

ORDINANCE 2024-06

AN ORDINANCE OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY, REPEALING AND REPLACING BOROUGH CODE CHAPTER 12-1.3 – ENTITLED – INSPECTION – CERTIFICATE OF COMPLIANCE

The following shall replace Borough Code Chapter 12-1.3 and shall add 12-1.4 and 12-1.5:

12-1.3 Rental Certificate

- A. A Rental Certificate issued by the Borough Office of Code Enforcement shall be required:
 - 1. Prior to occupancy by tenants of any improved commercial or residential property in the Borough
 - 2. Upon a change of tenancy of any improved commercial or residential property being rented in the Borough
- B. In keeping with the foregoing, property owners shall make application for a Rental Certificate on a form prescribed by the Borough. Upon making application for a Rental Certificate, the property owner shall pay the inspection fee of \$100.00, prior to the scheduling of an inspection.
- C. The property owner shall provide the following to the Office of Code Enforcement prior to the Rental Certificate inspection:
 - 1. A copy of a property insurance declaration for the subject property showing a minimum coverage of \$500,000.00 for liability for negligent acts and omissions, combined property damage and bodily injury or death that occurs on the property in keeping with N.J.S.A. 40A:10A-1.
 - 2. A Landlord Registration Form completed on the Form prescribed by the State of New Jersey in keeping with N.J.S.A. 46:8-28 (this form must also be provided to the tenant by the property owner)
 - 3. A Lead Based Paint Safe Certificate (for properties constructed in 1977 or prior) in keeping with N.J.A.C. 5:28A
 - 4. A Chimney Certification prepared by a Licensed Chimney Sweep or HVAC Contractor
 - 5. A Heating System Certification prepared by a Licensed HVAC Contractor or a Licensed Plumber attesting that the heating system is in good order and safe to operate

6. A list of all tenants who will occupy the property with telephone numbers for each adult tenant
- D. Upon performing an inspection of a property for issuance of a Rental Certificate, the Code Enforcement Officer shall inspect at a minimum the following:
1. That the property exterior is in good order with no overgrown grass, weeds or other vegetation
 2. That there is no debris or trash being stored on the property
 3. That the structure has street address numbers in place on the front of the structure that are a minimum of two inches in height and made of reflective material
 4. That each staircase of four (4) or more steps has secure handrails in place
 5. That the plumbing system is operating and water is flowing from each interior faucet
 6. That the utilities including electricity, natural gas, and water are on and functioning
 7. That the electrical outlets are in good working order and that ground force interrupt (GFI) electrical outlets are in place in all bathrooms, kitchens, exterior areas and near any other water sources
 8. That all range type stoves are equipped with an anti-tip device attached to the wall
 9. That smoke detectors are mounted and functional in all bedrooms and that a smoke detector is present in the hallway outside of the bedrooms and that one functioning smoke detector and one functioning carbon monoxide detector is mounted on each level of the structure
 10. That a Fire Extinguisher (rating of 2A-10BC) is mounted within ten (10) feet of the kitchen area
 11. That all interior doors open and close smoothly and securely
 12. That all exterior doors open and close smoothly and have functioning locks
 13. That all windows have functioning locks and when raised will stay in the open position to allow for safe egress
- E. If the subject property passes the Rental Certificate inspection, the Borough Office of Code Enforcement shall issue a Rental Certificate to the property owner on a form prescribed by the Borough.

- F. If the subject property fails inspection, the property owner may request a reinspection within thirty (30) days upon payment of a \$50.00 reinspection fee. After thirty (30) days, the property owner must submit a new application for Rental Certificate inspection.
- G. A Rental Certificate shall be valid for two (2) years from the date of issuance or until there is a change in tenancy. Upon any change in tenancy, the property owner must apply for a new Rental Certificate in keeping with the foregoing.
- H. It shall be the responsibility of property owners to immediately report any change in tenancy to the Borough Office of Code Enforcement, failure to so shall be considered a violation of the provisions of this section of the Borough Code.

12-1.4 Resale Certificate


- A. A Resale Certificate issued by the Borough Office of Code Enforcement shall be required:
 - 1. Prior to the sale or transfer of any improved commercial or residential property in the Borough
- B. In keeping with the foregoing, property owners shall make application for a Resale Certificate on a form prescribed by the Borough. Upon making application for a Resale Certificate the property owner shall pay the inspection fee of \$100.00, prior to the scheduling of an inspection.
- C. The property owner shall provide the following to the Office of Code Enforcement prior to the inspection:
 - 1. A Chimney Certification prepared by a Licensed Chimney Sweep or HVAC Contractor
 - 2. A Heating System Certification prepared by a Licensed HVAC Contractor or a Licensed Plumber attesting that the heating system is in good order and safe to operate
- D. Upon performing an inspection of a property for issuance of a Resale Certificate, the Code Enforcement Officer shall inspect at a minimum the following:
 - 1. That the property exterior is in good order with no overgrown grass, weeds or other vegetation
 - 2. That there is no debris or trash being stored on the property
 - 3. That the structure has street address numbers in place on the front of the structure that are a minimum of two inches in height and made of reflective material
 - 4. That each staircase of four (4) or more steps has secure handrails in place
 - 5. That the plumbing system is operating and water is flowing from each interior faucet

6. That the utilities including electricity, natural gas, and water are on and functioning
 7. That the electrical outlets are in good working order and that ground force interrupt (GFI) electrical outlets are in place in all bathrooms, kitchens, exterior areas and near any other water sources
 8. That all range type stoves are equipped with an anti-tip device attached to the wall
 9. That smoke detectors are mounted and functional in all bedrooms and that a smoke detector is present in the hallway outside of the bedrooms and that one functioning smoke detector and one functioning carbon monoxide detector is mounted on each level of the structure
 10. That a Fire Extinguisher (rating of 2A-10BC) is mounted within ten (10) feet of the kitchen area
 11. That all interior doors open and close smoothly and securely
 12. That all exterior doors open and close smoothly and have functioning locks
 13. That all windows have functioning locks and when raised will stay in the open position to allow for safe egress
- E. If the subject property passes the Resale Certificate inspection, the Borough Office of Code Enforcement shall issue a Resale Certificate to the property owner on a form prescribed by the Borough.
- F. If the subject property fails inspection, the property owner may request a reinspection within thirty (30) days upon payment of a \$50.00 reinspection fee. After thirty (30) days, the property owner must submit a new application for Resale Certificate inspection.
- G. A Resale Certificate shall be valid for one (1) year from the date of issuance.

12-1.5 Transfer Certificate

- A. If a property owner wishes to sell or transfer an improved commercial or residential property within the Borough and said property cannot pass a Resale Certificate inspection in keeping with Borough Code Section 12-1.4, the property owner may apply to the Borough Office of Code Enforcement for a Transfer Certificate.
- B. An application for a Transfer Certificate shall be made on a form prescribed by the Borough and the application fee shall be \$100.00.
- C. The issuance of a Transfer Certificate shall be approved under the following circumstances:
 - 1. Upon submission of an application by a property owner and payment of the application fee of \$100.00
 - 2. Upon receipt of a letter from the buyer or the buyer's agent attesting that the buyer acknowledges and understands that the subject property may not be occupied until the new owner receives a Resale Certificate or a Certificate of Occupancy issued pursuant to the New Jersey Uniform Construction Code (UCC) from the Borough Office of Code Enforcement or the Borough Construction Official.
- D. A Transfer Certificate shall be valid for the sale or transfer of a property for one hundred and eighty (180) days from the date of issuance.
- E. Upon taking ownership of a property that was the subject of a Transfer Certificate, the new owner shall have a maximum of one hundred and eighty (180) days to obtain a Resale Certificate or a Certificate of Occupancy under the UCC.

The foregoing Ordinance was duly adopted by the Mayor and Council at their Regular Meeting on July 16, 2024 in the Borough.



Sean Asay
Borough Clerk