

**AN ORDINANCE OF
THE TOWN OF SECAUCUS, NEW JERSEY**

ORDINANCE NO. 2024-10

**AN ORDINANCE AMENDING CHAPTER 64 OF THE CODE OF THE
TOWN OF SECAUCUS ENTITLED “CONSTRUCTION CODES, UNIFORM”
TO UPDATE CCO PROVISIONS**

WHEREAS, the Mayor and Council recognize that the safety of all residents and the protection of human life, buildings and structures is of great concern and addresses inspections and Certificates of Continued Occupancy through the Town of Secaucus’ Construction Department in the Municipal Code, Chapter 64; and

WHEREAS, the Town of Secaucus’ Construction Department also performs inspections and issues Certificates of Continued Occupancy for residential dwellings as set forth in Chapter 64; and

WHEREAS, the Town of Secaucus’ Construction Department and the New Jersey Department of Community Affairs has made recommendations to update Chapter 64.

NOW, THEREFORE BE IT ORDAINED, by the Mayor and Council of the Town of Secaucus, County of Hudson, State of New Jersey that the following updates be made to Chapter 64 based upon the recommendation by the Town of Secaucus’ Construction Department and the New Jersey Department of Community Affairs:

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Town of Secaucus, County of Hudson, State of New Jersey, as follows:

1. Chapter 64 is hereby amended and supplemented to read as follows: (deletions are indicated by ~~crossouts~~; additions are indicated in **bold**):

§ 64-6. **Sale/Rental Certification** ~~Certificates of continued occupancy~~ for residential dwelling units.

- A. Certificate required for selling, leasing or renting of residential dwelling units. Effective 30 days after adoption of this section, no premises or portion of any one-family, two-family, or multi-family dwelling unit used for residential purposes, whether in a residential zone, or in a different zone by reason of being a nonconforming use, shall be sold and thereafter occupied by a new tenant or owner, without the appropriate application for and issuance of a **sale/rental certification certificate** ~~of continued occupancy~~.

B. Application for certificate; inspection; issuance. Any owner intending to sell, lease or rent any dwelling unit, regardless of the length of the lease or rental, shall apply to the Construction Official or their designated agent for a **sale/rental certification certificate** ~~of continued occupancy~~. Upon receipt of said application, the Construction Official or their agent shall review same and inspect the premises within 10 days to determine whether such premises complies with the local zoning and planning laws. No **sale/rental certification certificate** ~~of continued occupancy~~ shall be issued unless there is full and complete compliance with all of the foregoing, unless otherwise specified in writing by the Construction Official or their agent. All owners, or their designated agents, applying for a certificate as provided herein shall advise the Construction Official or their agent of a reasonable time or times when the inspections may be made and have someone present to assist and provide entry for the inspection purposes. If three scheduled inspections are missed, each additional inspection by the Construction Department will be at an additional charge, as specified below.

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E. Certain establishments are exempt. It shall not be a violation of this section if an owner establishes by a preponderance of the evidence use as a one-family, two-family or multifamily dwelling which does not comply with present zoning requirements but was created in good faith prior to February 8, 1983, and remained in such noncompliance since that date. Said premises shall still make appropriate application for and obtain issuance of a **sale/rental certification certificate** ~~of continued occupancy~~ for any change in tenancy or ownership for the use established.

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§ 64-7. **Sale/Rental Certification Certificates** ~~of continued occupancy~~ for commercial or industrial property.

A. Certificate required for selling of commercial or industrial property. Effective 30 days after adoption of this section, no premises or portion of premises zoned for commercial or industrial use, whether in a commercial or industrial zone, or in a different zone by reason of being a nonconforming use, shall be sold, rented or leased and thereafter occupied by a new tenant or owner, without the appropriate application for and issuance of a **sale/rental certification certificate** ~~of continued occupancy~~.

B. Application for certificate; inspection; issuance. The owner of the premises about to be newly occupied, or their respective agents, shall apply to the Construction Official for a **sale/rental certification certificate** ~~of continued occupancy~~ and shall

supply, as necessary, information on said application of all facts relating to the nature of the business, occupation or industry, the manufacturing or other processes involved and the nature of all materials stored on the premises as part of, or pertinent to, said business, occupation, or use. Upon receipt of said application, the Construction Official or his agent shall review same and inspect the premises within 10 days to determine whether such premises complies with the local zoning and planning laws. No **sale/rental certification** ~~certificate of continued occupancy~~ shall be issued unless there is full and complete compliance with all of the foregoing, unless otherwise specified in writing by the Construction Official or his agent. The fee for said inspection shall be \$300 for commercial and industrial uses.

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2. There are no other changes to this Chapter of the Code of the Town of Secaucus.
3. All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.
4. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to that section, subdivision, clause or provision so adjudged and the remainder of this Ordinance shall be deemed to be valid and effective.
5. This Ordinance shall take effect immediately upon passage and publication in accordance with law.

IT IS FURTHER ORDAINED that the remainder of this Chapter 64 of the Code of the Town of Secaucus shall remain in full force and effect.

I, Michael Marra, Town Clerk of the Town of Secaucus, County of Hudson, do hereby certify that the above is a true copy of an ordinance introduced and passed on first reading on April 23, 2024 and finally adopted by the Mayor and Council on May 14, 2024.

Michael Marra
Town Clerk

[Signature]
Mayor

Introduction 4-23-24

Motion: JC	Yes	No	Abstain	Absent
Second: RC				
Councilman Costantino	✓			
Councilman McKeever	✓			
Councilman Clancy	✓			
Councilman Dehnert	✓			
Councilman Gerbasio	✓			
Councilwoman Tringali	✓			
Mayor Gonnelli	✓			

Adoption 5-14-24

Motion: RC	Yes	No	Abstain	Absent
Second: JL				
Councilman Costantino	✓			
Councilman McKeever	✓			
Councilman Clancy	✓			
Councilman Dehnert	✓			
Councilman Gerbasio	✓			
Councilwoman Tringali	✓			
Mayor Gonnelli	✓			