

40:55-21.1

**LEGISLATIVE HISTORY CHECKLIST**

**NJSA:** 40:55-21.1 ("Blighted" area-- amend defintion)  
**CHAPTER 151**

**Laws Of:** 1986

**Bill No:** A3015

**Sponsor(s):** Di Gaetano and Donovan

**Date Introduced:** September 8, 1986

**Committee:** **Assembly:** Municipal Government  
**Senate:** County and Municipal Government

**Amended during passage:** Yes Substituted for S2537 (not attached since identical to A3015). Amendments during passage denoted by asterisks.

**Date of Passage:** **Assembly:** September 18, 1986  
**Senate:** October 9, 1986

**Date of Approval:** November 17, 1986

**Following statements are attached if available:**

**Sponsor statement:** Yes

**Committee statement:** **Assembly** Yes  
**Senate** Yes

**Fiscal Note:** No

**Veto Message:** No

**Message on Signing:** No

**Following were printed:**

**Reports:** No

**Hearings:** No

[SECOND OFFICIAL COPY REPRINT]

ASSEMBLY, No. 3015

STATE OF NEW JERSEY

INTRODUCED SEPTEMBER 8, 1986

By Assemblyman DiGAETANO and Assemblywoman DONOVAN

AN ACT concerning blighted areas and amending P. L. 1949, c. 187  
\*\*and P. L. 1949, c. 306\*\*.

1 BE IT ENACTED *by the Senate and General Assembly of the State*  
2 *of New Jersey:*

1 1. Section 1 of P. L. 1949, c. 187 (C. 40:55-21.1) is amended to  
2 read as follows:

3 1. As used in this act, the term "blighted area" shall mean an  
4 area in any municipality wherein there exists any of the conditions  
5 hereinafter enumerated:

6 (a) The generality of buildings used as dwellings or the dwelling  
7 accommodations therein are substandard, unsafe, insanitary, dilap-  
8 idated, or obsolescent, or possess any of such characteristics, or  
9 are so lacking in light, air, or space, as to be conducive to unwhole-  
10 some living;

11 (b) The discontinuance of the use of buildings previously used  
12 for manufacturing or industrial purposes, the abandonment of such  
13 buildings or the same being allowed to fall into so great a state of  
14 disrepair as to be untenable;

15 (c) Unimproved vacant land, which has remained so for a  
16 period of ten years prior to the determination hereinafter referred  
17 to, and which land by reason of its location, or remoteness from  
18 developed sections or portions of such municipality, or lack of  
19 means of access to such other parts thereof, or topography, or  
20 nature of the soil, is not likely to be developed through the instru-  
21 mentality of private capital;

**EXPLANATION**—Matter enclosed in bold-faced brackets [thus] in the above bill  
is not enacted and is intended to be omitted in the law.

Matter printed in italics *thus* is new matter.

Matter enclosed in asterisks or stars has been adopted as follows:

\*—Assembly committee amendments adopted September 11, 1986.

\*\*—Senate committee amendments adopted October 2, 1986.

22 (d) Areas (including slum areas), with buildings or improve-  
 23 ments which by reason of dilapidation, obsolescence, overcrowding,  
 24 faulty arrangement or design, lack of ventilation, light and sanitary  
 25 facilities, excessive land coverage, deleterious land use or obsolete  
 26 layout, or any combination of these or other factors, are detri-  
 27 mental to the safety, health, morals, or welfare of the community;

28 (e) A growing or total lack of proper utilization of areas caused  
 29 by the condition of the title, diverse ownership of the real property  
 30 therein and other conditions, resulting in a stagnant and unproduc-  
 31 tive condition of land potentially useful and valuable for contri-  
 32 buting to and serving the public health, safety and welfare;

33 (f) Areas, in excess of 10 contiguous acres, *\*[with]\* \*whereon\**  
 34 *buildings or improvements \* [which] \* have been destroyed, con-*  
 35 *sumed by fire, demolished or altered by the action of storm, fire,*  
 36 *cyclone, tornado, earthquake or other casualty in such a way that*  
 37 *the aggregate assessed value of the area has been materially*  
 38 *depreciated.*

1 \*\*2. Section 3 of P. L. 1949, c. 306 (C. 4):55C-3) is amended to  
 2 read as follows:

3 3. The term "blighted area" is defined to be that portion of a  
 4 municipality which by reason of, or because of, any of the condi-  
 5 tions hereinafter enumerated is found and determined as provided  
 6 by law to be a social or economic liability to such municipality:

7 (a) The generality of buildings used as dwellings or the dwelling  
 8 accommodations therein are substandard, unsafe, insanitary,  
 9 dilapidated, or obsolescent, or possess any of such characteristics,  
 10 or are so lacking in light, air, or space, as to be conducive to un-  
 11 wholesome living;

12 (b) The discontinuance of the use of buildings previously used  
 13 for manufacturing or industrial purposes, the abandonment of such  
 14 buildings or the same being allowed to fall into so great a state of  
 15 disrepair as to be untenable;

16 (c) Unimproved vacant land, which has remained so for a period  
 17 of ten years prior to the determination hereinafter referred to, and  
 18 which land by reason of its location, or remoteness from developed  
 19 sections or portions of such municipality, or lack of means of access  
 20 to such other parts thereof, or topography, or nature of the soil, is  
 21 not likely to be developed through the instrumentality of private  
 22 capital;

23 (d) Areas (including slum areas), with buildings or improve-  
 24 ments which, by reason of dilapidation, obsolescence, overcrowd-  
 25 ing, faulty arrangement or design, lack of ventilation, light and

26 sanitary facilities, excessive land coverage, deleterious land use  
 27 or obsolete layout, or any combination of these or other factors,  
 28 are detrimental to the safety, health, morals, or welfare of the com-  
 29 munity;

30 (e) A growing or total lack of proper utilization of areas caused  
 31 by the condition of the title, diverse ownership of the real property  
 32 therein and other conditions, resulting in a stagnant and unpro-  
 33 ductive condition of land potentially useful and valuable for con-  
 34 tributing to and serving the public health, safety and welfare;

35 (f) *Areas, in excess of 10 contiguous acres, whereon buildings*  
 36 *or improvements have been destroyed, consumed by fire, demol-*  
 37 *ished or altered by the action of storm, fire, cyclone, tornado, earth-*  
 38 *quake or other casualty in such a way that the aggregate assessed*  
 39 *value of the area has been materially depreciated.*

40 It is hereby determined and declared that such conditions or any  
 41 of them are responsible for or likely to lead to ill health, the spread  
 42 of disease, depressed standards of living and poor morals, the  
 43 growth of delinquency or crime, the presence of undue fire hazards  
 44 and the inability of the property to produce sufficient income to  
 45 enable the owners to pay taxes or to make said properties produc-  
 46 tive either for residential, commercial or manufacturing use.\*\*

1 \*\*[2.]\*\* \*\*3.\*\* This act shall take effect immediately.

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#### MUNICIPAL GOVERNMENT

Adds material depreciation by fire, storm, cyclone, tornado, earth-  
 quake or other casualty as grounds for declaring an area  
 "blighted."

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**ASSEMBLY, No. 3015**  
**STATE OF NEW JERSEY**

INTRODUCED SEPTEMBER 8, 1986

By Assemblyman DiGAETANO and Assemblywoman DONOVAN

AN ACT concerning blighted areas and amending P. L. 1949, c. 187.

1    BE IT ENACTED *by the Senate and General Assembly of the State*  
2    *of New Jersey:*

1    1. Section 1 of P. L. 1949, c. 187 (C. 40:55-21.1) is amended to  
2    read as follows:

3    1. As used in this act, the term "blighted area" shall mean an  
4    area in any municipality wherein there exists any of the conditions  
5    hereinafter enumerated:

6    (a) The generality of buildings used as dwellings or the dwelling  
7    accommodations therein are substandard, unsafe, insanitary, dilap-  
8    idated, or obsolescent, or possess any of such characteristics, or  
9    are so lacking in light, air, or space, as to be conducive to unwhole-  
10   some living;

11   (b) The discontinuance of the use of buildings previously used  
12   for manufacturing or industrial purposes, the abandonment of such  
13   buildings or the same being allowed to fall into so great a state of  
14   disrepair as to be untenable;

15   (c) Unimproved vacant land, which has remained so for a  
16   period of ten years prior to the determination hereinafter referred  
17   to, and which land by reason of its location, or remoteness from  
18   developed sections or portions of such municipality, or lack of  
19   means of access to such other parts thereof, or topography, or  
20   nature of the soil, is not likely to be developed through the instru-  
21   mentality of private capital;

22   (d) Areas (including slum areas), with buildings or improve-  
23   ments which by reason of dilapidation, obsolescence, overcrowding,  
24   faulty arrangement or design, lack of ventilation, light and sanitary  
25   facilities, excessive land coverage, deleterious land use or obsolete  
26   layout, or any combination of these or other factors, are detri-  
27   mental to the safety, health, morals, or welfare of the community;

28   (e) A growing or total lack of proper utilization of areas caused  
29   by the condition of the title, diverse ownership of the real property

**Matter printed in italics thus is new matter.**

30 therein and other conditions, resulting in a stagnant and unproduc-  
31 tive condition of land potentially useful and valuable for contri-  
32 buting to and serving the public health, safety and welfare;

33 (f) *Areas, in excess of 10 contiguous acres, with buildings or*  
34 *improvements which have been destroyed, consumed by fire, demo-*  
35 *lished or altered by the action of storm, fire, cyclone, tornado,*  
36 *earthquake or other casualty in such a way that the aggregate*  
37 *assessed value of the area has been materially depreciated.*

1 2. This act shall take effect immediately.

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#### STATEMENT

This bill amends the provisions of section 1 of P. L. 1949, c. 187 (C. 40:55-21.1) which sets forth the conditions that must exist within an area in order for the governing body of the municipality to declare that area to be "blighted." Under the provisions of the bill, the governing body of a municipality could determine that an area was "blighted" if the area in question consists of 10 or more contiguous acres and had buildings or improvements which were destroyed, consumed by fire, demolished or altered by the action of storm, fire, cyclone, tornado, earthquake or other casualty in such a way that the aggregate assessed value of the area has been materially depreciated.

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#### MUNICIPAL GOVERNMENT

Adds material depreciation by fire, storm, cyclone, tornado, earthquake or other casualty as grounds for declaring an area "blighted."

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4 area in any municipality wherein there exists any of the conditions  
5 hereinafter enumerated:

6 (a) The generality of buildings used as dwellings or the dwelling  
7 accommodations therein are substandard, unsafe, insanitary, dilap-  
8 idated, or obsolescent, or possess any of such characteristics, or  
9 are so lacking in light, air, or space, as to be conducive to unwhole-  
10 some living;

11 (b) The discontinuance of the use of buildings previously used  
12 for manufacturing or industrial purposes, the abandonment of such  
13 buildings or the same being allowed to fall into so great a state of  
14 disrepair as to be untenable;

15 (c) Unimproved vacant land, which has remained so for a  
16 period of ten years prior to the determination hereinafter referred  
17 to, and which land by reason of its location, or remoteness from  
18 developed sections or portions of such municipality, or lack of  
19 means of access to such other parts thereof, or topography, or  
20 nature of the soil, is not likely to be developed through the instru-  
21 mentality of private capital;

22 (d) Areas (including slum areas), with buildings or improve-  
23 ments which by reason of dilapidation, obsolescence, overcrowding,

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24 faulty arrangement or design, lack of ventilation, light and sanitary  
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26 layout, or any combination of these or other factors, are detri-  
27 mental to the safety, health, morals, or welfare of the community;

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33 (f) Areas, in excess of 10 contiguous acres, \***[with]**\* \*whereon\*  
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SENATE COUNTY AND MUNICIPAL GOVERNMENT  
COMMITTEE

STATEMENT TO  
**ASSEMBLY, No. 3015**

[OFFICIAL COPY REPRINT]

with Senate committee amendments

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**STATE OF NEW JERSEY**

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DATED: OCTOBER 2, 1986

The Senate County and Municipal Government Committee reports favorably and with committee amendments Assembly Bill No. 3015 OCR.

Assembly Bill No. 3015 OCR Sea amends section 1 of P. L. 1949, c. 187 (C. 40:55-21.1; "Blighted Area Act") and section 3 of P. L. 1949, c. 306 (C. 40:55C-3; "Redevelopment Agencies Act"), so as to expand the definition of "blighted area" to include areas in excess of 10 contiguous acres, whereon buildings or improvements have been destroyed, consumed by fire, demolished or altered by the action of storm, fire, cyclone, tornado, earthquake or other casualty in such a way that the aggregate assessed value of the area has been materially depreciated.

The determination by a municipality that an area is a blighted area allows a municipality to acquire the real property within the area and develop it pursuant to a redevelopment plan, or the municipality may allow a redevelopment agency or a private corporation to undertake the redevelopment of the area. The determination also allows a municipality to grant a developer an exemption from taxation for a limited period of time, as authorized by Article 8, Section 3, paragraph 1 of the Constitution.

[SENATE REPRINT]  
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