



BOROUGH OF ATLANTIC HIGHLANDS
COUNTY OF MONMOUTH
ORDINANCE 10-2024

Certificate of Occupancy and Lead Paint Inspections

WHEREAS, the Department of Community Affairs has advised the Borough that the term “certificate of occupancy” is a defined term in the Uniform Construction Code and reserved for matters under the Uniform Commercial Code and the jurisdiction of the municipal Construction Official; and

WHEREAS, the Uniform Construction Code does not require a certificate of occupancy for changes in tenancy, occupancy or use of rental units and commercial properties or upon transfer of title to property; and

WHEREAS, it is necessary for the public health and safety that inspection of rental units, commercial properties and properties transferring title be made to ensure human habitability and compliance with Borough ordinances; and

WHEREAS, the Legislature enacted P.L. 2022, Ch. 92, requiring owners of business or rental units to maintain liability insurance for negligent acts and omissions and to obtain a certificate of registration of said insurance certificate annually from the municipality; and

WHEREAS, the Legislature enacted P.L. 2021, Ch. 182, requiring inspection of rental properties for lead paint hazards;

NOW, THEREFORE, the Code of the Borough of Atlantic Highlands is hereby amended to read as follows:

Section 1. Chapter 128 is amended as follows:

Chapter 128

Certificate of Occupancy; ~~Certificate of Inspection; Lead-Safe Certification;~~
Certificate of Registration of Insurance Certificate

Article I
Dwellings, Units and Apartments ~~Commercial Buildings~~
Certificate of Occupancy

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§ 128-1 Certificate of occupancy required for dwellings and commercial buildings.

- A. No owner of property, agent of an owner, real estate agent or broker, firm, company, partnership, corporation or person or persons shall sell, rent or lease or suffer to allow any person or persons to live in or occupy as an owner, tenant or otherwise any dwelling, unit or apartment unless a certificate of occupancy, certifying that said dwelling, unit or apartment is fit for human habitation and that said dwelling, unit or apartment is in compliance with all other ordinances of the Borough of Atlantic Highlands, shall first be obtained from the Construction Official of the Borough of Atlantic Highlands. Such certificate of occupancy shall be granted or denied within 10 days from the date of the application for the same.
- B. Certificate required for commercial buildings. No owner of property or agent shall sell, rent, or allow any person or business to occupy, any building or part thereof for any nonresidential use unless a certificate of occupancy, certifying that said building or part thereof is in compliance with all ordinances of the Borough of Atlantic Highlands, shall first be obtained from the Construction Official of the Borough of Atlantic Highlands. Such certificate of occupancy shall be granted or denied within 10 business days from the date of application for the same. In addition to the regular application fee, the owner of the property shall pay all charges of the municipal engineer if the Construction Official determines that an inspection by the municipal engineer is required.

§ 128-2 Application.

- A. The Construction Official shall cause to be prepared appropriate application forms for such certificate of occupancy, which forms shall be available at the office of the Municipal Clerk.
- B. The Construction Official shall also cause to be prepared appropriate forms of such certificate of occupancy.

~~*§ 128-3 Smoke detectors required.*~~

~~In addition to requirements that an application for a certificate of occupancy establish that the dwelling, unit or apartment meet the standards as noted herein, it shall also be a requirement that each dwelling shall be provided with a minimum of one approved, listed and labeled smoke detector, sensing visible or invisible particles of combustion, installed in a manner and location consistent with its listing. When actuated, the detector shall provide an alarm suitable to warn the occupants within the dwelling.~~

§ 128-3 Temporary certificates of occupancy.

The Construction Official shall have the power to cause to be prepared appropriate application forms for the issuance of temporary certificates of occupancy. Said temporary certificates of occupancy shall be issued for the purpose of allowing an owner, agent of an owner, etc., of property to sell, rent and/or lease said property based upon the Construction Official's issuing a

temporary certificate of occupancy. However, in no event shall any owner, agent of an owner, etc., be allowed to live in or occupy any dwelling, unit or apartment unless or until a permanent certificate of occupancy as per § 128-1 above is obtained.

§ 128-4 Violations and penalties.

Any person, firm or corporation who shall violate any of the provisions of this article, or who shall violate an order of the Construction Official after duly made and promulgated pursuant to this article, or who interferes with the Construction Official or any other person authorized to exercise the powers of the Construction Official, shall, upon conviction in the Municipal Court, be subject to a penalty as provided in Chapter 1, Article II, General Penalty; and such action in and penalties imposed by the Municipal Court may be in addition to any other action or proceedings in this article. Each day that a violation is permitted to exist shall constitute a separate offense.

Article II

~~Rental Properties~~ **Certificate of Inspection for rental and commercial properties; Certificate of Inspection upon transfer of title**

§ 128-5 Definitions.

As used in this article, the following terms shall have the meanings indicated:

BOROUGH

The Borough of Atlantic Highlands, County of Monmouth, State of New Jersey.

CERTIFICATE OF INSPECTION

A certificate issued by the Inspector certifying that a property is fit for human habitation and is in compliance with all applicable federal and state laws and ordinances of the Borough.

FAMILY

Any number of individuals related by blood, marriage or adoption, and their domestic employees, living together as a single housekeeping unit and sharing rooms and other housekeeping facilities in common.

HOTEL

A building containing one or more rooms used, rented or hired out on a transient basis to be occupied for sleeping purposes only, and not containing individual eating and cooking facilities.

INSPECTOR

The person designated by the Borough of Atlantic Highlands to inspect and issue certificates of occupancy **inspection**.

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MOTEL

A building containing one or more rooms with individual entrances, used, rented or hired out on a transient basis to be occupied for sleeping purposes only and not containing individual eating and cooking facilities.

TRANSFER OF TITLE

The legal transfer of ownership of property from one person or entity to another person or entity.

*§ 128-6 Certificate of ~~occupancy~~ **inspection** required **for rental properties**; inspection.*

No person, firm, partnership, association, corporation or the like shall rent, lease or suffer or allow any person or persons except members of the family, to live in or occupy, as a tenant, any room, dwelling, apartment, house trailer, mobile home or the like, except if the same is part of a motel or hotel and provided that unless a certificate of ~~occupancy~~ **inspection** is obtained from the Inspector after an inspection thereof certifying that said room, dwelling, apartment, house trailer, mobile home or the like is fit for human habitation and is in compliance with all applicable federal and state laws and ordinances of the Borough.

§ 128-7 Certificate of inspection required for commercial properties; inspection

No person, firm, partnership, association, corporation or the like shall rent, lease or suffer or allow any person or persons to occupy a commercial property within the Borough unless a certificate of inspection is obtained from the Inspector after an inspection thereof certifying that said commercial property is fit for human habitation and is in compliance with all applicable federal and state laws and ordinances of the Borough.

§ 128-8 Certificate of inspection upon transfer of title; inspection

Upon transfer of title to property in the Borough, no person shall occupy, rent, lease or suffer or allow any person or persons to live in or occupy said property unless a certificate of inspection is obtained from the Inspector after an inspection thereof certifying that said property is fit for human habitation and is in compliance will all applicable federal and state laws and ordinances of the Borough.

§ 128-9 Application requirements.

Applications for certificates of ~~occupancy~~ **inspection** shall be made in writing to the Inspector and shall state:

- A. The name, address and principal place of business of the owner.
- B. Such description of the room, dwelling, apartment or the like, by street number or otherwise, as will enable the Inspector easily to locate the same.

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- C. The name and address of the principal place of business of the agent, person, association or corporation, if any, appointed by said owner for the management of the same.

§ 128-10 Filing required when premises vacated.

The owner shall, not more than 30 days prior nor less than 10 days after a tenant removes from and vacates a room, dwelling, apartment or the like, file with the office of ~~Inspector~~ **Code Enforcement** a statement containing the address of the premises and the number or other specific description of the place vacated.

§ 128-11 Required procedures prior to new occupancy.

No such vacated room, dwelling, apartment or the like shall be rented or occupied in whole or in part by any new tenant until an inspection has been made by the Inspector to determine whether such room, dwelling, apartment or the like is in violation of any applicable federal or state law or ordinance of the said Borough. If no such violation exists, the Inspector shall issue a certificate of ~~occupancy~~ **inspection**; otherwise, he **or she** shall notify the owner in writing setting forth the specific violations existing.

§ 128-12 Inspection procedures.

An inspection pursuant to § 128-7 shall be made, and either a certificate of ~~occupancy~~ **inspection** or a notice of violation shall be issued, as aforesaid within five business days from the date of application. If said inspection is not accomplished in said five-day period, the room, dwelling, apartment or the like may be occupied by the new tenant but subject to the right of the Borough to cause said room, dwelling, apartment or the like to be inspected and, if a violation is found, to cause said premises to be vacated within 10 days from the date of notice thereof.

*§ 128-13 Posting of certificate of ~~occupancy~~ **inspection**.*

A certificate of ~~occupancy~~ **inspection** issued pursuant to this article shall be posted in a conspicuous place in the said room, dwelling, apartment or the like upon the issuance thereof.

§ 128-14 Violations and penalties.

Any person, firm, partnership, association, corporation or the like who shall violate any provision of this article shall be subject to a fine of not less than \$100 nor more than such penalty as provided in Chapter 1, Article II, General Penalty. Each day shall be considered a separate violation.

Article III
Lead-Safe Certification

§ 128-15 Definitions.

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As used in this article, the following terms shall have the meanings indicated:

COMMISSIONER

The Commissioner of the Department of Community Affairs.

DEPARTMENT

The Department of Community Affairs.

DUST WIPE SAMPLING

A sample collected by wiping a representative surface and tested, in accordance with a method approved by the United States Department of Housing and Urban Development (HUD) and as conducted pursuant to N.J.A.C. 5:28A-2.3.

DWELLING

A building containing a room or rooms, or suite, apartment, unit, or space, that is rented and occupied, or intended to be rented and occupied, for sleeping and dwelling purposes by one or more persons.

DWELLING UNIT

A unit within a building that is rented and occupied, or intended to be rented and occupied, for sleeping and dwelling purposes by one or more persons.

INTERIM CONTROLS

A set of measures designed to reduce temporarily human exposure or likely exposure to lead-based paint hazards, including specialized cleaning, repairs, maintenance, painting, temporary containment, ongoing monitoring of lead-based paint hazards or potential hazards, and the establishment and operation of management and resident education programs, or the term as it is defined pursuant to 42 U.S.C. § 4851b and the regulations adopted pursuant thereto.

LEAD ABATEMENT

A set of measures designed to permanently eliminate lead-based paint hazards, in accordance with the standards established by the Commissioner at N.J.A.C. 5:17.

LEAD-BASED PAINT HAZARD

Any condition that causes exposure to lead from lead-contaminated dust or lead-contaminated paint that is deteriorated or present on surfaces, that would result in adverse human health effects.

LEAD EVALUATION CONTRACTOR

A firm certified by the Department to perform lead inspection and risk assessment work pursuant to N.J.A.C. 5:17. This includes the ability to perform dust wipe sampling.

LEAD INSPECTOR/RISK ASSESSOR

An individual certified by the New Jersey Department of Health to perform lead inspection and risk assessment work pursuant to N.J.A.C. 8:62. This includes the ability to perform dust wipe sampling.

LEAD-FREE CERTIFICATION

The certificate issued, in accordance with N.J.A.C. 5:17, which states that there is no lead-based paint, or that the dwelling has undergone lead abatement, in accordance with N.J.A.C. 5:17.

LEAD-SAFE CERTIFICATION

The certification issued pursuant to this chapter, which confirms that a periodic lead-based paint inspection was performed, and no lead-based paint hazards were found. This certification is valid for two years from the date of issuance, in accordance with N.J.A.C. 5:28A-2.4.

LEAD FREE

A dwelling has been certified to have no lead-based paint or has undergone lead abatement, in accordance with N.J.A.C. 5:17.

LEAD SAFE

A dwelling has been found to have no outstanding lead-based paint hazards. It does not mean that the dwelling is certified to be lead free.

MUNICIPAL LEAD PAINT INSPECTOR

The person qualified and designated by the Borough of Atlantic Highlands to inspect and issue lead-safe certifications.

MULTIPLE DWELLING

Any building or structure and any land appurtenant thereto, and any portion thereof, in which three or more dwelling units are occupied or intended to be occupied by three or more persons living independently of each other. "Multiple dwelling" also means any group of 10 or more buildings on a single parcel of land or on contiguous parcels under common ownership, in each of which two dwelling units are occupied, or intended to be occupied, by two persons or households living independently of each other, and any land appurtenant thereto, and any portion thereof. "Multiple dwelling" does not include those buildings and structures that are excluded pursuant to N.J.S.A. 55:13A- 3(k).

PERIODIC LEAD-BASED PAINT INSPECTION

The initial inspection of all applicable dwelling units at the earlier of two years from the effective date of P.L. 2021, c. 182, July 22, 2022, or tenant turnover, and thereafter the earlier of three years or upon tenant turnover, consistent with N.J.A.C. 5:28A-2.1, for the purposes of identifying lead-based paint hazards in dwellings subject to this chapter.

REMEDICATION

Interim controls or lead abatement work undertaken in conformance with this chapter to address lead-based paint hazards.

TENANT TURNOVER

The time at which all existing occupants vacate a dwelling unit, and all new tenants move into the dwelling unit or the time at which a new tenant enters a vacant dwelling unit.

VISUAL ASSESSMENT

A visual examination for deteriorated paint or visible surface dust, debris, or residue, and as conducted pursuant to *N.J.A.C. 5:28A-2.3*.

§ 128-16 Applicability and exemptions

(a) This chapter applies to all rental single-family, two-family, and multiple dwelling units with the exception of those exempt pursuant to (b) below.

(b) The following rental dwelling units shall be exempt from the requirements of this chapter and, thus, shall not be subject to periodic lead-based paint inspection and evaluation for the presence of lead-based paint hazards:

1. Dwelling units that were constructed during, or after, 1978;

2. ~~Single-family and two-family seasonal rental dwelling units that are rented for less than six months duration each year by tenants that do not have consecutive lease renewals;~~

3. Dwelling units that have been certified to be free of lead-based paint, pursuant to *N.J.A.C. 5:17*;

4. Multiple rental dwelling units constructed prior to 1978 that have been registered with the Department for at least 10 years and have no outstanding paint violations from the most recent cyclical inspection performed on the multiple dwelling pursuant to the Hotel and Multiple Dwelling Law, *N.J.S.A. 55:13A-1* et seq., and *N.J.A.C. 5:10*.

(i) All multiple dwelling units constructed prior to 1978 that have been registered with the Department for at least 10 years and that have a current certificate of inspection issued by the Department of Community Affairs, Bureau of Housing Inspection, shall be exempt from this chapter;

(ii) All multiple dwelling units constructed prior to 1978 that have been registered with the Department for at least 10 years with open inspections that have no violations for paint shall also be exempt from this chapter; and

5. Dwellings with a valid lead-safe certification issued pursuant to this chapter. Lead-safe certifications are valid for two years from the date of issuance pursuant to N.J.A.C. 5:28A-2.4.

§128-17 Registration

All rental dwellings as defined in § 1 of this ordinance, except exempt dwelling units, shall be registered by the owner or their agent with the municipal clerk, on forms provided for that purpose and which shall be obtained from the municipal clerk or their designee. Such rental dwelling registration is not transferable to a new owner. Such registration shall occur within 10 business days of each change of owner of the rental dwelling.

All changes in tenancy, except as to exempt dwelling units, shall be registered by the owner or their agent with the municipal clerk or their designee, on forms provided for that purpose and which shall be obtained from the municipal clerk or their designee. Such registration is not transferable to a new tenant. Such registration shall occur within 5 business days of each change of tenant turnover or other change in tenancy of the rental dwelling unit.

§ 128-18 Periodic lead-based paint inspection

(a) Upon tenant turnover or within two years of the effective date of P.L. 2021, c. 182, July 22, 2022, whichever is sooner, an initial inspection of all single-family, two-family, and multiple dwellings subject to this chapter shall be made by the Municipal Lead Paint Inspector. Thereafter, all such dwelling units shall be inspected for lead-based paint hazards every three years or upon tenant turnover, whichever is earlier, except that an inspection shall not be required at tenant turnover, if the dwelling unit owner has a valid lead-safe certification for the dwelling unit.

1. In all scenarios, the next periodic lead-based paint inspection shall be counted from the most recent periodic lead-based paint inspection that resulted in a valid lead-safe certification.

(b) The Municipal Lead Paint Inspector shall be responsible for inspecting every single-family, two-family, and multiple dwelling subject to this chapter for lead-based paint hazards, except pursuant to (d) below.

(c) If a landlord or owner so chooses, a dwelling unit owner or landlord may directly hire a lead evaluation contractor to conduct the periodic lead-based paint inspections for lead-based paint.

1. The municipality shall have the authority to conduct inspections or investigations of landlords or owners that directly hire lead evaluation contractors to ensure that periodic lead-based paint inspections are being performed, in accordance with this chapter.

2. The municipality shall have the authority to prohibit an owner from directly hiring a lead evaluation contractor to conduct a periodic lead-based paint inspection in the following situations:

(i) An owner, who previously opted to hire a lead evaluation contractor to perform the periodic lead-based paint inspection, failed to have the inspection completed; or

(ii) The municipality determines there is a conflict of interest between the owner and their lead- evaluation contractor of choice.

§ 128-19 Fees for inspection

(a) The dwelling owner or landlord shall pay to the municipality a fee to cover the cost of the periodic lead-based paint inspection as set forth in § 168-2(A)(3)(c).

(b) In addition, the dwelling owner or landlord shall pay to the municipality an additional fee of \$ 20.00 per unit inspected for the purposes of the Lead Hazard Control Assistance Act, P.L. 2003, c. 311 (N.J.S.A. 52:27D-437.1 et seq.), concerning lead hazard control work, unless the unit owner demonstrates that the Department has already assessed an additional inspection fee of \$ 20.00 pursuant to the provisions of Section 10 at P.L. 2003, c. 311 (N.J.S.A. 52:27D-437.10).

§ 128-20 Periodic lead-based paint inspection: procedure

(a) If, according to the central lead screening database maintained by the New Jersey Department of Health or other data deemed appropriate by the Department, less than three percent of children residing in Atlantic Highlands tested, six years of age or younger, have a blood lead level greater than or equal to five [micro]g/dL, or if different, the level set forth at N.J.S.A. 52:27D-437.16, the periodic lead-based paint inspection conducted by the Municipal Lead Paint Inspector or lead evaluation contractor may be performed through a visual assessment.

1. For a visual assessment, the Municipal Lead Paint Inspector or lead evaluation contractor shall examine dwellings, in accordance with HUD guidelines and regulations at 42 U.S.C. § 4851b for deteriorated paint or visible surface dust, debris, or residue on all painted building components, especially any walls, window, trim, and surfaces that experience friction or impact.

(b) If, according to the central lead screening database maintained by the New Jersey Department of Health or other data deemed appropriate by the Department, at least three percent of children residing in Atlantic Highlands tested, six years of age or younger, have a blood lead level greater than or equal to five [micro]g/dL, or if different, the level set forth at N.J.S.A. 52:27D-437.16, the periodic lead-based paint inspection conducted by the

Municipal Lead Paint Inspector or lead evaluation contractor shall be performed through dust wipe sampling.

1. For dust wipe sampling, the Municipal Lead Paint Inspector or lead evaluation contractor shall collect samples by wiping representative surfaces, including floors, interior windowsills, and other similar surfaces, and tested, in accordance with methods approved by HUD.

2. A visual assessment, in accordance with (a) above may be undertaken during the course of the dust wipe sampling.

§ 128-21 Inspection results and lead-safe certification

(a) If, following inspection, the Municipal Lead Paint Inspector or lead evaluation contractor finds that no lead-based paint hazard exists in a dwelling unit, they shall certify the dwelling unit as lead-safe on the form prescribed by the Department.

1. The lead-safe certification shall be valid for a period of two years from the date of issuance.

(i) If, during the two-year certification period, a lead evaluation contractor, lead inspector/risk assessor, a local health department, or a public agency conducts an independent inspection or risk assessment and determines that there is a lead-based paint hazard, the lead-safe certification issued pursuant to this chapter shall be invalid. A periodic lead-based paint inspection shall be scheduled upon the conclusion of remediation, in accordance with N.J.A.C. 5:28A-2.5(e).

(ii) Where an independent inspection or risk assessment determines that there is a lead-based paint hazard, the inspector/risk assessor shall inform the municipality of the results of the inspection.

(iii) The lead-safe certification shall not exempt the dwelling from any other law that would require a lead inspection/risk assessment.

2. A copy of the lead-safe certification shall be provided to the owner of the dwelling. If a lead evaluation contractor issues the lead-safe certification, a copy shall also be provided to the municipality at the time it is issued.

(b) If the Municipal Lead Paint Inspector or lead evaluation contractor finds that a lead-based paint hazard exists in a dwelling unit, they shall notify the Department for review of the findings, in accordance with the Lead Hazard Control Assistance Act.

1. If a lead-based paint hazard is identified in an inspection of one of the dwelling units in a building consisting of two or three dwelling units, then the Municipal Lead Paint Inspector or lead contractor shall inspect the remainder of the building's dwelling units, with the

exception of those dwelling units that have been certified to be free of lead-based paint or which have a valid lead-safe certification.

(c) The owner of the dwelling unit shall be responsible for remediation of the lead-based paint hazard. Remediation must be conducted consistent with the requirements at N.J.A.C. 5:28A-2.5.

§ 128-22 Remediation

(a) Where a lead-based paint hazard exists in a dwelling, the owner shall remediate the hazard by using either abatement or interim controls. The owner shall choose the appropriate remediation mechanism.

(b) Interim controls shall be performed, in accordance with the requirements of the United States Department of Housing and Urban Development at 42 U.S.C. § 4851b and detailed within the HUD Guidelines for the Evaluation and Control of Lead-Based Paint Hazards in Housing.

(c) Abatement work shall be performed in accordance with the requirements in the Lead Hazard Evaluation and Abatement Regulations, N.J.A.C. 5:17.

(d) Any relocation of tenants required pursuant to a remediation shall be undertaken, in accordance with applicable law.

(e) Upon conclusion of the remediation, the following procedure shall be followed:

1. If the owner utilized interim controls for remediation, the Municipal Lead Paint Inspector or lead evaluation contractor shall conduct an additional inspection within 60 days of the initial inspection by using dust wipe sampling. If the inspection shows that the hazard no longer exists, the Municipal Lead Paint Inspector or lead evaluation contractor shall certify the unit as lead-safe on the form prescribed by the Department. The certification shall be valid for a period of two years from the date of issuance.

2. If the owner utilized abatement for remediation, and a lead abatement clearance certificate has been issued in accordance with N.J.A.C. 5:17, then the lead-free certificate issued at the final clearance inspection shall exempt the dwelling from future periodical lead-based paint inspections.

§ 128-23 Owner responsibility

(a) The owner of a dwelling that is subject to this chapter shall provide to the tenant and to the municipality evidence of a valid lead-safe certification obtained pursuant to this chapter at the time of tenant turnover. The owner shall also affix a copy of any such certification as an exhibit to the tenant's lease.

(b) The owner of a multiple dwelling that is subject to this chapter shall provide evidence of a valid lead-safe certification obtained pursuant to this chapter, as well as evidence of the most recent tenant turnover, at the time of any cyclical inspection performed pursuant to the Hotel and Multiple Dwelling Law, N.J.S.A. 55:13A-1 et seq.

(c) The owner of a dwelling that is subject to this chapter shall maintain a record of the lead-safe certification, which shall include the name or names of a unit's tenants, if the inspection was conducted during a period of tenancy.

(d) The owner of any dwelling subject to this chapter shall inform the municipality of all tenant turnover activity to ensure any required inspection may be scheduled.

(e) The owner of a dwelling shall provide a copy of this chapter, and any lead-safe certifications issued pursuant thereto, along with the accompanying guidance document, Lead-Based Paint in Rental Dwellings, to any prospective owners of the dwelling during a real estate transaction, settlement, or closing.

§ 128-24 Municipal enforcement

(a) If, upon investigation, the Municipal Lead Paint Inspector determines that a property owner has failed to comply with this chapter, the owner shall be given a period of 30 days to cure any violation by conducting the required inspection or initiating any required remediation efforts.

If the owner of the dwelling has not cured the violation within that time period, they shall be subject to a penalty, not to exceed \$ 1,000 per week, until the required inspection has been conducted or the remediation efforts have been initiated. Remediation efforts shall be considered to be initiated when the dwelling owner has hired a lead abatement contractor or other qualified party to perform lead-hazard control methods.

ARTICLE IV

Certificate of Registration of Insurance

128-25 Certificate of Registration of Insurance

The owner of any business or rental unit or units in the Borough shall register with the Borough Clerk, within ninety (90) days of the effective date of this ordinance and by January 1st thereafter, a certificate of liability insurance demonstrating compliance with the requirements of P.L. 2022, C. 92 (N.J.S.A. 40A:10A-1 et seq.). The Borough Clerk shall issue a certificate of registration upon payment of the administrative fee.

Any owner of a business or rental unit or units who fails to register as provided in section (25) above shall be subject to a fine of \$500

Section 2. Chapter 168-2(A), "Fees for Services of the Municipal Clerk," is amended as follows:

(3) **(a)** Residential landlord registrations \$25

<u>(b) Certificate of Inspection fee:</u>	<u>Single family</u>	<u>\$75</u>	<u>Ch. 128</u>
	<u>Multi-family</u>	<u>\$75</u>	
	<u>Commercial</u>	<u>\$125</u>	
	<u>Each additional re-inspection</u>	<u>\$25</u>	

<u>(c) Lead-Safe Certification inspection fee:</u>	<u>Single family</u>	<u>\$60</u>	<u>Ch. 128</u>
	<u>Multi-family</u>	<u>\$60</u>	
	<u>Each additional re-inspection</u>	<u>\$25</u>	

(d) Certificate of Registration of Certificate of Insurance **\$30 Ch. 128**

Motion: Introduce Ordinance 10-2024, **Moved by** Councilman Murphy; **Seconded by** Councilwoman Forbes

Vote: Motion carried by roll call vote (**summary:** Yes = 4).

Yes: Councilman Colasurdo, Councilwoman Cusack, Councilwoman Forbes, Councilman Murphy

No: None

Absent: Councilman Crowley, Councilman Dougherty

I, Michelle Clark, Municipal Clerk of the Borough of Atlantic Highlands, in the County of Monmouth, State of New Jersey, hereby certify this to be a true copy of the action of the Governing Body, at its Regular Meeting, held April 25, 2024, WITNESS my hand this 26th day of April 2024.



Michelle Clark, Municipal Clerk



Motion: Amend Ordinance to strike section 128-16 (2), **Moved by** Councilman Murphy, **Seconded by** Councilman Dougherty

Vote: All in favor by roll call vote

Motion: Adopt Ordinance 10-2024 with amendment., **Moved by** Councilman Dougherty, **Seconded by** Councilman Colasurdo

Vote: Motion carried by roll call vote (**summary:** Yes = 5).

Yes: Councilman Colasurdo, Councilwoman Cusack, Councilman Dougherty, Councilwoman Hohenleitner, Councilman Murphy

No: None

Absent: Council Crowley

I, Michelle Clark, Municipal Clerk of the Borough of Atlantic Highlands, in the County of Monmouth, State of New Jersey, hereby certify this to be a true copy of the action of the Governing Body at its Regular Meeting held May 9, 2024. WITNESS my hand this 10th day of May 2024.

Michelle Clark, Municipal Clerk

DATE OF MAYOR'S APPROVAL: May 10, 2024

Lori Hohenleitner, Mayor

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