

52:27D-142 to 151

LEGISLATIVE HISTORY CHECKLIST

NJSA 52:27D-142 to 52:27D-151

Laws of 1975 Chapter 248

Bill No. A3394

Sponsor(s) Woodson & others

Date Introduced May 1, 1975

Committee: Assembly Municipal Government

Senate -

Amended during passage Yes ~~No~~ Amendments during passage denoted by asterisks.

Date of passage: Assembly August 1, 1975

Senate September 4, 1975

Date of approval October 30, 1975

Following statements are attached if available:

Sponsor statement Yes ~~No~~

Committee Statement: Assembly Yes ~~No~~

Senate ~~Yes~~ ~~No~~

Fiscal Note Yes ~~No~~

Veto message Yes ~~No~~

Message on signing Yes ~~No~~

Following were printed:

Reports Yes ~~No~~

Hearings Yes ~~No~~

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ASSEMBLY, No. 3394

STATE OF NEW JERSEY

INTRODUCED MAY 1, 1975

By Assemblymen WOODSON, McMANIMON, HAMILTON  
and LEFANTE

Referred to Committee on Municipal Government

AN ACT establishing a program of financial assistance for the  
preservation of threatened but still viable neighborhoods \***[and**  
making an appropriation therefor]\*.

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

1 1. This act shall be known and may be cited as the "Maintenance  
2 of Viable Neighborhoods Act."

1 2. The Legislature hereby finds and declares that there are  
2 neighborhoods in this State which are beginning to decline but  
3 which can be rehabilitated and restored; that a large proportion  
4 of the State's housing stock is situated in these neighborhoods and  
5 is in danger of succumbing to dilapidation, deterioration or  
6 obsolescence; that blighting conditions have substantially reduced  
7 incentive for private reinvestment in these neighborhoods; that  
8 these neighborhoods will continue to decline unless the State pro-  
9 vides financial and other assistance; that the restoration of these  
10 neighborhoods is vital to reinvigorating the declining social, eco-  
11 nomic and physical environments of communities and to the health,  
12 safety, morals and general welfare of the citizens of those neigh-  
13 borhoods and communities and of the State.

14 The Legislature further finds and declares that rehabilitation  
15 and preservation of threatened but still viable neighborhoods to the  
16 maximum extent possible is best accomplished by the reconstruc-  
17 tion, remodeling, improvement, restoration, or repair of residential  
18 housing to sound condition in conjunction with provision of ex-  
19 panded and improved community services and public improve-  
20 ments. Conservation of the State's housing stock in order to  
21 provide a decent home is a worthy goal, but unless the services  
22 and facilities which are necessary to a complete and continuing  
23 satisfactory living environment are also provided, slums, blight

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

24 and deterioration will not be arrested and neighborhoods will con-  
 25 tinue to decline. Restoration and maintenance of viable neighbor-  
 26 hoods will be attained only if the housing resources and community  
 27 services and public improvements, principally those for persons  
 28 and families of low and moderate income, are attended to and  
 29 simultaneously provided.

1 3. The Legislature hereby declares it to be the policy of the State  
 2 to promote the health, safety, morals and welfare of the citizens  
 3 thereof through the prevention and elimination of blighting influ-  
 4 ences and the restoration of neighborhoods threatened with or  
 5 undergoing deterioration and decline. For this purpose, powers  
 6 are granted by this act to the Department of Community Affairs  
 7 to make grants to political subdivisions of the State so that they  
 8 may undertake measures, including but not limited to housing  
 9 rehabilitation, code enforcement, demolition, and the expansion and  
 10 improvement of public services and public facilities, which will  
 11 arrest the deterioration and preserve the threatened but still viable  
 12 neighborhoods of the State. The enactment of the provisions  
 13 hereinafter set forth is in the public interest and is hereby so  
 14 declared to be such as a matter of express legislative determination.

1 4. The following terms whenever used or referred to in this act  
 2 shall have the following meanings, unless a different meaning  
 3 clearly appears from the context:

4 a. "Commissioner" means the Commissioner of the Department  
 5 of Community Affairs;

6 b. "Political subdivision" means any unit or agency of govern-  
 7 ment deriving its authority directly or indirectly from the State  
 8 of New Jersey.

1 5. The commissioner is authorized to make grants to political  
 2 subdivisions to help finance activities, approved by the commis-  
 3 sioner in accordance with this act, which will promote the restora-  
 4 tion and rehabilitation of threatened but still viable neighborhoods.  
 5 Activities to be assisted under this act may include but shall not  
 6 be limited to:

7 a. Intensive code enforcement in deteriorating areas in which  
 8 such enforcement, together with public improvements and com-  
 9 munity services to be provided, may be expected to arrest the  
 10 decline of the neighborhood area;

11 b. Financial assistance in respect to rehabilitation of privately  
 12 owned properties pursuant to "The Neighborhood Preservation  
 13 Housing Rehabilitation Loan and Grant Act of 1975," now pending  
 14 before the Legislature as Assembly Bill No. 3395;

15 c. Rehabilitation or clearance, demolition and removal of build-  
16 ings and improvements where appropriate to the preservation of  
17 neighborhoods;

18 d. Provision of public services of a type or quality not otherwise  
19 available in areas where other activities assisted under this act  
20 are being carried out in a concentrated manner, if such services  
21 are determined to be necessary or appropriate to support such  
22 other activities;

23 e. Acquisition of real property or any interest therein which  
24 property exerts a blighting influence on a stable but threatened  
25 neighborhood or is appropriate for rehabilitation or conservation  
26 activities or is to be used for the provision of public works, facil-  
27 ities, improvements or recreational opportunities;

28 f. Acquisition, construction, reconstruction or installation of  
29 public works, facilities, and site or other improvements;

30 g. Disposition (through sale, lease, donation or otherwise) of  
31 any real property acquired pursuant to this act or its retention  
32 for public purposes;

33 h. Planning of neighborhood programs intended to be imple-  
34 mented by means eligible for a grant pursuant to this act; and

35 i. Administration of activities implementation of which is  
36 assisted, or is eligible for assistance, pursuant to this act.

37 All activities assisted under this act shall be implemented as  
38 otherwise provided by law.

1 6. No grant may be made pursuant to this act unless the political  
2 subdivision provides satisfactory assurances that prior to sub-  
3 mission of its application:

4 a. Citizens of the neighborhoods to be affected by the program  
5 have been provided an adequate opportunity to participate in the  
6 development of the activities for which the grant is requested; and

7 b. Public hearings have been held to obtain the views of citizens  
8 to be affected by the activities for which the grant is requested.

1 7. The commissioner shall review and evaluate all applications  
2 submitted pursuant to this act and shall establish such priorities  
3 for making grants pursuant thereto as shall give due regard to  
4 maximizing the beneficial impact of the resources available pur-  
5 suant to this act and other resources; provided that no such appli-  
6 cation shall be approved unless the commissioner finds that the  
7 neighborhood or neighborhoods in question are threatened but  
8 still viable.

1 8. The commissioner is hereby granted and may exercise the  
2 following powers:

3 a. To adopt, modify, repeal and enforce rules and regulations  
4 in regard to the implementation of this act;

5 b. To sue or be sued in regard to the enforcement of the pro-  
6 visions of this act and any rules, regulations, contracts and agree-  
7 ments hereunder;

8 c. To accept appropriations, gifts, grants, contributions and  
9 any other form of financial assistance from the Federal government  
10 or from any sources, public or private for purposes of this act; and

11 d. To do all things necessary, convenient or desirable to carry  
12 out the provisions and purposes of this act.

1 *\*9. The commissioner shall submit with the department's annual  
2 budget request, a plan for the expenditure of funds as authorized  
3 by this act. This plan shall include, but not be limited to: per-  
4 formance evaluation of expenditures made to date under the au-  
5 thority granted to the commissioner by this act; a description of  
6 the various programs, planned for utilization during the upcoming  
7 fiscal year, as authorized by this act; a copy of the regulations in  
8 force governing the various programs in operation as authorized  
9 by this act; and an estimate of planned expenditures as authorized  
10 by this act. This information shall be used to assist the Legislature  
11 in determining the amount of money to be appropriated to support  
12 programs operated under the authority of this act.\**

1 *\*[9.]\* \*10.\** This act shall be construed liberally to effectuate  
2 the legislative intent and the purposes of this act, and all powers  
3 herein granted shall be broadly interpreted to effectuate such intent  
4 and purposes and not as a limitation of powers.

1 *\*[10. There shall be appropriated for the purposes of this act the  
2 sum of \$500,000.00 for the fiscal year commencing July 1, 1975.]\*\**

1 11. This act shall take effect immediately.

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4 in regard to the implementation of this act;

5 b. To sue or be sued in regard to the enforcement of the pro-  
6 visions of this act and any rules, regulations, contracts and agree-  
7 ments hereunder;

8 c. To accept appropriations, gifts, grants, contributions and  
9 any other form of financial assistance from the Federal government  
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11 d. To do all things necessary, convenient or desirable to carry  
12 out the provisions and purposes of this act.

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2 tive intent and the purposes of this act, and all powers herein  
3 granted shall be broadly interpreted to effectuate such intent and  
4 purposes and not as a limitation of powers.

1 10. There shall be appropriated for the purposes of this act the  
2 sum of \$500,000.00 for the fiscal year commencing July 1, 1975.

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#### STATEMENT

There remains a shortage of safe, sanitary housing in New Jersey notwithstanding State and Federal programs to provide same. One of the ways to prevent a worsening of this shortage and to increase the housing opportunities for New Jersey residents, is to preserve and rehabilitate those neighborhoods in our municipalities which are still viable but are threatened with decline. In other words, it should be our goal to conserve our existing housing stock to provide a decent home. This housing stock can be preserved if the neighborhoods are improved and rehabilitated in areas and responsibilities such as public services, code enforcement, etc.

This bill will empower the Department of Community Affairs to make grants to political subdivisions of the State, local governments and authorities, so that they may undertake measures such as housing rehabilitation, code enforcement, demolition, and expansion and improvement of public services and facilities. This will allow municipalities to arrest the deterioration and preserve neighborhoods which remain viable. To insure citizen input and cooperation no political subdivision may undertake a neighborhood preservation project with State funds under this act unless there have been public hearings and an opportunity for affected citizens to be heard. The Commissioner of the Department of Community Affairs must also approve all projects before State funds are allocated.

ASSEMBLY MUNICIPAL GOVERNMENT COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 3394**

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**STATE OF NEW JERSEY**

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DATED: JUNE 16, 1975

The statement of the sponsor adequately expresses the purpose and provisions of the bill. The Assembly Committee amendments simply require an annual reporting to the Legislature of the progress and operations of the act and remove the appropriation.

FROM THE OFFICE OF THE GOVERNOR

OCTOBER 30, 1975

FOR FURTHER INFORMATION

FOR IMMEDIATE RELEASE

DICK CAMPBELL

Governor Brendan Byrne today signed into law two bills designed to help preserve older, urban neighborhoods.

One bill, A-3395, sponsored by Assembly Speaker S. Howard Woodson, D-Mercer, authorizes the establishment in the Department of Community Affairs a Neighborhood Preservation Loan and Grant Fund.

The other measure, A-3394, also sponsored by Assemblyman Woodson, authorizes the department to make grants and loans for housing rehabilitation and other neighborhood preservation activities.

The bills were signed by the Governor at a public ceremony in Plainfield, the city where the first pilot neighborhood preservation project conducted by the department took place.

Byrne said the program will help preserve the stable, urban neighborhoods in the state's older cities.

He pointed out that the pilot neighborhood preservation programs have proven successful.

"The concept behind our demonstration effort and this very important legislation is the pooling of resources - state and local governments, private lending institutions and the individual homeowners," he said. "In this way, limited public money can make a significant impact on the viability of our neighborhoods."

Assemblywoman Betty Wilson, D-Union, who attended the ceremony, said it is essential to preserve the state's urban environments.

"We must give people assistance to help them help themselves," said Mrs. Wilson, who has been a leading advocate of the restoration of older cities.

"The Neighborhood Preservation Act is an example of a way government can do that."

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Patricia Q. Sheehan, State Commissioner of Community Affairs, said the Department has been conducting neighborhood preservation programs on a pilot basis for several years. She said the Department currently has committed \$4 million from its revolving Housing Development and Demonstration Grant Fund to demonstration programs in 12 urban neighborhoods.

"Our experience in these efforts convinces me that support of the residents of neighborhoods in their efforts to create decent living space for themselves is the path we must follow," she said.

In addition to housing rehabilitation, the legislation also provides for such activities as intensive code enforcement, acquisition of property exerting a blighting influence on a stable but threatened neighborhood, and removal of buildings incompatible with neighborhood preservation.

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