premises of a building, or upon an unoccupied lot. This includes, but is not limited to, abandoned wells, shafts, basements, excavations, abandoned iceboxes, refrigerators, motor vehicles, any structurally unsound fences or structures, lumber, trash, fences, debris, or vegetation such as poison ivy, oak or sumac, which may prove a hazard for inquisitive minors.

C. Physical conditions dangerous to human life or detrimental to health of persons on or near the premises where the conditions exist.

D. Inadequate or insanitary sewage or plumbing facilities in violation of this chapter or any other local or state code.

E. Insanitary conditions or anything offensive to the senses or dangerous to health, in violation of this chapter or any other local or state code.
F. Fire hazards.

OPERATOR — Any person who has charge, care or control of a dwelling or premises, or part thereof, whether with or without the knowledge and consent of the owner.

OWNER — Any person who, alone or jointly or severally with others, shall have legal or equitable title to any premises, with or without accompanying actual possession thereof or shall have charge, care or control of any building or parcel, as owner or agent of the owner, or as fiduciary, including but not limited to executor, executrix, administrator, administratrix, trustee, receiver, or guardian of the estate, or as a mortgagee in possession regardless of how such possession was obtained. Any person who is a lessee subletting or reassigning any part or all of any dwelling or dwelling unit shall be deemed to be a co-owner with the lessor and shall have joint responsibility over the portion of the premises sublet or assigned by said lessee.

PAVED WALKWAY — A sidewalk composed of any authorized material, including, without limitation, concrete, brick, stone or pavers.

PLUMBING — All of the following supplies, facilities and equipment: gas pipes, gas-burning equipment, water pipes, garbage disposal units, waste pipes, water closets, sinks, installed dishwashers, lavatories, bathtubs, shower baths, installed clothes-washing machines, catch basins, vents and any other similar supplied fixtures, together with all connections to water, sewer or gas lines, and water pipes and lines utilized in conjunction with air-conditioning equipment.

PREMISES — A lot, plot or parcel of land, including the buildings or structure thereon.

REFUSE — All putrescible and nonputrescible solid waste (except body wastes), including but not limited to: garbage, rubbish, ashes, street cleanings, dead animals, abandoned automobiles and solid market and industrial wastes. (See also “garbage” and “rubbish.”)

RUBBISH — Nonputrescible solid waste consisting of both combustible and noncombustible wastes, such as paper, wrappings, cigarettes, tin cans, yard clippings, leaves, wood, glass, bedding, crockery and similar materials. (See also “garbage” and “refuse.”)

SANITARY SEWER — Any sanitary sewer owned, operated and maintained by the Township of East Hanover and available for public use for the disposal of sewage.

SEWAGE — Waste from flush toilet, bathtub, sink, lavatory, dishwashing or laundry machine or the watercarried waste from any other fixture or equipment or machine.

SIDEWALK — A paved walkway for pedestrian traffic, located along the side of a public street, whether in a commercial or residential area.

STORY — That portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above. If the finished ceiling level directly above a basement or cellar is more than six feet above grade, such basement or cellar shall be considered a “story.”

STRUCTURE — The combination of any materials, whether fixed or portable, forming a construction, including buildings.
USE — The specific purpose for which land or a building is designed, arranged, intended, occupied or maintained.

WEATHERING — Deterioration, decay or damage caused by exposure to the elements.

§ 119A-3. Compliance required; minimum standards.

Every dwelling unit and nonresidential building and the premises on which it is situated in the Township used or intended to be used for dwelling, commercial, business or industrial occupancy shall comply with the provisions of this chapter, whether or not such building shall have been constructed, altered or repaired before or after the enactment of this chapter and irrespective of any permits or licenses which shall have been issued for the use or occupancy of the building or for the installation or repair of equipment or facilities prior to the effective date of this chapter. The chapter establishes minimum standards for the initial and continued occupancy and use of all such buildings and does not replace or modify standards otherwise established for the construction, repair, alteration or use of the building, equipment or facilities contained therein.

§ 119A-4. Higher standard to prevail.

In any case where the provisions of this chapter impose a higher standard than set forth in any other ordinances of the Township or under the laws of the State of New Jersey, then the standards as set forth herein shall prevail, but if the provisions of this chapter impose a lower standard than any other ordinances of the Township or of the laws of the State of New Jersey, then the higher standard contained in any such other ordinance or law shall prevail.


On and after the date of adoption of this chapter, it shall be a violation to sell or lease any real property containing a building unless the owner of the same has secured a certificate of compliance.

A. Application for a certificate of compliance shall be made to the Department of Land Use and Planning upon forms provided by the Township, including a zoning permit application, accompanied by the appropriate fee.

B. Upon filing of the application, there will be scheduled an inspection of the premises to be sold or leased and the owner shall be responsible for providing access thereto. (This inspection is in addition to and not in lieu of the inspection to be conducted by the Fire Prevention Bureau relative to smoke-sensitive and carbon monoxide detectors. To the extent possible, the Department of land Use and Planning will attempt to schedule its inspection at the same time as that of the Fire Prevention Bureau.)

C. Upon inspection of the premises by the Enforcement Officer, the owner will be notified of violations, if any, that may exist and will be given a reasonable time to correct such violations. Where violations are found, the owner is required to correct the same and to schedule a reinspection. (If more than one reinspection is required, or if the owner does not make the premises available at the agreed upon time for the reinspection, an additional fee will be charged.)

D. When the premises is found to be violation free and upon presentation by the owner of documentation from the Fire Prevention Bureau certifying the presence of smoke-sensitive and carbon monoxide detectors, a certificate of compliance shall be issued.
E. A certificate of compliance shall indicate that upon the date of issue, the subject premises meets or exceeds all requirements of the appropriate codes and ordinances or such adjustments thereof which have been approved by the appropriate Township authority and all other applicable requirements have been complied with. It does not certify continuing compliance thereafter.

F. A certificate of compliance is not required by the Township of East Hanover for refinancing but the Township will, upon application and payment of the proper fees, conduct the necessary inspections and issue the same.

§ 119A-6. Issuance of other licenses and permits.

After the date of enactment hereof, all licenses and permits shall be issued upon compliance with this chapter as well as compliance with the ordinances under which such licenses and permits are granted.

§ 119A-7. Compliance with and enforcement of other ordinances.

No license or permit or other certification of compliance with this chapter shall constitute a defense against any violation of any other ordinance of the Township applicable to any structure or premises, nor shall any provision herein relieve any owner, operator or occupant from complying with any such provision, nor any official of the Township from enforcing any such other provision.

§ 119A-8. Sale of certain real property; approval required.

A. It shall be a violation of the ordinances of the Township of East Hanover for any owner or the agent of any owner to sell any real property which contains uncorrected violations, of which the owner has received due and proper notice, without the prior approval of the Enforcement Officer.

B. Approval to sell property which contains uncorrected violations shall be granted by the Enforcement Officer only after the purchaser enters an agreement with the Department of Land Use and Planning establishing a date by which all violations shall be corrected and posts a bond in the amount determined by the Enforcement Officer to cover the cost of necessary work in the event of noncompliance. Should the required work not be done by the date specified, the Director of Housing Inspections shall have the option to grant an extension or to order the work to be done by a contractor or contractors to be named by the Township and to be paid from the proceeds of the performance bond.

C. No certificate of compliance shall be issued for any premises as described in Subsections A and B above until the Enforcement Officer shall certify in writing that all violations have been satisfactorily completed and that the compliance bond has been discharged.

D. The sale of any real property in the Township of East Hanover containing uncorrected violations without first obtaining the approval of the Enforcement Officer shall not relieve the seller or his agent of the obligation to have corrected such violations, and failure to abate such violations shall subject the owner and/or his agent to penalties for each violation as hereinafter enumerated, as well as such penalties as are established for this specific section.

F. Notwithstanding the foregoing, anyone who purchases real property in the Township of East Hanover containing uncorrected violations may, after due and proper notice of such violations, be held equally responsible for the correction thereof.

Owners and operators shall have all the duties and responsibilities as prescribed in this chapter and the regulations promulgated pursuant thereto, and no owner or operator shall be relieved from any such duty and responsibility nor be entitled to defend against any charge of violation thereof by reason of the fact that the occupant is also responsible therefor and in violation thereof.


Occupants shall have all the duties and responsibilities as prescribed herein and all the regulations promulgated thereto, and the occupant shall not be relieved from any such duty and responsibility nor be entitled to defend against any charge of violation thereof by reason of the fact that the owner or operator is also responsible therefor and in violation thereof.

§ 119A-11. Responsibilities not to be altered by agreement or contract.

The respective obligations and responsibilities of the owner and operator on one hand and the occupant on the other shall not be altered or affected by any agreement or contract by and between any of the aforesaid or between them and other parties.

§ 119A-12. Exterior to be kept free of nuisances, hazards and insanitary conditions.

The exterior of all premises and all structures thereon shall be kept free of all nuisances or any hazards to the safety of occupants, pedestrians or other persons utilizing the premises or free of insanitary conditions, and any of the foregoing shall be promptly removed and abated by the owner or operator. It shall be the duty of the owner or operator to keep the premises free of nuisances or free of unsightly conditions or free of insanitary conditions or free of hazard, or any combination of the foregoing, which include, but are not limited to, the following:

A. Brush, weeds, broken glass, stumps, roots, obnoxious growths, filth, garbage, trash, refuse and debris.

(1) The accumulation of debris on or around construction sites is prohibited. All debris at any construction site shall be stored in a safe and secure manner and shall be stored so it cannot be transported to any adjacent property, public or private, by means of natural forces such as wind or rain.

(2) Both the owner and the contractor shall be jointly and severally liable for maintaining the public areas adjacent to the construction site free of mud and dirt which originates from the construction site or from runoff from activities on site such as the washing of a concrete chute following a pour or the washing of any other equipment on the site.

B. Dead and dying trees and limbs or other natural growth which, by reason of rotting or
deteriorating conditions or storm damage, constitute a hazard to persons in the vicinity thereof. Trees shall be kept pruned and trimmed to prevent such conditions.

C. Loose and overhanging objects and accumulations of ice and snow which, by reason of location above ground level, constitute a danger of falling on persons in the vicinity thereof.

D. Holes, excavations, breaks, projections, obstructions, icy conditions, uncleared snow and excretion of pets and other animals on paths, walks, driveways, parking lots and parking areas and other parts of the premises which are accessible to and used by persons on the premises. All such holes and excavations shall be filled and repaired, walks and steps replaced and other conditions removed where necessary to eliminate hazards or insanitary conditions with reasonable dispatch upon their discovery.

(1) Maintenance of sidewalks.

(a) Every owner of land abutting upon or containing a sidewalk and/or paved walkway shall be responsible for the proper maintenance of the same and for the cost of the maintenance. The purpose of the required maintenance is to prevent or eliminate broken, raised or uneven pavement or any other conditions such as ice or snow, which would potentially cause a safety hazard for pedestrians.

(b) In cases where a sidewalk or paved walkway appears to be raised or uneven due to the growth of tree roots which are from a tree or trees in the Township right-of-way, the landowner must immediately notify the Superintendent of Public Works and provide the name, address and type of defect reported. If it is confirmed that the tree is in the Township right-of-way, the Township will remove the roots. Any reconstruction or repairs of the sidewalk will then be the obligation of the adjoining owner at the owner’s expense.

(c) No property owner shall undertake any reconstruction or repair of a sidewalk or paved walkway without having first obtained a permit for same from the Department of Land Use and Planning.

(d) No person shall construct or install a sidewalk or paved walkway along a public street or property not currently improved with such except as authorized or required by other law or ordinance.

(e) Periodically during the course of the year, the Township may inspect sidewalks or paved walkways. If it is determined that a sidewalk or paved walkway is a hazard and in need of repair or replacement, the landowner will be notified in writing of the condition and be directed to make repairs, which must be made within 30 days of receipt of such notice.

[1] If repairs are not made within the allotted time, the Township may, at its discretion, make the repairs either through the Department of Public Works or by an outside contractor, and the cost of the same shall be charged to the abutting property owner, if, after notice of the cost of repairs and demand for payment by the Township, the property owner fails to make such payment, the Township shall place a lien upon the property of the abutting owner.

[2] In addition to the actions set forth in Subsection D(1)(e)[1] above, the Township
also reserves the right to file court complaints against the property owner for failure to comply with this subsection.

(f) All complaints, calls, inquiries, etc. relative to sidewalks shall be directed to the Superintendent of Public Works, and the Superintendent shall make a list of such contacts, including the time and date of the call, the nature of the complaint, location of the complaint and the action taken.

(g) The owner, lessee, tenant, occupant or other person in charge of any commercial building shall, within 30 minutes of opening for business, sweep the sidewalks and an area 18 inches out from the curb into the roadway, except where such business fronts on a state highway; provided, however, that no person shall sweep into or deposit in any gutter, street, catch basin or other public place any accumulation of litter from any public or private sidewalk, driveway or paved walkway. Every person who owns or occupies a property shall keep the sidewalk in front of his/her premises free of litter. All sweepings shall be collected and properly disposed of.

E. Adequate runoff drains shall be provided and maintained in accordance with existing applicable codes. No person shall, on any property, alter any grades or structures, including but not limited to curbing, where such alteration shall cause water which was previously contained on the subject property to flow across adjacent property lines. Alteration of structures shall include removal or providing a means for water to flow over, under or through the same.

F. Foundation walls shall be kept structurally sound, free from defects and damage and capable of bearing imposed loads safely.

G. Chimneys and all flue and vent attachments thereto shall be maintained structurally sound, free from defects and so maintained as to capably perform at all times the functions for which they were designed. Chimneys, flues, gas vents or other draft-producing equipment shall provide sufficient draft to develop the rated output of the connected equipment and shall be structurally safe, durable, smoke-tight and capable of withstanding the action of flue gases.

H. Exterior porches, landings, balconies, stairs and fire escapes. Exterior porches, landings, balconies, stairs and fire escapes shall be provided with banisters or railings properly designed and maintained to minimize the hazard of failings, and the same shall be kept structurally sound, in good repair and free from defects.

I. Windows that are broken shall be replaced with new windows within 90 days of the window breaking.


The exterior of the premises, the exterior of dwelling structures and the condition of accessory structures shall be maintained so that the appearance of the premises and all buildings thereon shall reflect a level of maintenance in keeping with the residential standards of the neighborhood or such higher standards as may be adopted by the Township of East Hanover and such that the appearance of the premises and structures shall not constitute a blighting factor for adjoining property owners nor an element leading to the progressive deterioration and downgrading of the neighborhood with the accompanying diminution of property values, including the following:

A. Storage of commercial and industrial material. There shall not be stored or used at a location
visible from the sidewalk, street or other public areas equipment and materials relating to commercial or industrial uses unless permitted under the Zoning Ordinance1 for the premises.

1 Editor’s Note: See Ch. 95, Land Use and Zoning.

B. All lawns, hedges and bushes shall be kept neatly trimmed and kept from becoming overgrown and unsightly so as not to constitute a blighting factor depreciating adjoining property or impairing the good character of the neighborhood. For the purposes of this section, lawns with growth in excess of six inches shall be considered not to be neatly trimmed and thus in violation hereof.

C. All signs permitted by reason of other regulations or a lawful nonconforming use shall be maintained in good repair, and printed matter, pictures or illustrations contained thereon shall be completely maintained or, when no longer in use, completely removed.

D. Reconstruction of walls and sidings. All reconstruction of walls and sidings shall be of standard quality and appearance commensurate with the residential character of the properties in the same block and on both sides of the street on which the premises front, such that the materials used will not be of a kind that, by their appearance under prevailing appraisal practices and standards, will depreciate the values of neighboring and adjoining premises as aforesaid.

E. General maintenance. The exterior of every structure or accessory structure, including fences, shall be maintained in good repair, and all surfaces thereof shall be kept painted or whitewashed where necessary for purposes of preservation and appearance. The same shall be maintained free of broken glass, loose shingles, crumbling stone or brick, excessive peeling paint or other condition reflective of deterioration or inadequate maintenance to the end that the property itself may be preserved, safety and fire hazards eliminated and adjoining properties and the neighborhood protected from blighting influences.

F. Parking.

(1) No person shall park, stop or stand any motor vehicle or permit or suffer the same to be done in any front yard area of premises occupied by a dwelling, except on driveways and parking areas constructed and installed in compliance with applicable Township ordinances and not less than three feet from the interior front sidewalk line adjacent to said premises. Parking in the front yard area shall be limited to noncommercial automobiles, pickup trucks and vans used on a daily basis by the residents of the dwelling on site.

(a) For the purpose of administering this section, a “commercial vehicle” shall be defined as one that has painted or installed thereon a sign or logo or one that contains any visual evidence of said vehicle being used for commercial purposes.

(b) The maximum length of a van as permitted shall be 20 feet.

(c) The maximum length of the box in a pickup truck as permitted shall be eight feet.

(2) Parking in a side yard or rear yard shall be limited to any use permitted in Subsection F(1) above and/or one of the following:

(a) Commercial vehicle not to exceed 20,000 pounds gross vehicle weight.

(b) Boat not to exceed 25 feet in length, exclusive of the accompanying boat trailer.
(c) Recreation vehicle, camper, camper-trailer or mobile home none of which shall exceed 25 feet in length or 12 feet in height.

(d) Van in excess of 20 feet in length.

(3) In all cases, stored vehicles must be in operating condition. Minor maintenance may be performed but absolutely no mechanical or body repair work may be done.

(4) Any article stored in the side yard or rear yard of any residential zone shall not be permitted closer to the side lot line or rear lot line or both, as applicable, than a distance that is equal to the height of said article; provided, however, that said article need not be set back from the side line a distance greater than the side yard setback requirement for a principal building on the same lot. In every case where vehicles other than those permitted in Subsection F(1) are parked in a side yard or a rear yard, buffering as described in Subsection F(5) hereof shall be provided. Nothing contained herein shall be construed to prohibit any use permitted in the side yard from being stored in a garage.

(5) Where the side yard or rear yard is to be used for storage as set forth in Subsection F(4) above, buffering shall be provided to screen the stored article from the view of any adjacent residential property and from the street upon which the property fronts. The standard for acceptable screening shall be that a person standing on the ground of an adjacent residential property or at the curbline of the street upon which the property fronts shall not be able to see any part of the article being screened. A legally installed and properly maintained fence may provide the necessary screening. The use of shrubs or trees, alone or in conjunction with a fence, is permitted to achieve the screening standard. Maintenance of the fence, shrubs and trees shall be the sole responsibility of the owner of the property where placed or planted and no unsightly or offensive conditions may be maintained on the property.

(6) No person shall park, stand or store in any yard any equipment such as, without limitation, salt-spreaders, plows, trailers (whether open or enclosed), backhoes or any other construction equipment, scaffolding, ladders, or anything of a similar nature, nor shall any person store materials, including, without limitation, salt, sand, stone or other construction materials, buckets, drums or barrels of any sort, automotive or machinery parts or any other thing or material not commonly considered incidental to a residential use; provided, however, that nothing contained herein shall prohibit the storage of any of the foregoing within a garage or other legally erected and maintained outbuilding on the premises.

(7) No person shall park, stand or stop a motor vehicle on any lawn of any residential property, nor shall any owner or occupant permit, suffer or allow any person to park, stand or stop a motor vehicle on any lawn of a residential property.

(8) No person shall park, stand or stop any inoperable or unregistered vehicle upon any street or vacant lot or on any lawn of any residential property, nor shall any owner or occupant permit, suffer or allow any person to park, stand or stop any inoperable or unregistered vehicle upon any street or vacant lot or on any lawn of any residential property.


The exterior of the premises and the condition of accessory structures shall be maintained so that the appearance of the premises and all buildings thereon shall reflect a level of maintenance in keeping with
the standards of the neighborhood or such higher standards as may be adopted by the Township of East Hanover and such that the appearance of the premises and structures shall not constitute a blighting factor for adjoining property owners nor an element leading to the progressive deterioration and downgrading of the neighborhood with the accompanying diminution of property values, including the following:

A. All permanent signs exposed to public view permitted by reason of other regulations as a permitted use or a lawful nonconforming use shall be maintained in good repair. Any signs which have excessively weathered or faded or those upon which the paint has excessively peeled or cracked shall, with their supporting members, be removed forthwith or put into a good state of repair. All nonoperative or broken electrical signs shall be repaired or shall, with their supporting members, be removed forthwith. The change of ownership of a commercial building or the change of tenancy of a store or building will require that any and all nonconforming signs be brought into compliance with existing codes and ordinances.

B. All windows exposed to public view shall be kept clean and free of marks or foreign substances when necessary in the course of changing displays. No storage of materials, stock or inventory shall be permitted in window display areas or other areas ordinarily exposed to public view, unless said areas are first screened from the public view by drapes, venetian blinds or other permanent rendering of the windows opaque to the public view. All screening or interiors shall be maintained in clean and attractive manner and in a good state of repair.

C. All storefronts shall be kept in good repair, painted where required and shall not constitute a safety hazard or nuisance. In the event repairs to a storefront become necessary, such repairs shall be made with the same or similar materials used in the construction of the storefront, in such a manner as to permanently repair that damaged area or areas. Any cornices visible above a storefront shall be kept painted, where required, and in good repair.

D. Except for “for rent” signs, any temporary sign or other paper advertising material glued or otherwise attached to a window or windows or otherwise exposed to public view shall be removed at the expiration of the event or sale for which it is erected or within 10 days after erection, whichever shall occur sooner. Except during the course of repairs or alteration, no more than 10% of the square footage of any single window or single window display area shall be devoted to signs or other temporary advertising material attached to said window or windows or otherwise exposed to public view.

E. Any awning or marquee and its accompanying structural members which extend over any street, sidewalk or other portion of the premises shall be maintained in good repair and shall not constitute a nuisance or a safety hazard. In the event such awnings or marquees are not properly maintained in accordance with the foregoing, they shall, together with their supporting members, be removed forthwith. In the event said awnings or marquees are made of cloth, plastic or of similar materials, said cloth or plastic, where exposed to public view, shall be maintained in good condition and shall not show evidence of excessive weathering, discoloration, ripping, tearing or other holes. Nothing herein shall be construed to authorize any encroachment on streets, sidewalks or other parts of the public domain.


Every dwelling and accessory structure and every part thereof shall be kept structurally sound and in a state of good repair to avoid safety, health or fire hazards, including:

A. Exterior walls, sidings and roofs shall be kept structurally sound, in good repair and free from
defects.

B. All exposed surfaces susceptible to decay shall be kept, at all times, painted or otherwise provided with a protective coating sufficient to prevent deterioration or decay; this includes protection against termite damage.

C. Every dwelling shall be so maintained as to be weather-and watertight. Where, in the opinion of the Enforcement Officer, such weather- or watertightness can only be achieved through the addition of storm windows, it shall be within the power of said Officer to require the same.

D. Exterior walls, roofs, windows, storm windows, window frames, doors, door frames, foundations and other parts of the structure shall be so maintained as to keep water from entering the structure and to prevent excessive drafts. For the purpose of this section, sash locks and sash cords shall be considered an integral part of a window. Damaged materials must be repaired or replaced promptly; places showing signs of rot, leakage, deterioration or corrosion are to be restored and protected against weathering or seepage.


The exterior of every structure or accessory structure, including fences, signs and storefronts, shall be maintained in good repair, and all surfaces thereof shall be kept painted or whitewashed where necessary for purposes of preservation and appearance. All surfaces shall be maintained free of broken glass, loose shingles, crumbling stone or brick, excessive peeling paint or other conditions reflective of deterioration or inadequate maintenance, to the end that the property itself may be preserved, safety and fire hazards eliminated, and adjoining properties and the neighborhood protected from blighting influences.

§ 119A-17. Reconstruction of walls and sidings.

All reconstruction of walls and sidings shall be of standard quality and appearance commensurate with the character of the properties in the same block and on both sides of the street on which the premises front.


Basements, cellars and crawl spaces are to be free of moisture resulting from seepage, and cross ventilation shall be required where necessary to prevent accumulation of moisture and dampness.


All parts of the premises shall be maintained so as to prevent infestation.

§ 119A-20. Floors, interior walls and ceilings.

Floors, interior walls and ceilings of every structure shall be structurally sound and maintained in a clean and sanitary condition.


Floors shall be considered to be structurally sound when capable of safely bearing imposed loads and shall be maintained at all times in a condition so as to be smooth, clean and free from cracks, breaks and other hazards.
§ 119A-22. Bathroom, water closet compartment and kitchen floors.

A. Residential. Bathroom, water closet compartment and kitchen floors shall be surfaced with water-resistant material and shall be kept at all times in a dry, clean and sanitary condition, and shower room floors shall be kept clean and sanitary.

B. Nonresidential. Washroom and water closet compartment floors shall be surfaced with water-resistant material and shall be kept in a dry, clean and sanitary condition at all times.

C. Food preparation areas in retail stores and eating establishments shall have walls and floors of water-resistant and daily cleaned material.


Floors of basements and cellars shall be paved with concrete not less than three inches thick and shall be maintained at all times in a condition so as to be smooth, clean and free from cracks, breaks and other hazard.


Supporting structural members are to be kept structurally sound, free of deterioration and capable of bearing imposed loads safely.

§ 119A-25. Walls and ceilings.

Walls and ceilings shall be considered to be in good repair when clean and free from cracks, breaks, loose plaster or similar conditions. Walls shall be provided with paint, paper, sealing material or other protective covering so that said walls and ceilings shall be kept clean, free of visible foreign matter, sanitary and well maintained at all times. Doors, except doors which open to the outdoors, shall be considered to be parts of walls and shall be so maintained that they can be readily opened and closed, in addition to such other standards for walls as are set forth above.

§ 119A-26. Cabinets considered part of walls.

Installed cabinets, especially those commonly found in kitchens and bathrooms, shall be considered part of the walls they abut and shall be maintained in good repair at all times. Metal cabinets shall be kept free of rust and pitting. All cabinets shall be maintained with the doors or drawers as installed. Where cabinet doors include glazing, such shall be maintained free of cracks, breaks or other deterioration.

§ 119A-27. Fire rating required.

A. The ceiling above any boiler, burner, furnace or other device used to produce heat or hot water shall have a fire rating of not less than one hour. Such ceiling shall extend not less than 18 inches beyond the perimeter of the device below.

B. Where a ceiling is to be installed in a cellar or basement, such ceiling shall have a fire rating of not less than one hour. A complete fire-rated ceiling shall be required at any time a cellar or basement or a portion thereof is utilized as a habitable room.

The interior stairs of every structure used for human habitation shall be structurally sound and free from defects. Handrailings or banisters shall be provided for all stairs, balconies, fire escapes and stairwells, and the handrails or banisters shall be securely attached, maintained free from defects and shall be of sufficient height to guard against accidents and to be appropriate for use by persons of normal height utilizing the stairway. Stairs shall be adequately lighted in all places with control switches operable from each story to permit safe use at night for persons ascending or descending.

§ 119A-29. Connection to public water supply system and sanitary sewer required.

Every facility using running water for domestic purposes within any building shall be connected to the public water supply system of the Township; provided, however, that any premises which at the time of adoption of this chapter was being supplied potable water from an approved well may continue to be so served so long as there is no change in the ownership of the property.


Every habitable room of each dwelling unit shall contain no fewer than two separate wall or floor-type convenience outlets of two sockets each. Every water closet compartment, bathroom, laundry room or furnace room shall contain at least one supplied ceiling or wall-type electric light fixture and at least one floor or wall-type convenience outlet of two sockets. Light fixtures installed in water closet compartments, bathrooms or laundry rooms shall be controlled by insulated wall switches on the wall most remote from the plumbing fixtures. Any wall outlet or fixture shall be properly installed, maintained in good and safe working order and shall be connected to the source of electric power in a safe manner.

§ 119A-31. Bathroom and water closet compartments to be ventilated.

Every bathroom and water closet compartment shall be adequately ventilated with openable window or skylight opening directly to the outside or by mechanical ventilation equipped with proper openings for incoming and outgoing air to provide comparable ventilation.

§ 119A-32. Use of certain rooms for sleeping prohibited.

The use of kitchens, bathrooms, toilet rooms or a cellar for sleeping purposes is hereby prohibited.


Basements may be used for human habitation, provided that:

A. There is sufficient light and ventilation and that natural light and ventilation are not restricted by reason of walls or other obstructions located within six feet of any window required pursuant hereto.

B. There is a second means of egress.

C. All furnaces and other heating facilities are so located, insulated and separated from living areas by fireproof partitions or walls necessary, pursuant to regulations of the Fire Chief, so that the same do not constitute an undue hazard to the safety and health of the occupants.

D. The dwelling unit and all walls and doors thereof are free of visible moisture and seepage at all times.
E. Passageways leading to exits must be at least seven feet in height.

§ 119A-34. Designation of administrative officer.

The Enforcement Officer of the Township of East Hanover is hereby designated to conduct or cause to be conducted all inspections, regulations enforcement and hearings on violations of the provisions of this chapter, unless expressly stated to the contrary. He may appoint or designate such other public officials or employees of the Township to perform duties as may be necessary to the enforcement of this chapter, including the making of inspections and holding of hearings.

§ 119A-35. Application for search warrant.

The Enforcement Officer or his designee, may, upon affidavit, apply to the Judge of the Municipal Court of the Township of East Hanover for a search warrant setting forth factually the actual conditions and circumstances that provide a reasonable basis for believing that a nuisance or violation of this chapter exists on the premises, and if the Judge of the Municipal Court is satisfied as to the matter set forth in the said affidavit, he shall authorize the issuance of a search warrant permitting access to and inspection of that part of the premises on which the nuisance or violation exists. Warrant for access may be issued by the Judge of the Municipal Court upon affidavit of the Housing Officer establishing grounds therefor.

§ 119A-36. Written notice of violation.

A. Except as hereinafter provided, where a violation of this chapter or the regulations hereunder is found to exist, a written notice from the Enforcement Officer shall be served on the person or persons responsible for correction thereof.

B. No prior notice shall be required where a violation of this chapter shall potentially constitute an immediate or imminent danger to the safety, health or general welfare of the occupants of a particular dwelling unit, neighboring dwelling units in the same building or an adjacent building.


The notice shall contain the violations committed, what must be done to correct the same and a reasonable time period to correct or abate the violation or violations. For the purpose of this section, “reasonable time” shall mean the time actually required to correct the violation, and it shall not be a defense in any administrative or Municipal Court proceeding that an owner or operator was unable to obtain the services of a contractor or tradesman unless such owner or operator has requested an extension with a date certain for the completion of the required work.

§ 119A-38. Service of notice.

Notice may be served personally or by certified mail addressed to the last known address of the person to be served. Where it is ascertained that the owner does not reside on the premises, the last known address shall be the address of the owner as shown on the records of the Tax Assessor of the Township of East Hanover. Where service is by mail, date of service shall be the day following mailing of the notice if the addressee resides in East Hanover and three days after said mailing if the owner lives elsewhere; provided, however, that if the day of service falls upon a Sunday or other day when mail would not normally be delivered, the date of service shall be deemed to be the next regular delivery day.

The Enforcement Officer, with justification, may extend the time for correction or abatement of the violations for an additional period of time only if the request is made in writing prior to the original compliance date. A request for an extension must state a reason for such request and provide a date certain for the completion of all work. The Enforcement Officer may grant the request as presented, grant a lesser time period for correction or abatement, or deny the request if he deems the same to be unreasonable or unjustified.

§ 119A-40. Fees.

Fees for permits required under this chapter shall be as follows:

A. Certificate of compliance (including zoning permit fee): $100.

B. Second and subsequent reinspections: $25 each.

C. Sidewalk construction permit: $50.

§ 119A-41. Penalties.

Any person who is found to be in violation of the provisions of this chapter shall be subject to a fine of not less than $100 and not to exceed $1,250, or imprisonment for not more than 90 days, or both. A separate offense shall be deemed to be committed for each violation and on each day on which a violation occurs or is continued.