ORDINANCE #2022-24

ORDINANCE OF THE BOROUGH OF KEYPORT, COUNTY OF MONMOUTH, NEW JERSEY, ESTABLISHING CHAPTER XII, SECTION 22 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF KEYPORT

WHEREAS, the Borough of Keyport (the "**Borough**") is a public body corporate and politic of the State of New Jersey; and

WHEREAS, the Borough wishes to implement the provisions of P.L. 2022, c. 92, which requires all business owners, owners of a rental unit or units, and the owners of a multi-family home of four or fewer units (one of which is owner occupied) to maintain certain levels of liability insurance, subject to registration with and enforcement by the municipality in which they are located; and

WHEREAS, the Mayor and Borough Council hereby desire to amend and supplement Chapter XII "Building and Housing", to establish a new Section 22 of the Revised General Ordinances of the Borough to provide for the foregoing.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Borough of Keyport, County of Monmouth, New Jersey that:

Section 1. The aforementioned recitals are incorporated herein as though fully set forth at length.

Section 2. The Council hereby amends and supplements Chapter XII of the Revised General Ordinances of the Borough of Keyport to add a new Section as follows:

§ 12-22. LIABILITY INSURANCE REQUIREMENTS FOR COMMERCIAL, RENTAL, AND MULTI-FAMILY PROPERTIES.

§ 12-22.1 Insurance Requirements for Businesses and Rental Units.

a. The owner of any business or of any rental unit or units in the Borough must maintain liability insurance for negligent acts and omissions in an amount of no 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. In accordance with P.L.2022, c. 92, this requirement is effective as of November 3, 2022 for all new policies issued on or after November 3, 2022.

c. In accordance with P.L. c. 92, this requirement is effective on February 1, 2023, for all policies in force on August 5, 2022 that are renewed on or after February 1, 2023.

§ 12-22.2 Insurance Requirements for Owners of Multifamily Homes.

a. The owner of any multifamily home in the Borough which is four or fewer units, one of which is owner-occupied, must maintain liability insurance for negligent acts and omissions in an amount of no 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.
b. This requirement is effective on February 1, 2023, for all policies issued or renewed on or after February 1, 2023.

§ 12-22.3 Registration.

a. Owners of a business, rental unit or units, and owners of multifamily homes of four or fewer units, one of which is owner occupied, must annually register certificate of insurance documents with the Borough Code Enforcement Office.
b. The fee for registration of the certificate of insurance documents shall be $50 paid to the Code Enforcement Office to offset administrative review and processing costs incurred by the Borough. The fee for registration of the certificate shall be applied after adoption of this ordinance.

§ 12-22.4 Violations and Penalties.

Any person violating any provision of this section shall, upon conviction thereof, be subject to a fine of a not less than $500 but no more than $5,000, which shall enforced by the Borough through a summary proceeding pursuant to the "Penalty Enforcement Law of 1999," N.J.S.A. 2A:58-10 et seq.

Section 3. All Ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed.

Section 4. Each section, subsection, sentence, clause and phrase of this ordinance is declared to be an independent section, subsection, sentence, clause and phrase and the finding or holding of any such portion of this ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this ordinance.

Section 5. Except as amended by this ordinance, all other provision of the Borough's Revised General Ordinances shall remain in full force and effect.

Section 6. The Borough Clerk is hereby directed, upon adoption of the ordinance after public hearing thereon, to publish notice of the passage thereof.

Section 7. This ordinance shall be in full force and effect from and after its adoption and any publication according to law.

Introduced: November 1, 2022
Public Hearing: December 6, 2022
Adopted: December 6, 2022

Michele Clark, RMC
Borough Clerk
Borough of Keyport

Collette J. Kennedy, Mayor
Borough of Keyport