

ORDINANCE NO. 2023-7

**AN ORDINANCE OF THE TOWNSHIP OF
BARNEGAT, COUNTY OF OCEAN STATE OF NEW
JERSEY ESTABLISHING CHAPTER 51 OF THE
TOWNSHIP CODE ENTITLED “BUSINESS,
RENTAL PROPERTY AND MULTI-FAMILY
PROPERTY INSURANCE AND REGISTRATION”**

WHEREAS, the Legislature recently adopted P.L. 2022, c.92, requiring the owners of businesses, rental units, and multi-family homes to obtain and maintain liability insurance coverage in order to guard against negligent acts and omissions, property damage and bodily injury; and

WHEREAS, P.L. 2022, c.92 requires the certificate of insurance evidencing those coverages to be annually registered and filed with the municipality; and

WHEREAS, P.L. 2022, c.92 authorizes municipalities to enact ordinances establishing a registry for the required insurance certificates and to impose a reasonable registration fee; and

NOW, THEREFORE, BE IT ORDAINED by the Township Committee and Township of Barnegat, County of Ocean, State of New Jersey, as follows:

SECTION 1. Chapter 51 of the Township Code is hereby established entitled “Business Rental Property, Multi-Family Property Insurance Registration,” and shall read as follows:

§51-1. Establishment.

This chapter is established pursuant to P.L. 2022, c.92 and shall be enforced pursuant to law.

§51-2. Insurance requirements.

Pursuant to the provisions of P.L. 2022, c.92:

- A. Except as provided in paragraph B hereof, the owner of a business or the owner of a rental unit of units in the Township of Barnegat shall maintain liability insurance for negligent acts and omissions in the amount of not

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less than \$500,000 for combined property damage and bodily injury to or death of one or more persons in any one accident or occurrence.

- B. The owner of a multi-family home which is four or fewer units, one of which is owner-occupied, shall maintain liability insurance for the negligent acts and omissions in the amount of not less than \$300,000 or combined property damage and bodily injury to or death of one or more persons in any one accident or occurrence.

§51-3. Registration requirements.

The owner of a business, owner of a rental unit or units, and owner from multi-family home of four or fewer units, one of which is owner-occupied, in the Township of Barnegat shall annually, on or before January 1, register the certificate of insurance demonstrating compliance with P.L. 2022, c.92, and this Chapter with the Office of the Municipal Clerk.

§51-4. Administrative fee.

An annual administrative fee of \$100.00 shall apply to the filing of the certificate of registration required pursuant to P.L. 2022, c.92 and this Chapter.

§51-5. Enforcement; violations and penalties.

An owner who violates this chapter is subject to a fine of not less than \$500 shall be enforceable through a summary proceeding pursuant to the Penalty Enforcement Act, N.J.S.A. 2A:58-10 et seq.

§51-6. Repealer.

In the event that P.L. 2022, c.92 is repealed or invalidated, this chapter shall have no further force or effect.

SECTION 2. If any section, subsection, paragraph, sentence or other part of this Ordinance is adjudged unconstitutional or invalid, such judgment shall not affect or invalidate the remainder of this Ordinance but shall be confined in its effect to the section, subsection, paragraph, sentence or other part of this Ordinance directly involved in the controversy in which said judgment shall have been rendered and all other provisions of this Ordinance shall remain in full force and effect.

SECTION 3. All Ordinances or parts of Ordinances which are inconsistent with the provisions of this Ordinance are hereby repealed, but only to the extent of such inconsistencies.

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SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed by the Township Committee on first reading at a meeting of the Township Committee of the Township of Barnegat on the **7th day of February 2023**, and will be considered for second and final passage at a meeting of the Township Committee to be held on the **7th day of March 2023, at 6:30 PM.** at the Municipal Building located at 900 West Bay Avenue, Barnegat, New Jersey, at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.

Donna M. Manno, RMC
Municipal Clerk

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CERTIFICATION

I, Donna M. Manno, Municipal Clerk of the Township of Barnegat, County of Ocean, State of New Jersey do hereby certify by my hand and seal that the foregoing Ordinance namely **Ordinance 2023-7** Establishing Chapter 51 of the Township Code Entitled "Business, Rental Property and Multi-Family Property Insurance and Registration" was introduced and passed at a meeting of the Township Committee on the 7th **day of February, 2023** and finally adopted after Public Hearing at a meeting held in the Municipal Complex, 900 West Bay Avenue, Barnegat, NJ on the 7th **day of March, 2023 at 6:30 PM.**

Donna M. Manno, RMC
Municipal Clerk

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