

ORDINANCE NO. 1703

**AN ORDINANCE AMENDING, REVISING AND SUPPLEMENTING
CHAPTER 4 OF THE BOROUGH CODE OF THE BOROUGH OF
KEANSBURG, ENTITLED "GENERAL LICENSING AND BUSINESS
REGULATION"**

WHEREAS, pursuant to *N.J.S.A.* 40:48-1 and *N.J.S.A.* 40:48-2, the governing body of a municipality may make, amend, repeal and enforce such other ordinances, regulations, rules and by-laws not contrary to the laws of this State or of the United States, as it may deem necessary and proper for the good of government, order and protection of person and property and for the preservation of the public health, safety and welfare of the municipality and its inhabitants and as may be necessary to carry into effect the powers and duties conferred and imposed by this subtitle, or by any law; and,

WHEREAS, in addition, *N.J.S.A.* 40:48-2.12(a) provides that the governing body of a municipality may make, amend and repeal and enforce ordinances to regulate buildings and structures and their use and occupation to prevent and abate conditions therein harmful to the health and safety of the occupants of said building and structures, as well as the general public in the municipality; and,

WHEREAS, the Legislature of the State of New Jersey adopted P.L. 2022, C. 1368, on August 5, 2022, and said law was signed by the Governor on August 8, 2022 mandating that businesses and residential rental units have premises liability insurance for negligent acts and omissions for such particular property and premises in amounts required therein; and,

WHEREAS, by such legislation, the Borough is mandated to enact an Ordinance to implement the said insurance requirements, provide for annual registration of certificates of insurance required by the said law, and maintain a registry of such certificates of insurance:

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Keansburg, County of Monmouth, State of New Jersey that the Borough Code of the Borough of Keansburg is hereby amended, revised and supplemented as to Chapter 4 of the Borough Code, entitled "Business Regulations", by more specifically adding a new Section entitled "Business and Residential Liability Insurance" to the Borough Code, which shall read as follows:

The Borough Code of the Borough of Keansburg is hereby amended as follows:

DELETE:

SECTION 4-2.6 In its entirety

ADD:

SECTION 4-2.6

Definitions.

Certificate of Insurance

A proof of current liability insurance insuring against negligent acts and omissions for a particular property and premises 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, is required issued by an insurance company and stating coverage for a particular property and premises.

Liability Insurance Required.

The owner of a business, business property, commercial property shall annually register a certificate of insurance with the Borough of Keansburg as follows:

- A) the owner of each operating business shall 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) the owner of each individual commercial property regardless of being vacant or occupied by a business entity, the owner of a business / commercial property shall 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.

Fee For Business or Business Rental Insurance Registration.

The fee for obtaining a business or residential rental insurance registration certificate is Fifty Dollars (\$50.00).

Violations; Penalties.

- A) Any person, firm or corporation that shall be convicted of a violation of a provision of this chapter shall, upon conviction thereof by any court authorized by law to hear and determine the matter, be subject to a fine not exceeding One Thousand (\$1,000) Dollars or imprisonment for a term not exceeding ninety (90) days, or both, as such court in its discretion may impose. Each day that such violation exists shall constitute a separate offense.
- B) The Borough may collect through a summary proceeding under N.J.S.A. 2A:58-10, et. seq. a fine of not less than Five Hundred (\$500.00) Dollars, but no more than Five Thousand (\$5,000.00) Dollars for failing to file with the Borough Clerk a certificate of insurance registration as required by P.L. 2022, C. 1368.

BE IT FURTHER ORDAINED by the Borough Council of the Borough of Keansburg, County of Monmouth, State of New Jersey that if any word, section, paragraph, subsection, clause and/or provision of this Ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such adjudication shall only apply to the word, section, paragraph, subsection, clause or provision so adjudicated and the remainder of the Ordinance shall be deemed valid and effective; and,

BE IT FURTHER ORDAINED that any ordinance or parts thereof in conflict with the

provisions of this Ordinance are repealed only to the extent of such conflict; and,

BE IT FURTHER ORDAINED that this Ordinance shall take effect following the adoption and approval in the time and manner prescribed by law, *N.J.S.A. 40A:60-6(b)(1)*, whereby the powers of the Borough Council permit that the Council may “pass, adopt, amend and repeal any ordinance or, where permitted, any resolution for any purpose required for the government of the municipality or for the accomplishment of any public purpose for which the municipality is authorized to act under general law.”

SECTION 2. REPEALER.

The remainder of all other sections and subsections of the aforementioned ordinance not specifically amended by this Ordinance shall remain in full force and effect.

SECTION 3. INCONSISTENT ORDINANCES.

All Ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed as to such inconsistency.

SECTION 4. SEVERABILITY.

If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of this Ordinance shall be deemed valid and effective.

SECTION 5. EFFECTIVE DATE.

This Ordinance shall take effect upon its passage and publication according to law.

INTRODUCTION: November 9, 2022

ADOPTION: December 14, 2022

A GANNETT COMPANY
ASBURY PARK PRESS | APP.com

Agency:
 BORO OF KEANSBURG
 29 CHURCH ST
 KEANSBURG, NJ 07734
 ATTN:
Acct:ASB-015504

Client: BORO OF KEANSBURG
 29 CHURCH ST,
 KEANSBURG, NJ 07734

 Acct No: ASB-015504

This is not an invoice

Order #	Advertisement/Description	# Col x # Lines	Rate Per Line	Cost
0005491234	ORD 1703 ORDINANCENO1703ANORDINANCEAMENDINGREVISINGAND PPLEMENTINGCHAPTERIVOFTHEBOROUGHCODEOFTHEBO GHOFKEANSBURGENTITLEDGENERALLICENSINGAND	2 col x 168 lines	\$0.44	\$147.84
	<i>Ord. # 1703</i>	Affidavit of Publication Charge	1	\$35.00
	<i>Introduction</i>	Tearsheet Charge	0	\$0.00
		Net Total Due:		\$182.84

Run Dates: 11/18/2022

Check #: _____

Date: _____

CERTIFICATION BY RECEIVING AGENCY
 I, HAVING KNOWLEDGE OF THE FACTS, CERTIFY AND DECLARE THAT THE
 GOODS HAVE BEEN RECEIVED OR THE SERVICES RENDERED AND ARE IN
 COMPLIANCE WITH THE SPECIFICATIONS OR OTHER REQUIREMENTS, AND SAID
 CERTIFICATION IS BASED ON SIGNED DELIVERY SLIPS OR OTHER REASONABLE
 PROCEDURES OR VERIFIABLE INFORMATION.

SIGNATURE: *J. P. Curri*
 TITLE: *Clerk* DATE: *11/28/22*

CERTIFICATION BY APPROVAL OFFICIAL
 I CERTIFY AND DECLARE THAT THIS BILL OR INVOICE IS CORRECT, AND THAT
 SUFFICIENT FUNDS ARE AVAILABLE TO SATISFY THIS CLAIM. THE PAYMENT
 SHALL BE CHARGEABLE TO:
 APPROPRIATION ACCOUNT(S) AND AMOUNTS CHARGED: P.O. #

 SIGNATURE: _____
 TITLE: _____ DATE: _____

CLAIMANT'S CERTIFICATION AND DECLARATION:
 I DO SOLEMNLY DECLARE AND CERTIFY UNDER THE PENALTIES OF THE LAW THAT THIS BILL OR INVOICE IS CORRECT IN ALL ITS PARTICULARS; THAT THE
 GOODS HAVE BEEN FURNISHED OR SERVICES HAVE BEEN RENDERED AS STATED HEREIN; THAT NO BONUS HAS BEEN GIVEN OR RECEIVED BY ANY PERSON OR
 PERSONS WITHIN THE KNOWLEDGE OF THIS CLAIMANT IN CONNECTION WITH THE ABOVE CLAIM; THAT THE AMOUNT HEREIN STATED IS JUSTLY DUE AND OWING;
 AND THAT THE AMOUNT CHARGED IS A REASONABLE ONE.

Date: 11/18/2022

Signature: *D. Roberts*

Federal ID #: 061032273

Official Position: Clerk

Kindly return a copy of this bill with your payment so that we can assure you proper credit.

Asbury Park Press
 New Jersey Press Media Solutions
 P.O. Box 677599

AFFIDAVIT OF PUBLICATION

Publisher's Fee \$147.84 Affidavit \$35.00

STATE OF WISCONSIN
Brown County

Personally appeared *D. Roberts* at County of Brown, State of Wisconsin.

Of the **Asbury Park Press**, newspaper printed in Freehold, New Jersey and published in Neptune, in State of New Jersey and Monmouth/Ocean Counties, and of general circulation in Monmouth/Ocean Counties, who being duly sworn, depose and saith that the advertisement of which the annexed is a true copy, has been published in the said newspaper 1 times, once in each issue dated as follows:

11/18/2022 **A.D 2022**

Nancy Heyrman
Notary Public State of Wisconsin County of Brown

 5.15.23
My commission expires

NANCY HEYRMAN
Notary Public
State of Wisconsin

AN ORDINANCE AMENDING, REVISING AND SUPPLEMENTING CHAPTER IV OF THE BOROUGH CODE OF THE BOROUGH OF KEANSBURG, ENTITLED "GENERAL LICENSING AND BUSINESS REGULATION"

WHEREAS, pursuant to N.J.S.A. 40:48-1 and N.J.S.A. 40:48-2, the governing body of a municipality may make, amend, repeal and enforce such other ordinances, regulations, rules and by-laws not contrary to the laws of this State or of the United States, as it may deem necessary and proper for the good of government, order and protection of person and property and for the preservation of the public health, safety and welfare of the municipality and its inhabitants and as may be necessary to carry into effect the powers and duties conferred and imposed by this subtitle, or by any law, and,

WHEREAS, in addition, N.J.S.A. 40:48-2.12(a) provides that the governing body of a municipality may make, amend and repeal and enforce ordinances to regulate buildings and structures and their use and occupation to prevent and abate conditions therein harmful to the health and safety of the occupants of said building and structures, as well as the general public in the municipality; and,

WHEREAS, the Legislature of the State of New Jersey adopted P.L. 2022, C. 1368, on August 5, 2022, and said law was signed by the Governor on August 8, 2022 mandating that businesses and residential rental units have premises liability insurance for negligent acts and omissions for such particular property and premises in amounts required therein; and,

WHEREAS, by such legislation, the Borough is mandated to enact an Ordinance to implement the said insurance requirements, provide for annual registration of certificates of insurance required by the said law, and maintain a registry of such certificates of insurance;

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Keansburg, County of Monmouth, State of New Jersey that the Borough Code of the Borough of Keansburg is hereby amended, revised and supplemented as to Chapter IV of the Borough Code, entitled "General Licensing and Business Regulations", by more specifically adding a new Section entitled "Business and Commercial Residential Rental Liability Insurance" to the Borough Code, which shall read as follows:

The Borough Code of the Borough of Keansburg is hereby amended as follows:

DELETE:

SECTION 4-2.6 In its entirety

ADD:

SECTION 4-2.6

SECTION 1 shall read as follows:

Definitions.

Certificate of Insurance

A proof of current liability insurance insuring against negligent acts and omissions for a particular property and premises 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, is required issued by an insurance company and stating coverage for a particular property and premises.

Liability Insurance Required.

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- A) the owner of each operating business shall 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) the owner of each individual commercial property regardless of being vacant or occupied by a business entity, the owner of a business / commercial property shall 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.

Fee For Business or Business Rental Insurance Registration.

The fee for obtaining a business or residential rental insurance registration certificate is Fifty Dollars (\$50.00).

Violations; Penalties.

A) Any person, firm or corporation that shall be convicted of a violation of a provision of this chapter shall, upon conviction thereof by any court authorized by law to hear and determine the matter, be subject to a fine not exceeding One Thousand (\$1,000) Dollars or imprisonment for a term not exceeding ninety (90) days, or both, as such court in its discretion may impose. Each day that such violation exists shall constitute a separate offense.

B) The Borough may collect through a summary proceeding under N.J.S.A. 2A:58-10, et. seq. a fine of not less than Five Hundred (\$500.00) Dollars, but no more than Five Thousand (\$5,000.00) Dollars for failing to file with the Borough Clerk a certificate of insurance registration as required by P.L. 2022, C. 1368.

BE IT FURTHER ORDAINED by the Borough Council of the Borough of Keansburg, County of Monmouth, State of New Jersey that if any word, section, paragraph, subsection, clause and/or provision of this Ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such adjudication shall only apply to the word, section, paragraph, subsection, clause or provision so adjudicated and the remainder of the Ordinance shall be deemed valid and effective; and,

BE IT FURTHER ORDAINED that any ordinance or parts thereof in conflict with the provisions of this Ordinance are repealed only to the extent of such conflict; and,

BE IT FURTHER ORDAINED that this Ordinance shall take effect following the adoption and approval in the time and manner prescribed by law, N.J.S.A. 40A:60-6(b)(1), whereby the powers of the Borough Council permit that the Council may "pass, adopt, amend and repeal any ordinance or, where permitted, any resolution for any

purpose required for the government of the municipality or for the accomplishment of any public purpose for which the municipality is authorized to act under general law."

SECTION 2. REPEALER.

The remainder of all other sections and subsections of the aforementioned ordinance not specifically amended by this Ordinance shall remain in full force and effect.

SECTION 3. INCONSISTENT ORDINANCES.

All Ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed as to such inconsistency.

SECTION 4. SEVERABILITY.

If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of this Ordinance shall be deemed valid and effective.

SECTION 5. EFFECTIVE DATE.

This Ordinance shall take effect upon its passage and publication according to law.

INTRODUCTION

Public Notice is hereby given that the above ordinance was duly adopted on first reading by the Borough Council of the Borough of Keansburg, County of Monmouth, State of New Jersey on November 9, 2022 and that said Ordinance will be considered for final adoption at the meeting of said Borough Council to be held at Keansburg Borough Hall, 29 Church Street, Keansburg, New Jersey on the 14th day of December, 2022 at 7:00 p.m. or as soon thereafter as the matter can be heard at which time and place public hearing will be held prior to final passage of said ordinance and all persons will be given the opportunity to be heard concerning the same.

Thomas P. Cusick
Municipal Clerk
(5147.64)

005491234 01

A GANNETT COMPANY
ASBURY PARK PRESS | APP.com

Agency:
 BORO OF KEANSBURG
 29 CHURCH ST
 KEANSBURG, NJ 07734
 ATTN:
Acct:ASB-015504

Client: BORO OF KEANSBURG
 29 CHURCH ST,
 KEANSBURG, NJ 07734

Acct No: ASB-015504

This is not an invoice

Order #	Advertisement/Description	# Col x # Lines	Rate Per Line	Cost
0005528227	Adoption Notice Ord. 1703 Mandatory Liability Insurance - B ORDINANCENO1703THEFOLLOWINGORDINANCEWASPASSEDA NDAPPROVEDUPONITSSCONDANDFINALREADINGANDUPONIT SPUBLICHEARINGBYTHEMUNICIPALCOUNCILOFTHE	1 col x 22 lines	\$0.45	\$9.68
	<i>Ord. #1703</i>	Affidavit of Publication Charge	1	\$35.00
	<i>FINAL</i>	Tearsheet Charge	0	\$0.00
		Net Total Due:		\$44.68

Run Dates: 12/20/2022

Check #: _____

Date: _____

CERTIFICATION BY RECEIVING AGENCY
 I, HAVING KNOWLEDGE OF THE FACTS, CERTIFY AND DECLARE THAT THE GOODS HAVE BEEN RECEIVED OR THE SERVICES RENDERED AND ARE IN COMPLIANCE WITH THE SPECIFICATIONS OR OTHER REQUIREMENTS, AND SAID CERTIFICATION IS BASED ON SIGNED DELIVERY SLIPS OR OTHER REASONABLE PROCEDURES OR VERIFIABLE INFORMATION.

SIGNATURE: *J. P. ...*
 TITLE: *Clerk* DATE: *1/4/23*

CERTIFICATION BY APPROVAL OFFICIAL
 I CERTIFY AND DECLARE THAT THIS BILL OR INVOICE IS CORRECT, AND THAT SUFFICIENT FUNDS ARE AVAILABLE TO SATISFY THIS CLAIM. THE PAYMENT SHALL BE CHARGEABLE TO:

APPROPRIATION ACCOUNT(S) AND AMOUNTS CHARGED: P.O. # _____

SIGNATURE: _____
 TITLE: _____ DATE: _____

CLAIMANT'S CERTIFICATION AND DECLARATION:
 I DO SOLEMNLY DECLARE AND CERTIFY UNDER THE PENALTIES OF THE LAW THAT THIS BILL OR INVOICE IS CORRECT IN ALL ITS PARTICULARS; THAT THE GOODS HAVE BEEN FURNISHED OR SERVICES HAVE BEEN RENDERED AS STATED HEREIN; THAT NO BONUS HAS BEEN GIVEN OR RECEIVED BY ANY PERSON OR PERSONS WITHIN THE KNOWLEDGE OF THIS CLAIMANT IN CONNECTION WITH THE ABOVE CLAIM; THAT THE AMOUNT HEREIN STATED IS JUSTLY DUE AND OWING; AND THAT THE AMOUNT CHARGED IS A REASONABLE ONE.

Date: 12/20/2022

Signature: *D. Roberts*

Federal ID #: 061032273
 Official Position: Clerk

Kindly return a copy of this bill with your payment so that we can assure you proper credit.

Asbury Park Press
 New Jersey Press Media Solutions
 P.O. Box 677599

AFFIDAVIT OF PUBLICATION

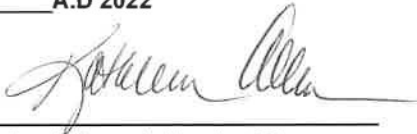
Publisher's Fee \$9.68 Affidavit \$35.00

STATE OF WISCONSIN
Brown County

Personally appeared D. Roberts at County of Brown, State of Wisconsin.

Of the **Asbury Park Press**, newspaper printed in Freehold, New Jersey and published in Neptune, in State of New Jersey and Monmouth/Ocean Counties, and of general circulation in Monmouth/Ocean Counties, who being duly sworn, depose and saith that the advertisement of which the annexed is a true copy, has been published in the said newspaper 1 times, once in each issue dated as follows:

12/20/2022 **A.D 2022**



Notary Public State of Wisconsin County of Brown

 1-7-26

My commission expires

KATHLEEN ALLEN
Notary Public
State of Wisconsin

ORDINANCE NO. 1703

The following ordinance was passed and approved upon its second and final reading and upon its public hearing by the Municipal Council of the Borough of Keansburg, New Jersey on December 14, 2022 and was ordered adopted and approved after publication required by law.

Jo-Ann O'Brien
Deputy Municipal Clerk
AN ORDINANCE AMENDING, RE-
VISING AND SUPPLEMENTING
CHAPTER 4 OF THE BOROUGH
CODE OF THE BOROUGH OF
KEANSBURG, ENTITLED "GENE-
RAL LICENSING AND BUSINESS
REGULATION"
(\$9.68)

0005528227-01