

Ordinance 2013-17

*BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY*

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 13 ENTITLED
“HOUSING”, SECTION 13-8, ENTITLED “CERTIFICATE OF COMPLIANCE
REQUIREMENT FOR CHANGES IN OCCUPANCY OF RENTED DWELLINGS”,
SUBSECTION 13-8-1 “CERTIFICATE OF COMPLIANCE REQUIRED; EXCEPTIONS” OF
THE “REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHTSTOWN, NEW
JERSEY**

WHEREAS, the Mayor and Council wish to amend certain provisions contained within Chapter 13, Section 13-8, Subsection 13-8-1 of the Borough Code relating to exemptions as set forth herein.

NOW, THEREFORE, BE AND IT IS HEREBY ORDAINED, by the Borough Council of the Borough of Hightstown, in the County of Mercer and State of New Jersey, that

Section 1: Chapter 13 Entitled “Housing”, Section 13-8, Entitled “Certificate of Compliance Requirement for Changes in Occupancy of Rented Dwellings”, Subsection 13-8-1 “Certificate of Compliance Required; Exceptions” of the “Revised General Ordinances of the Borough of Hightstown, New Jersey” is hereby amended and supplemented as follows (additions are shown with underline ; deletions are shown with ~~strikeout~~):

Subsection 13-8-1 Certificate of Compliance Required; Exceptions.

The rental and occupancy of buildings and parts thereof for human habitation or use shall be subject to the following: No person shall rent to another or suffer or permit occupancy by another of any building or part thereof for human habitation or use without first obtaining from the Housing Inspector a certificate stating that the premises, at the time of the proposed rental to or occupancy by such other person, comply with the requirements of the housing standards set forth in this chapter, provided that this section shall not apply to:

- a. Rental or occupancy under a temporary permit issued by the Housing Inspector authorizing rental or occupancy for a specified period, not to exceed sixty (60) days, during the making of repairs, alterations and improvements required by such inspection certificate;
- b. ~~Rentals to or occupancies by students, faculty or staff of nonprofit educational institutions of on-campus premises owned and maintained by such institutions, nor shall it apply to~~ Transient occupancies of hotel rooms.

This section shall apply to all dwellings and dwelling units and shall include single-family dwellings, any multiple dwelling or apartment house, or any rented dwelling unit in a commercial or mixed-use building. The certificate required herein shall be obtained prior to a change of occupancy in any such dwelling, except that if the unit is a dormitory room or other similar housing unit used temporarily by student(s) as part of a college, school, academy, seminary or similar educational institution, then a new certificate must be obtained on an annual basis rather than prior to each new occupancy. (1991 Code § 121-48; Ord. No 823 § 7)

13-8-2 Fees; Inspections.

The Housing Code Certificate required by subsection 13-8.1 hereof shall be secured from the Borough Housing Inspector. At the time of the application for such Certificate, a fee of sixty (\$60.00) dollars per unit shall be paid. The fee shall cover the application and initial inspection of the premises and the issuance of the Certificate. In the event that any additional inspections of the premises are required because of a failure of the landlord or owner to comply with the provisions of this chapter, an additional fee of twenty-five (\$25.00) dollars shall be paid for each additional inspection required. All fees shall be made payable to the Borough and be delivered to the Housing Office and turned over to the Borough Treasurer. In the event of cancellation of a requested inspection, the Housing Department must be notified within twenty-four (24) hours prior to the scheduled inspection time. Failure to do so will result in forfeiture of the inspection fee. (1991 Code § 121-49; Ord. No. 823 § 7; Ord. No. 2004-31 §5)

Section 2. All other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies.

Section 3. In the event that any portion of this Ordinance is found to be invalid for any reason by any Court of competent jurisdiction, such judgment shall be limited in its effect only to that portion of the Ordinance actually adjudged to be invalid, and the remaining portions of this Ordinance shall be deemed severable therefrom and shall not be affected.

Section 4. This Ordinance shall take effect following final passage and publication in accordance with the law.

Introduced: August 5, 2013

Adopted:

ATTEST:

Debra L. Sopronyi
Municipal Clerk

Steven Kirson
Mayor