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cc: Admin Plan  
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**Lashway, Lisa**

**From:** Ian Laudor [ilaudor@hotmail.com]  
**Sent:** Thursday, May 29, 2008 2:57 PM  
**To:** Lashway, Lisa  
**Cc:** ilaudor@hotmail.com  
**Subject:** \*\*\*Urgent Request\*\*\* for Appeal Hearing on Property Maintenance Code - Block 6101 Lot 16 - 10 Colli

To Lisa Lashway, Town Clerk office and All Concerned:

Please let this email message be the official request for an appeal hearing regarding the Property Maintenance Code notice for Block 6101, Lot 16 - 10 Collingswood Place, Flanders NJ 07836

In summary, I was advised on May 28th, 2008 to request this via email by Lisa Lashway regarding the notice of inspection related to Mount Olive Code 185-39B(5)a that was sent to me on May 24th, 2008 via regular and certified mail by Frank Wilpert Jr. Zoning Officer. In this letter I was informed that the sidewalk in front of my property has been deemed unsafe and could cause a hazard to anyone using the sidewalk. During my conversations with both Frank Wilpert Jr. and Lisa Lashway on May 28th, I provided information that the large tree which is present between the sidewalk and curb line in front of my property is causing the actual damages, and the current condition has been present since I purchased the property in June 2003.

I wish to discuss this matter further with the Town Council as part of the appeal procedure as soon as possible, and in accordance with Mount Olive Code 185-42. In advance of this hearing, I will gather supporting information of the current situation and send this via email if this is acceptable.

Please reply back and confirm receipt of this message, and provide me the next steps in the process and when I am scheduled for the appeal hearing.

Thank you for your consideration and a prompt reply.

Ian Laudor  
Home# 973 927 8092  
Cell # 973 229 5505

*June 10?  
within 15 day of appeal request.*

Make every e-mail and IM count. Join the i'm Initiative from Microsoft.

**CODE OF THE TOWNSHIP OF MOUNT OLIVE NEW JERSEY, v31 Updated  
11-15-2007, LUL, v20 / PART II GENERAL LEGISLATION / Chapter 185, PROPERTY  
MAINTENANCE / ARTICLE I, Multifamily Dwellings [Adopted 11-25-1975 by Ord.  
No. 33-75 (Ch. 71, Property Maintenance Code for Multifamily Dwellings, of 1973  
Code)] / § 185-16. Appeals.**

**§ 185-16. Appeals.**

- A. Any owner or person who is aggrieved by the ruling or decision of the Health Administrator directing or ordering an alteration, correction or elimination of a violation of this code shall be entitled to a hearing upon a review of such order or direction by the Board of Health of the Township of Mount Olive. Applications for a hearing must be submitted, in writing, to the Board of Health within five business days after receipt of such an order from the Health Administrator. At the conclusion of such a hearing, the Board of Health shall affirm or modify the order of the Health Administrator or set aside the order if a violation is found not to exist, or it may increase the time specified by the order for the correction of the violation determined to exist. All appeals shall be heard within 15 days after receipt of the application for a hearing.
- B. In making its determination on appeal under this section, the Board of Health shall give due consideration to such factors as:
- (1) The seriousness of any cited violation in terms of real or potential hazards to the health or safety of tenants.
  - (2) The age and general condition of the subject structure.
  - (3) The ease or difficulty and the prevailing cost of measures necessary to achieve full conformity with the code.
  - (4) The continuing objective of full conformity with code provisions by all subject buildings in the Township, giving due consideration to the equities of individual cases, particularly where older structures were built or altered to conform to the preexisting regulations.
- C. The determinations of the Board shall be by resolution, which shall set forth the reasons for the decision and the terms of compliance applicable thereto. The resolution shall be filed with the Health Administrator, who shall retain the same on file as part of the permanent public records of the Township of Mount Olive.
- D. Nothing herein shall be construed to prevent the owner or person who is aggrieved by a decision or either the Health Administrator or the Board of Health from appealing directly to the Superior Court of New Jersey pursuant to the authority of and for the remedies set forth in

N.J.S.A. 40:48-2.8 under any other statutory authority.

- E. An appeal to the Board of Health shall not stay proceedings before the Municipal Court under § 185-20 of this article.

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11-15-2007, LUL, v20 / PART II GENERAL LEGISLATION / Chapter 185, PROPERTY  
MAINTENANCE / ARTICLE I, Multifamily Dwellings [Adopted 11-25-1975 by Ord.  
No. 33-75 (Ch. 71, Property Maintenance Code for Multifamily Dwellings, of 1973  
Code)] / § 185-17. Service of notice of violation; emergency conditions.**