

ORDINANCE #2026-4C

**BOROUGH OF BEACH HAVEN
COUNTY OF OCEAN**

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 155
TO PROVIDE FOR REGISTRATION OF RENTAL PROPERTIES WITH
THE BOROUGH, REPEALING AND REPLACING ARTICLE XIV
(UNIFORM FIRE SAFETY ACT ENFORCEMENT; CHANGE OF
OCCUPANCY INSPECTIONS; REGISTRATION AND INSPECTION OF
RENTAL PROPERTIES) OF CHAPTER 95 (§§ 95-97) AND UPDATING
SECTIONS OF CHAPTER 212-18(B)(6)(a)-(b)**

WHEREAS, the Borough has contracted with the County for fire inspection services;
and

WHEREAS, the Borough wishes to update its code to reflect that arrangement; and

WHEREAS, the Borough wishes to establish a rental registration and requirements
related thereto; and

WHEREAS, these changes are in the best interest of safety, health, and welfare of the
residents or and visitors to the Borough of Beach Haven.

NOW, THEREFORE, BE IT ORDAINED by the governing body of the Borough of
Beach Haven as follows:

SECTION I. Existing Borough Code Sections § 155-1 through § 155-4 shall be
renumbered according to the following chart:

§ 155-1	to	§ 155-4
§ 155-2	to	§ 155-6
§ 155-3	to	§ 155-7
§ 155-4	to	§ 155-8

SECTION II. There is hereby established new §§ 155-1 to 155-4, which shall read:

**§ 155-1. Registration required; fees; certificates of
compliance.**

All rental properties shall be registered with the Borough Clerk prior to tenant occupancy, upon the change of tenant for long-term rentals, and, for seasonal rentals, one-time annually prior to May 31. A long-term rental shall mean a dwelling unit rented for a term greater than or equal to 126 consecutive days by the same tenant(s) for residential purposes. A seasonal rental shall mean a dwelling unit rented for a term of not more than 125 consecutive days for residential purposes. There shall be a penalty of not less than \$250 and not more than \$1,200 for any rental property occupied but not registered as required.

§155-2. Application fees for rental units.

A. For long-term rental property registration, the fee shall be \$35

B. For seasonal rental property registration:

1. Owners submitting applications on or before May 31 shall pay a non-refundable fee of \$35.
2. Owners submitting applications after May 31 shall pay a non-refundable fee of \$70.

C. Owners with more than one rental property, including those that are within the same block and lot, shall submit a separate application, fee and registration paperwork for each unit.

§ 155-3. Registration requirements.

A. The Borough shall, upon change of occupancy of a long-term rental property, including one- and two- family dwellings, and one-time annually prior to May 31 for seasonal rentals, require registration and submission of the following documents to the Municipal Clerk:

1. Proof of Insurance.

(a) As required by N.J.S.A. 40A:10A-1 and except as provided in Subsection (b) of this section, the owner of a rental unit or units shall maintain liability insurance for negligent acts and omissions in an amount of not 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 and provide a copy of the current declarations page to the Municipal Clerk.

(b) The owner of a multifamily home which contains four or fewer units, one of which is owner-occupied, shall maintain liability insurance for negligent acts and omissions in an amount of not less than \$300,000 for combined property damage and bodily injury to or death of one or more persons in any one accident or occurrence and provide a copy of the current declarations page to the Municipal Clerk.

2. Copy of a current year certificate of smoke alarm, carbon monoxide alarm, and portable fire extinguisher compliance (CSACMAPFEC) pursuant to the provisions of N.J.A.C. 5:70-2.3 issued by the Ocean County Fire Marshal.

3. As required by N.J.S.A. 46:87-26 et seq., the owner of all rental premises, except owner-occupied premises with not more than two (2) rental units, shall submit a completed Landlord Registration form

B. Upon filing all necessary documents, the Municipal Clerk shall issue a certificate of registration stating the property address, owner name, type of rental, and a statement that sufficient evidence of insurance has been provided.

SECTION III. Article XIV of Chapter 95 of the Code of the Borough of Beach Haven (§ 95-97 through § 95-101) is hereby repealed, renamed, and replaced with:

Article XIV "Inspections"

§ 95-97. All properties shall be inspected upon the sale of property, and rental properties upon the change of tenant for long-term rentals, and one-time annually prior to May 31 for seasonal rentals by the County Fire Marshall in accordance with Uniform Fire Code and Uniform Fire Safety Act and all other laws of the State of New Jersey. Long-term rental shall mean a dwelling unit rented for a term greater than or equal to 126 consecutive days by the same tenant(s) for residential purposes. A seasonal rental shall mean a dwelling unit rented for a term of not more than 125 consecutive days for residential purposes. Enforcement, violations and penalties shall be managed in conformity with the

Uniform Fire Safety Act, the Uniform Fire Code and all other laws of the State of New Jersey.

SECTION IV. Chapter 212-18(B)(6)(a) shall be revised to read as follows:

Prior to the transfer of title of any buildings, application for a ~~resale permit~~ Certificate of Continued Occupancy (“CCO”) shall be made in writing to the Borough's Zoning Official. The applicant shall permit the Borough's Zoning Official, or his/her designee, to enter upon and examine the building or buildings for which said application is applied for in order that the Borough's Zoning Official, or his/her designee, can determine the proper use and habitability for said building or buildings. No ~~resale permit~~ CCO shall be issued until such inspection shall have been made and certification filed with the Borough's Construction Code Official by the Borough's Zoning Official, or his/her designee, that the use for said building or buildings complies with this chapter of the Borough of Beach Haven.

SECTION V. Chapter 212-18(B)(6)(b) shall be revised to read as follows:

The application for a ~~resale inspection~~ Certificate of Continued Occupancy (“CCO”) Inspection shall be accompanied by a current survey plot plan showing the location of all improvements, buildings and structures, the flood zone and grade elevations of the property; a flood elevation certificate executed by a licensed engineer of the State of New Jersey; deed restriction recorded in the Office of the County Clerk, a copy of a current year certificate of smoke alarm, carbon monoxide alarm compliance (CSACMAPFEC) pursuant to N.J.A.C. 5:70-2.4, and an application fee as established in § 212-18.1.

SECTION VI. Repealer. All Ordinances or parts of Ordinances inconsistent herewith are repealed to the extent of such inconsistency. The Clerk of the Borough is authorized to renumber and/or re-codify any sections affected by such repeal to the extent consistent with this Ordinance.


SECTION VII. Severability. If any word, phrase, clause, section or provision of this Ordinance shall be found by any Court of competent jurisdiction to be unenforceable, illegal or unconstitutional such word, phrase, clause, section or provision shall be severable from the balance of the Ordinance and the remainder of the Ordinance shall remain in full force and effect.

SECTION VIII. Effective Date. This Ordinance shall take effect upon publication thereof after final passage according to law.

CERTIFICATION

I, Sherry Mason, RMC, Municipal Clerk of the Borough of Beach Haven, do hereby certify that the foregoing Ordinance was duly adopted by the Borough Council of the Borough of Beach Haven at a public meeting held on the 9th day of March 2026, a quorum being present and voting in the majority.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 9th day of March 2026


Sherry Mason, RMC, Borough Clerk

<i>Introduction:</i>	<i>February 9, 2026</i>
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