

ORDINANCE 24-25

AN ORDINANCE OF THE TOWNSHIP OF HOWELL, COUNTY OF MONMOUTH, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 139 OF THE TOWNSHIP CODE ENTITLED “FEES”

NOW THEREFORE BE IT ORDAINED by the Mayor and Township Council of the
Township of Howell, County of Monmouth, State of New Jersey as follows:

NOTE: Sections of Chapter 139 that are to be amended by the within Ordinance for which
all *additions* are shown in **underlined bold italics**.

SECTION 1. Chapter 139 of the Township Code entitled “Fees” more specifically Article
XVI thereunder entitled “Housing Code; Rental Property” is hereby amended and
supplemented as follows:

§139-29. Certificates and inspections; returned checks.

Housing code fees shall be as follows:

**A. A Residential Landlord Registration and Rental
Certificate and inspection shall be required every time
there is a change of tenant, owner, or yearly upon the
expiration of the last issued rental certificate or
landlord registration.**

(1) For structures constructed **in** 1978 or more
recently: **\$250.**

(2) For structures constructed prior to 1978, the base fee
shall be **\$250.** **An** additional \$75 surcharge will be
assessed for the lead-based paint inspection and
certification, **when required,** in accordance with
New Jersey’s Lead Safe Certificate Law (P.L. 2021,
c. 182). **Alternatively, a \$25 surcharge will be
assessed for properties which utilize a third party
lead safe or lead certification as authorized by Ch.
139-29.1D.** Twenty dollars of the **surcharge** fees
hereunder shall be deposited into the Lead Hazard
Control Assistance Fund in accordance with the law.

(3) For rental facilities containing multiple rental units, as defined by § 178-17, the fee for Landlord registration shall be \$100 per facility plus an additional per unit fee of \$150 for the residential rental certificate and inspection.

(4) For any rental facilities or rental units designated as affordable housing pursuant to a Local, State, or Federal affordable housing program, the Landlord registration fee shall be \$100 for the entire property, consistent with § 139-29A(3), and the residential rental certificate and inspection fee shall be fifty percent (50%) of the amount set forth in § 139-29A(1), (2), or (3), as applicable.

(5) For a rental facility partially composed of rental units designated as affordable housing pursuant to a Local, State, or Federal affordable housing program, the per-facility Landlord registration fee set forth in § 139-29A(3) shall remain unchanged, however, the per-unit rental certificate and inspection fee for such affordable housing rental units shall be fifty percent (50%) of the per-unit fee set forth in § 139-29A(3).

B. The third rental inspection, and every subsequent inspection thereafter, shall incur an additional fee of \$100 for each inspection.

C. There will be a fee of \$20 for all returned checks.

D. [Deleted]

§139-29.1. Rental Housing Fees

Housing code fees shall as follows:

A. An annual landlord registration fee shall be included in the rental certificate application fee, except for multi-unit rental facilities which shall be due January 1.

B. Any change in tenancy or owner during the certification period requires the issuance of a new combined rental certificate and landlord registration, except for multi-unit rental facilities which shall be due January 1. The fee shall be combined as part of the rental application per Chapter 139-29, except for multi-unit rental facilities which shall only pay the per-unit fee set forth in § 139-29A(3).

- C. *The third rental inspection, and every subsequent inspection thereafter, shall incur an additional fee of \$100 for each such inspection in accordance with Chapter 139-29.*
- D. For a stand-alone lead-based paint inspection (not part of a rental certificate application) in accordance with the NJ Lead Safe Certificate Law (P.L. 2021, c. 182), the fee for inspection and certification shall be \$125. Twenty dollars of this fee shall be deposited into the Lead Hazard Control Assistance Fund in accordance with the law. *For properties providing third party lead safe or lead certification a \$25.00 fee shall be collected \$20.00 of which shall be deposited into the Lead Hazard Control Assistance Fund in accordance with the New Jersey's Lead Safe Certificate Law.*

SECTION 2. Chapter 139 of the Township Code entitled “Fees” more specifically Article XVIII thereunder entitled “Licenses and Permits (Miscellaneous)” is hereby amended and supplemented as follows:

§139-44. [Unchanged]

§139-45. [Unchanged]

§139-46. [Unchanged]

§139-47. [Unchanged]

§139-48. [Unchanged]

§139-49. [Unchanged]

§139-50. [Unchanged]

§139-51. [Unchanged]

§139-52. [Unchanged]

§139-53. [Unchanged]

§139-54. [Unchanged]

§139-55. Property Registration Fees.

A. The landlord registration fee shall be included as part of the rental application fee under Chapter 139-29 which is due annually one year from the date of the last registration. When a change of tenancy or ownership occurs within one year of the issuance of the rental certificate, the rental registration renewal date will reset to one year from the date of the issuance of the new rental certificate.

B. Real/Vacant Property Registration Fees.

(1) Property in foreclosure: \$500.

(2) Vacant and/or abandoned property

a. First year: \$1,000.

b. Second year and every year thereafter: \$2,000

(3) Property in foreclosure that is vacant

a. First year: \$1,500.

b. Second year and every year thereafter: \$2,500.

(4) Properties with multiple principal structures. Properties that are deemed vacant and abandoned as defined by Chapter 237 and also contain multiple principal structures shall incur an additional fee of \$500 per structure per year. This fee shall not be assessed for multiple tenant spaces within a single commercial building.

(5) Fire Bureau inspection discount.

Any property owner that volunteers access to the interior portions of the property for the sole purpose of inspection by the Howell Township Fire Bureau in accordance with § 237-3H will receive a 50% discount off the first year's registration fee. To receive the discount, the property owner/responsible party must agree and execute an interior inspection of the property within 14 days of registration. The discount is only available for the first year's registration.

C. All registration fees shall accompany the designated registration form.

D. [Unchanged]

E. [Unchanged]

F. [Unchanged]

G. [Unchanged]

H. [Unchanged]

SECTION 3. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

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.

SECTION 5. This ordinance shall take effect after second reading and publication as required by law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed by the Township Council on first reading at a meeting of the Township Council of the Township of Howell on the **11th day of June, 2024**, and will be considered for second and final passage at a meeting of the Township Council to be held on the **25th day of June, 2024, at 7:00 PM.** at the Municipal Building located at 4567 Route 9 North, 2nd Floor, Howell, 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.

Introduction:

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Fischer	X		X			
Councilman Gasior		X	X			
Councilwoman O'Donnell			X			
Deputy Mayor Nadel						X
Mayor Berger			X			

I, Diane Festino, Municipal Clerk of the Township of Howell, in the County of Monmouth, State of New Jersey, hereby certify this to be a true copy of the action of the Mayor and Township Council, at its Meeting held June 11, 2024. WITNESS my hand this 12th day of June 2024.

Diane Festino
DIANE FESTINO, RMC
Municipal Clerk
Township of Howell

Introduction:

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Fischer	X		X			
Councilman Gasior		X	X			
Councilwoman O'Donnell			X			
Deputy Mayor Nadel			X			
Mayor Berger						X

I, Diane Festino, Municipal Clerk of the Township of Howell, in the County of Monmouth, State of New Jersey, hereby certify this to be a true copy of the action of the Mayor and Township Council, at its Meeting held June 25, 2024. WITNESS my hand this 26th day of June 2024.

Diane Festino
DIANE FESTINO, RMC
Municipal Clerk
Township of Howell