

MANNINGTON TOWNSHIP

ORDINANCE NO. 18-04

**AN ORDINANCE AMENDING MANNINGTON TOWNSHIP CODE CHAPTER 64
“HOUSING STANDARDS” TO INCLUDE ADDITIONAL REQUIREMENTS FOR
CERTIFICATES OF OCCUPANCY**

WHEREAS, Chapter 64 “Housing Standards” of the Mannington Township Code currently requires certificates of occupancy only for residential rental properties within the Township, and does not require the names of approved residential rental property occupants to be kept on file with the Mannington Township Housing Officer; and

WHEREAS, based on the recommendation of the Housing Officer, the Mannington Township Committee has determined that certificates of occupancy should be required for all occupants of residential property within the Township, and that the names of all occupants of residential rental properties should be kept on file with the Housing Officer; and

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Mannington, in the County of Salem, State of New Jersey, that Section 64-8 of Chapter 64 “Housing Standards” of the Code of the Township of Mannington is hereby deleted and replaced with the following **revised Section 64-8**:

§ 64-8. Residential rental dwelling units.

No person shall occupy as a rental occupant, or rent to another for occupancy, any dwelling, dwelling unit, rooming unit, or premises (hereafter “residential rental dwelling unit”) for the purpose of living therein, which does not conform to the housing certificate of occupancy (HCO) and residential rental certificate of inspection requirements that are set forth in this chapter, nor shall any person occupy as a rental occupant, or rent to another for occupancy, any residential rental dwelling unit for the purpose of living therein, unless and until a rental certificate of occupancy (RCO) has been issued by the Housing Officer pursuant to this chapter to confirm such conformance. Applications shall be made using RCO forms to be provided by the Housing Officer. Each RCO application must list the names and ages of all persons who intend to reside at the residential rental dwelling unit, and each RCO issued for such occupancy must list the names of all such persons as permitted occupants. Only those occupants whose names are listed on the RCO may reside in the residential rental dwelling unit for which such RCO has been issued. It shall be unlawful for any person to reside in a residential rental dwelling unit before an RCO has been issued for such person’s occupancy. After an RCO has been issued it shall be unlawful for any additional person to reside in a residential rental dwelling unit unless a new RCO has been applied for and issued listing such additional person as a permitted occupant. The fee for each RCO application will be \$50 per residential rental dwelling unit. This fee is for the initial inspection visit and one follow-up inspection visit for each RCO application. An additional charge of \$50 shall be charged and paid in advance for each subsequent inspection visit. This section may be enforced against the owner or any occupant of a residential rental dwelling unit.

BE IT FURTHER ORDAINED that the following **new Section 64-9** of Chapter 64 “Housing Standards” of the Code of the Township of Mannington is hereby adopted, and existing Sections 64-9, 64-10, 64-11, 64-12 and 64-13 of this Chapter 64 are hereby re-numbered as Sections 64-10, 64-11, 64-12, 64-13 and 64-14, respectively:

§ 64-9. Housing certificates of occupancy; inspections; fees; requirements.

A. Housing certificate of occupancy.

- (1) The Housing Officer's issuance of a housing certificate of occupancy (HCO) shall serve as confirmation that the building, structure or unit that is the subject of the HCO has been inspected by the Housing Officer and found to be in compliance with this chapter.
- (2) The Housing Officer may revoke any previously issued HCO whenever the Housing Officer subsequently determines that the building, structure or unit that is the subject of the HCO no longer complies with this chapter.

B. Fees.

- (1) The following inspection fees shall be collected with each HCO application:
 - (a) Single-family residential building consisting of one dwelling unit: \$50
 - (b) Each residential dwelling unit in a multi-unit building: \$50
- (2) The above fees are for the initial inspection visit and one follow-up inspection visit for each HCO application. An additional charge of \$50 shall be charged and paid in advance for each subsequent inspection visit.
- (3) An HCO may be issued (or reissued without additional charge) at any time within 90 days following the inspection visit at which full compliance is confirmed.

C. Housing certificate of occupancy requirements.

- (1) No person or entity shall hereafter occupy or allow to be occupied, whether for consideration or not, any building, structure, dwelling, dwelling unit, hotel/motel, rooming house, rooming unit or any other unit or structure for residential purposes, unless an HCO (or in the case of a residential rental dwelling unit as defined in this chapter, an RCO as provided in this chapter) shall first have been obtained from the Housing Officer. A new HCO (or RCO, if applicable) shall be obtained each time there is a change of occupancy of any building, structure, dwelling, dwelling unit, hotel/motel, rooming house, rooming unit or any other unit or structure for residential purposes. Applications shall be made using HCO (or RCO) forms to be provided by the Housing Officer. This section may be enforced against any owner(s) and any occupant(s) who are in violation hereof.

(2) No HCO shall be issued for a building, structure, dwelling, dwelling unit, hotel/motel, rooming house, rooming unit or any other unit or structure for residential purposes unless said building, structure or unit complies with all of the provisions of this chapter; all ordinances of Township of Mannington now in existence or hereafter enacted pertaining to plumbing, building, electrical, fire, zoning, health, safety; the minimum New Jersey state housing standards; and all other applicable laws and regulations. In the event that any of the aforesaid codes, ordinances, laws or standards are revised, modified or updated, the revised, modified or updated standards shall govern. These standards shall also be applicable to RCO applications as provided in this chapter.

BE IT FURTHER ORDAINED, that:

1. All Ordinances or parts of Ordinances inconsistent with or in conflict with this Ordinance are hereby repealed to the extent of such inconsistency.
2. This Ordinance shall take effect upon final passage and publication in the manner prescribed by law.
3. If the provisions of any section, subsection, paragraph, subdivision, or clause of this Ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this Ordinance.

NOTICE

Notice is hereby given that the foregoing proposed Ordinance No. 18-__ was introduced and passed on first reading by the Township Committee of the Township of Mannington, County of Salem, State of New Jersey, at a regular meeting held on _____, 2018. A second reading and public hearing on the foregoing Ordinance will be conducted by the Township Committee at a regular meeting to be held on _____, 2018 at 7:00 p.m., in the Mannington Town Hall, 491 Route 45, Mannington Township, New Jersey, after which the Ordinance will be considered for final passage

ATTEST:

Esther A. Mitchell, Township Clerk

Donald C. Asay, Mayor

CERTIFICATION

I hereby certify the above to be a true copy of an Ordinance introduced and passed by the Mannington Township Committee on second reading following a public hearing at a regular meeting held on _____, 2018.

Esther A. Mitchell, Township Clerk

DATE: _____