

ORDINANCE 12-2015

AN ORDINANCE AMENDING ORDINANCE 12-2011 CODIFIED WITHIN SECTION 64B OF THE BOROUGH OF WOODBURY HEIGHTS CODE CONCERNING THE REGISTRATION, INSPECTION AND LICENSING OF RESIDENTIAL RENTAL PROPERTIES

WHEREAS, Ordinance 12-2011 established policies and procedures for the registration, inspection and licensing of residential rental properties within the Borough of Woodbury Heights; and

WHEREAS, these policies are codified at Section 64B-1 of the Woodbury Heights Code; and

WHEREAS, the recent decision issued by the Superior Court of New Jersey, Appellate Division, in Timber Glen Phase III, LLC v. Township of Hamilton, A-1775-13T1 compels certain revisions and amendments to Ordinance 12-2011;

NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of the Woodbury Heights with the Mayor concurring, as follows:

SECTION I:

Section 64B-1 entitled "Definitions" is hereby amended, in relevant part, to include the following definitions:

Rental Unit – Shall mean any dwelling unit of three (3) or more units, excepting out owner-occupied duplexes, and any building or structure of one (1) or more stories and any land appurtenant thereto, and any portion thereof, in which three (3) or more units of dwelling space are occupied, or are intended to be occupied by three (3) or more persons who live independently of each other. A rental unit shall not include any unit that is used solely and exclusively for office, business or commercial purposes.

Section 64B-2 entitled "Registration Required" is hereby amended, in relevant part, to read as follows:

All rental units consisting of three (3) or more units of dwelling space shall hereafter be registered with the Clerk or designee of the Borough of Woodbury Heights or such other person as designated by the Borough Council, on forms which shall be provided for that purpose and which shall be obtained from the Clerk or designee. It shall be required that such registration take place every two (2) years as provided herein.

Section 64B-12 entitled "Providing registration form to occupants and tenants" is hereby amended, in relevant part, to read as follows:

Every owner shall provide each occupant or tenant occupying a rental unit with a copy of the registration form required by this article. This provision may be complied with by posting a copy of the registration certificate in a conspicuous place within the rental units.

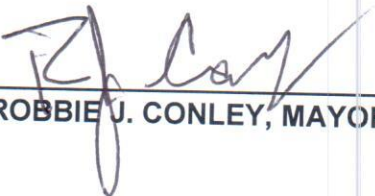
SECTION II: Any and all other Ordinances or part of Ordinances incontinent with the terms of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION III: Saved From Repeal.

Any and all other Ordinances or parts of Ordinances not inconsistent with the terms and provisions of this Ordinance are hereby saved from repeal.

SECTION IV: This Ordinance shall take effect immediately upon its final adoption and publication, and as otherwise provided by law.

BOROUGH OF WOODBURY HEIGHTS

By: 
ROBBIE J. CONLEY, MAYOR

ATTEST:


JANET PIZZI, CLERK/ADMINISTRATOR

NOTICE

Notice is hereby given that the foregoing Ordinance was introduced and passed on first reading at meeting of the Borough Council of the Borough of Woodbury Heights held on the 16th day of September, 2015, and will be considered for final passage and adoption at a meeting of the Borough Council of the Borough of Woodbury Heights, to be held on the 21 day of October, 2015 at 7:30 p.m. at which time and place any interested party will be given the opportunity to be heard.


JANET PIZZI, CLERK/ADMINISTRATOR