

**ORDINANCE # 2023-10**

**AN ORDINANCE OF THE MUNICIPALITY OF PRINCETON PERTAINING TO CERTIFICATES OF COMPLIANCE FOR RENTAL DWELLING UNITS AND AMENDING CHAPTER B16, "HOUSING " OF THE "CODE OF THE BOROUGH OF PRINCETON, NEW JERSEY 1974"**

**BE IT ORDAINED** by the Mayor and Council of the Municipality of Princeton as follows:

**Section 1.** Section B16-3A(b), "Definitions" in Chapter B16, Article I, "Housing Code" of the "Code of the Borough of Princeton, New Jersey 1974" is hereby amended by adding thereto a new definition of "principal residence," which shall read as follows:

**PRINCIPAL RESIDENCE** - The address: (1) where at least one of the property owners spends the majority of their non-working time, (2) which is most clearly the center of their domestic life, and (3) which is identified on their driver's license, voter registration card or state identification card as their legal address. All the above requirements must be met in order for an address to be considered a principal residence for purposes of this Article.

**Section 2.** Section B16-7(a)(1), "Exemptions" in Chapter B16, Article I, "Housing Code" of the "Code of the Borough of Princeton, New Jersey 1974" is hereby amended to read as follows (new text is underlined thus; deleted text is in brackets [thus]):

**§ B16-7. Certificate of Compliance from Public Officer Required Prerequisite to Renting Building to Others; Occupancy of Building after Failure to Comply with Order of Public Officer Prohibited; Duration of Validity and Terms of Invalidation of Certificate; Duties of Occupants; Certificate as to On-Site Sewage Disposal and Private Water Supply Prior to Conveyance; Fees.**

The occupancy and rental of buildings and parts thereof for human habitation shall be subject to the following:

- (a) No person shall rent to another, or suffer or permit occupancy by another, of[,] any building or part thereof for human habitation or use, without first obtaining from the public officer a certificate stating that the premises, at the time of the proposed rental to or occupancy by such other person, complies with the requirements of the Princeton Housing Code.

(1) Exemptions - The following dwellings and dwelling units are exempt from obtaining a certificate of compliance from the public officer:

- a. Premises that are ordinarily occupied by the owner as a principal residence and which are not intended to be rented [for more than twelve consecutive months].

*(Remainder of §B16-7 no changes)*

**Section 3. Repealer.** Any article, section, paragraph, subsection, clause, or other provision of the Code of the Township of Princeton and the Code of Borough of Princeton inconsistent with the provisions of this ordinance is hereby repealed to the extent of such inconsistency.

**Section 4. Severability.** If any section, paragraph, subsection, clause, or provision of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such adjudication shall apply only to the section, paragraph, subsection, 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 and as otherwise provided for by law.

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Delores A. Williams, RMC, CMC, Clerk

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Hon. Mark Freda, Mayor

Ordinance Introduced: February 27, 2023

Ordinance Adopted: March 13, 2023

NEWSPAPER PUBLICATIONS:

First Insertion: March 3, 2023

Final Insertion: March 17, 2023

**STATEMENT OF PURPOSE:** This ordinance, if adopted, would amend Princeton’s Housing Code by (1) adding a definition of “principal residence” to the Housing Code, and (2) modifying the exemptions from the requirement of obtaining a Certificate of Compliance from the public housing officer as a prerequisite to renting all of part of a dwelling unit to others.