

ORDINANCE No. RO-11

AN ORDINANCE OF THE TOWNSHIP OF WASHINGTON, COUNTY OF MORRIS, STATE OF NEW JERSEY, AMENDING THE CODE OF THE TOWNSHIP OF WASHINGTON TO ADD A NEW CHAPTER 150 ENTITLED "RENTAL PROPERTY REGISTRATION"

WHEREAS, the Township Administrator and Code Enforcement Official have reviewed and recommended that the Code be amended to include property rental requirements in order for the Township to appropriately account for such properties ; and

WHEREAS, the Township Committee has reviewed and approved of the recommended amendment.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Washington, County of Morris, State of New Jersey, as follows:

SECTION ONE. The Township Code shall be amended to add a new Chapter 150 entitled "Rental Property Registration" to read as follows:

Chapter 150. Rental Property Registration

§150-1 Purpose.

The purpose of this chapter is to ensure the health, safety and welfare of all tenants residing in rental properties as well as all other residents and visitors to the Township of Washington.

§150-2 Definitions.

For use in this Chapter only, the following words and phrases shall have the meanings respectively ascribed to them by this Section:

LANDLORD or OWNER

Any person or entity which owns any legally cognizable interest in any rental property, including, but not limited to, outright ownership or ownership through a partnership, corporation or limited liability company.

OWNER-OCCUPIED PROPERTY

The primary residential living unit of the owner is located within the rental property.

RENTAL PROPERTY

Any house, structure, building or complex which contains one or more individual residential rental dwelling units other than owner-occupied houses, structures or buildings.

RENTAL REGISTRATION STATEMENT

A statement of information about the property required by the Township of Washington. No property shall be permitted to be rented without submission of a rental registration statement.

RENTAL UNIT

Includes that portion of a house, building or structure rented or offered for rent, for living and dwelling purposes, to individuals or family units.

RESIDE

To live or dwell permanently or continuously for more than 14 days. Said days need not be consecutive, but must occur within a reasonably short period of time to evidence an intent to utilize the rental unit as the person's primary place of residence.

TENANTS

Those persons who have leased the rental unit from the owner, regardless of the type of tenancy under which they occupy the rental unit.

§150-3 General Provisions

The provisions of this Chapter shall not apply to owner-occupied units located within a rental property of not more than two (2) units per property.

§150-4 Rental property registration.

- A. The owner of every rental property located in the Township of Washington and regulated by this Chapter shall file a rental property registration statement with the Township. Forms for said filing can be obtained from the Township of Washington. Said information will be kept confidential, and any personal identifying information will not be distributed or utilized in any manner not set forth herein unless required by law. No property shall be permitted to be rented or leased without a valid rental property registration as prescribed herein.
- B. A rental property registration statement shall be filed on an annual basis for each rental unit on or before July 31 of each year. The annual registration fee for each unit shall be in accordance with the fee schedule set forth herein. After July 31 of each year the owner of record, registered agents, corporate officers or other responsible individuals, as defined in this chapter, shall be subject to fines and penalties as set forth in §150-9 of this Chapter.
- C. The rental property registration statement form shall require the submission of the following information:
 - (1) The name, address and telephone number of the recorded owner or owners of the premises and the recorded owner or owners of the rental business if not the same persons. In the case of a partnership, the names of all general partners shall be provided. If the recorded owner is a corporation, the name and address of the registered agent and corporate officers of said corporation shall be provided;
 - (2) If the address of any recorded owner is not located in the county in which the premises is located, the name, address and telephone number of a person who resides in the county in which the premises is located and is authorized to accept notices from a tenant and to issue receipts therefor and to accept service of process on behalf of the record owner;
 - (3) The name, address and telephone number of the managing agent of the premises, if any;
 - (4) The name, address and telephone number, including the dwelling unit, apartment or room number, of the superintendent, janitor, custodian or other individual employed by the record owner or managing agent to provide regular maintenance service, if any;
 - (5) The name, address and telephone number of an individual representative of the record owner or managing agent who may be reached or contacted at any time in the event of an emergency affecting the premises or any unit of dwelling space therein, including such emergencies as the failure of any essential service or system, and who has the authority to make emergency decisions concerning the building, any repair thereto, disruption of utilities or expenditures in connection therewith and shall, at all times, have access to a current list of building tenants that shall be made available to emergency services personnel as required in the event of an emergency;
 - (6) The name, address, phone and email of every holder of a recorded mortgage on the premises;
 - (7) If fuel oil is used to heat the building and the landlord furnishes the heat in the building, the name, address, phone and email of the fuel oil dealer servicing the building and the grade of fuel oil used;
 - (8) The number of tenants over the age of two years authorized to reside in each rental unit, including the number of tenants over the age of two years but under the age of 19 years (school-age children). The information contained in the rental property registration statement must set forth information for each unit within the rental property and must include the number of tenants actually residing in each rental unit;
 - (9) As to each rental unit, the owner shall provide a floor plan of the rental unit, which shall depict the number, dimensions and location of each room in the rental unit. No space shall be used for sleeping purposes which has not been so designated as a sleeping area on the floor plan provided by the owner and approved by the construction official, zoning official, fire marshal and public health official;
 - (10) As to each rental unit of 99 units or less, the owner shall provide a parking plan of the rental unit, which shall depict the number, dimensions and location of off-street parking space dedicated to each unit; and
 - (11) Provide a copy of a valid lead safe or lead paint abatement certificate from either the Township of Washington or a certified lead abatement contractor through the state of New Jersey.
 - (12) Such other information may be deemed necessary to enforce this Chapter.
- D. In the event the tenancy of a rental unit changes during the year, the owner or managing

agent shall, within 30 days of the change in tenancy, provide an updated rental property registration statement. This shall be in addition to the requirements for obtaining a certificate of smoke alarm, carbon monoxide alarm and portable fire extinguisher compliance inspection. Failure to provide the required information shall be deemed a violation of this Chapter, and owners, managing agents and tenants may be held accountable for inaccurate rental property registration statements.

- E. No property shall be permitted to be rented or leased without a valid rental property registration having been submitted to the Township Clerk.

§150-5 Fees.

A. Fee schedule.

Units	Fee
1 to 2	\$75 for 1st unit + \$25 for additional unit
3 to 5	\$100 for Units 1-3 + \$50 per unit for Units 4-5
6 to 9	\$150 for Units 1-6 + \$35 per unit for Units 7-9
10 to 24	\$200 for Units 1-10 + \$25 per unit for Units 11-24
25 to 49	\$300 for Units 1-25 + \$15 per unit for Units 26-49
50+	\$400 for Units 1-50 + \$10 per unit thereafter

- B. All checks shall be made payable to the Township of Washington.

§ 150-6 Applications and registrations.

The Township of Washington will register the structure after the owner provides all required information set forth in this chapter. A certificate of rental property registration will be issued to the owner or agent responsible for the property. This registration shall be required annually and must be filed by July 31st of every year.

§150-7 Falsification of Information

It shall be unlawful for any person to knowingly provide false information to the Township when submitting a rental property registration.

§150-8 Enforcement.

The enforcement of this Chapter shall be the responsibility of the Township of Washington Zoning Officer, Health Official, Construction Official or the Fire Marshal.

§150-9 Penalties.

- A. Failure to comply with any section of this Chapter excluding §150-7 will result in a maximum penalty of \$500 per offense.
- B. Any person who shall violate Section 150-7 shall be subject to a maximum penalty of \$1,000 per offense.
- C. Each day shall constitute a separate offense and is subject to additional penalties

SECTION TWO. RENUMBERING. This Ordinance may be renumbered for codification purposes.

SECTION THREE. SEVERABILITY. The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder off this Ordinance shall not be affected thereby.

SECTION FOUR. REPEALER. Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed as to their inconsistencies only.

NOTICE OF FINAL ADOPTION

Notice is hereby given that the Ordinance published herewith was introduced and passed upon first reading at a meeting of the Township Committee of Washington Township, in the County of Morris, New Jersey, held on the 20th of May, 2024, and the same came up for final passage at a meeting of said Township Committee on the 17th day of June 2024 at which time, after persons interested were given an opportunity to be heard concerning said ordinance, the same was passed and will be in full force in the Township according to law. By order of the Township Committee of the Township of Washington, County of Morris and State of New Jersey.

Adopted: June 17, 2024

ATTEST:

TOWNSHIP OF WASHINGTON
COUNTY OF MORRIS
STATE OF NEW JERSEY

Township Official

By: _____
Matthew Murello, Mayor

Attest: I herein certify that the foregoing Ordinance was duly adopted by the Washington Township Committee at a regular meeting held by the Township Committee on June 17, 2024.

Denean Probasco, RMC, Township Clerk