

§ 345-19. - Notice of applications.

- A. Public notice of a hearing on an application for development shall be given. This shall also include:

[Amended 11-28-2001 by Ord. No. 01-129; 11-29-2017 by Ord. No. 17-153.]

1. Preliminary site plan review pursuant to section 34 of N.J.S.A. 40:55D-46;
 2. Minor subdivisions pursuant to section 35 of N.J.S.A. 40:55D-47; or
 3. Final approval pursuant to section 38 of N.J.S.A. 40:55D-50; and provided that public notice shall be given in the event that relief is requested pursuant to section 47 or 63 of N.J.S.A. 40:55D-60 or 40:55D-76 as part of an application for development otherwise excepted herein from public notice.
- B. Public notice shall also be given in the case of an application for appeal to the Zoning Board of Adjustment pursuant to N.J.S.A. 40:55D-70a, or in the case of a request for interpretation by the Zoning Board of Adjustment pursuant to N.J.S.A. 40:55D-70b.
- C. Notice of a hearing requiring public notice shall be given by the applicant at least ten (10) days prior to the date of the hearing in the following manner:
1. By publication in the official newspaper of the City.
 2. To all owners of real property as shown on the current tax duplicate, Located in the state and within two hundred (200) feet in all directions of the property which is the subject of such hearing, provided that this requirement shall be deemed satisfied by notice to the condominium association, in the case of any unit owner whose unit has a unit above or below it, or horizontal property regime, in the case of any co-owner whose apartment has an apartment above or below it. Notice shall be given by serving a copy thereof on the property owner as shown on said current tax duplicate or his or her agent in charge of the property or mailing a copy thereof by certified mail to the property owner at his or her address as shown on said current tax duplicate.
 3. Notice to a partnership owner may be made by service upon any partner. Notice to a corporate owner may be made by service upon its president, a vice president, secretary or other person authorized by appointment or by law to accept service on behalf of the corporation. Notice to a condominium association, horizontal property regime, community trust or homeowners' association, because of its ownership of common elements or areas located within two hundred (200) feet of the property which is the subject of the hearing, may be made in the same manner as to a corporation without further notice to unit owners, co-owners or homeowners on account of such common elements or areas.
 4. To the Clerk of any adjoining municipality or municipalities when the property involved is located within two hundred (200) feet of said adjoining municipality or municipalities.

Notice shall be given by personal service or certified mail.

5. To the Hudson County Planning Board when the application for development involves property adjacent to an existing county road or proposed road as shown on the County Official Map or the County Master Plan, adjoining other county land or situated within two hundred (200) feet of a municipal boundary. Notice shall be given by personal service or certified mail.
 6. To the Commissioner of Transportation of the State of New Jersey when the property abuts a state highway. Notice shall be given by personal service or certified mail.
 7. To the State Planning Commission when the hearing involves an application for the development of property which exceeds one hundred fifty (150) acres or five hundred (500) dwelling units, in which case the notice shall include a copy of any maps or documents required to be on file with the Administrative Officer. Notice shall be given by personal service or certified mail.
 8. On applications for approval of a major subdivision or a site plan not defined as a minor site plan, to a public utility, cable television company or local utility which possesses a right-of-way or easement within the city and which has registered with the city in accordance with N.J.S.A. 40:55D-12.1 by (a) serving a copy of the notice on the person whose name appears on the registration form on behalf of the public utility, cable television company or local utility or (b) mailing a copy thereof by certified mail to the person whose name appears on the registration form at the address shown on that form.
- D. Upon the written request of an applicant, the City tax assessor shall, within seven days, make and certify a list from current tax duplicates of names and addresses of owners within the City to whom the applicant is required to give notice. Failure to give notice to any lot owner not on the list obtained in such manner shall not invalidate any hearing or proceeding. A sum, not to exceed the maximum set forth in N.J.S.A. 40:55D-12c, shall be charged for such list.
- E. The applicant shall be responsible for giving proper notice to all property owners.
- F. The notice shall state the date, time and place of the hearing and the nature of the matters to be discussed, including an identification of the property proposed for development by street address, if any, or by reference to lot and block numbers as shown on the current tax duplicate in the City tax assessor's office; and the location and times at which any maps or documents for which approval is sought are available for inspection.