

**ORDINANCE NO. 06-2024 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AMENDING, SUPPLEMENTING, AND REVISING CHAPTER 2, ARTICLE XIII, ENTITLED “DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT” AND CHAPTER 162, ARTICLE I, ENTITLED “ENFORCEMENT OF UNIFORM FIRE SAFETY ACT”**

**WHEREAS**, the City of Burlington (the “City”) is a Faulkner Act municipality with a Mayor-Council form of government pursuant to N.J.S.A. 40:69A-31, *et seq.*, with its organization, positions, powers and duties outlined within the Code of the City of Burlington as set forth pursuant to the Faulkner Act; and

**WHEREAS**, Chapter 2, Article XIII sets forth the administration of the Department of Housing and Community Development, including the Division of Code Enforcement; and

**WHEREAS**, the City wishes to amend Chapter 2, Article XIII to clarify the duties and responsibilities of the Zoning Officer within the City; and

**WHEREAS**, the City wishes to further amend Chapter 2, Article XIII to establish the reporting requirements of the City Construction Official; and

**WHEREAS**, Chapter 162, Article I sets forth the organization of the Fire Division within the Department of Public Safety; and

**WHEREAS**, the City wishes to amend Chapter 162, Article I to allow the City Fire Official to report to the Public Safety Director’s designee; and

**WHEREAS**, pursuant to N.J.S.A. 40:48-2, the Common Council is authorized to enact and amend ordinances as deemed necessary for the preservation of the public health, safety and welfare and as may be necessary to carry into effect the powers and duties conferred and imposed upon the City by law.

**NOW, THEREFORE BE IT ORDAINED** by the Common Council for the City of Burlington, in the County of Burlington, State of New Jersey that the Code of the City of Burlington is hereby amended, revised and/or supplemented as follows:

**SECTION 1:** Chapter 2, Article XIII, entitled “Department of Housing and Community Development”, is hereby amended, supplemented, and revised to include new Section 2-51A as follows:

**§ 2-51A            Zoning Officer.**

A. Duties. The Zoning Officer shall enforce the zoning ordinance, the property maintenance code, and such other ordinances as may be assigned by ordinance for appropriate enforcement. The Zoning Officer shall:

- 1) Examine all properties and buildings within the City for their compliance with all state, county, and municipal zoning laws and ordinances;

- 2) Conduct field inspections to ensure compliance with all zoning ordinances and initiate enforcement actions against violators in appropriate courts where necessary;
- 3) Assist in making recommendations to initiate the promulgation of zoning regulations;
- 4) Prepare timely reports regarding all activities;
- 5) Establish and maintain needed records and files;
- 6) Assist other boards or officials as may be requested; and
- 7) Receive and investigate citizen zoning complaints and take appropriate action.

B. Reporting. The Zoning Officer shall report to the Construction Official concerning the aforementioned duties.

**SECTION 2:** Chapter 2, Article XIII, entitled “Department of Housing and Community development”, is hereby amended, supplemented, and revised as follows:

§ 2-50           **Divisions.**

- A. Division of Code Enforcement, headed by the Construction Official, who shall report to the Business Administrator.
- B. [No Changes]
- C. [No Changes]

**SECTION 3:** Chapter 162, Article I, Section 4, entitled “Organization”, is hereby amended, supplemented, and revised as follows:

§ 162-4           **Organization.**

The local enforcing agency established by § 162-3 shall be part of the Fire Division within the Department of Public Safety and shall be under the direct supervision and control of the Fire Official. The Fire Official shall report to the Public Safety Director or his/her designee.

**SECTION 4:** Except as set forth in Sections 1, 2, and 3, the balance of the Code of the City of Burlington shall not be affected by this Ordinance.

**SECTION 5:** All Ordinances contrary to the provisions of this Ordinance are hereby repealed to the extent they are inconsistent herewith.

**SECTION 6:** If the provisions of any section, subsection, paragraph, subdivision or clause of this Ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment

shall not affect or invalidate the remainder of any section, subsection, paragraph or subdivision, or clause of this Ordinance.

**SECTION 7:** This Ordinance shall take effect thirty (30) days after final passage by Council or twenty (20) days after approval by the Mayor, whichever comes first.

Passed Common Council,

---

Xavier Roque, Vice President  
Common Council

Approved,

---

Barry W. Conaway, Mayor

ATTEST:

---

Cindy A. Crivaro, RMC  
Municipal Clerk

Introduction: 03/05/24  
Publication: 03/07/24  
2nd & Final: 03/19/24  
Publication: 03/21/24  
Effective: 04/10/24