

BOROUGH OF MILFORD
ORDINANCE NUMBER 954-2023

**ORDINANCE TO CREATE CHAPTER 64 OF THE CODE OF THE
BOROUGH OF MILFORD,
ENTITLED “ESTABLISHING BUSINESS
INSURANCE REGISTRATION”.**

WHEREAS, Governor Murphy signed P.L. 2022, c.92. on August 5, 2022, which requires business owners and rental unit owners to maintain certain liability insurance policies and to register the compliant certificate of insurance with the municipality annually in which the business or rental units are located.

NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Milford, in the County of Hunterdon and State of New Jersey, that Chapter 64 of the Code of the Borough of Milford, entitled “Business Insurance Registration”, is added as follows:

CHAPTER 64
BUSINESS INSURANCE REGISTRATION

SECTION 1.
BUSINESS INSURANCE REGISTRATION

Section §64-1. Business insurance registration required.

It is unlawful for any owner of a business, owner of a rental unit or units, or the owner of a multi-family home of four or fewer units, one of which is owner occupied, to operate within the Borough without first registering its certificate of insurance demonstrating compliance with Section 1 of P.L. 2022, c. 92 and paying the registration fee required herein.

Section §64-2. Entities covered by this Chapter.

The following entities are required to register their certificate of insurance under this Chapter:

- a. Businesses, which shall mean, any person intending to sell or dispose of or to offer to sell or dispose of any goods, wares, merchandise or render any services for fees within the Borough. This shall include businesses operating on a temporary basis within the Borough such as peddlers, solicitors, and transient vendors licensed pursuant to Chapter 145 of the Milford Borough Code and temporary retail food establishments and mobile food units licensed pursuant to Chapter 99 of the Milford Borough Code.
- b. Owners of single rental dwelling units.
- c. Owners of multiple dwelling rental units.
- d. Owners of multi-family homes that include rental units, even where one unit is owner-occupied.

Section §64-3. Registration Official.

The Borough Clerk, or other Borough personnel as may be appointed by resolution of the Milford Borough Common Council, shall accept, approve, and file registration applications, and collect registration fees hereunder.

Section §64-4. Registration Fees; Expiration; Renewal.

The registration fees of this Chapter shall be \$20.00 annually. Registrations shall expire on December 31 of each year. Renewals must be submitted to the Milford Borough Clerk by not later than February 1 of each year.

Section §64-5. Application and insurance requirements.

An application for a business insurance registration shall be accompanied by the required fee and shall be made to the Borough Clerk upon forms provided by the Clerk. It shall contain the following information:

- a. Name and address of the applicant. If the applicant is a corporation, the name and address of its registered agent.
- b. The address of the rental dwelling units or business as applicable. If the registration applies to a transient business or a mobile food unit, a general description of the time frame for operation and area where the business will be operated
- c. A description of the nature of the business and the goods, property, or services to be sold or supplied.
- d. A certificate of insurance reflecting the following amounts of insurance in compliance with P.L. 2022, c. 92. i. Except as provided in subsection ii. of this section, the owner of a business or the owner of a rental unit or units 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. ii. The owner of a multifamily home which is four or fewer units, one of which is owner-occupied, shall 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.

Section §64-6. Violations, Penalties, and Enforcement.

Any person who violates the terms of this Chapter shall pay the license fee plus a fine of not less than \$500.00 but no more than \$5,000.00 plus court costs. This Chapter shall be enforced by the Borough Clerk or other Borough personnel as may be assigned by resolution of the Milford Borough Common Council

**SECTION 2.
REPEALER**

All ordinances or parts of ordinances in conflict or inconsistent with any part of this Ordinance are hereby repealed to the extent that they are in conflict or inconsistent.

**SECTION 3.
SEVERABILITY**

If any section, provision, or part of provision of this Ordinance shall be held to be unenforceable or invalid by any court, such holding shall not affect the validity of this Ordinance, or any part thereof, other than the part so held unenforceable or invalid.

**SECTION 4.
EFFECTIVE DATE**

This Ordinance shall take effect after passage and publication in the manner provided by law.

PLEASE TAKE NOTICE that the foregoing Ordinance was introduced and passed on first reading on the February 6, 2023, at a meeting of the Borough Council of the Borough of Milford and will be taken up for final consideration and passage at a regularly scheduled meeting of the Mayor and Borough Council of the Borough of Milford to be held on the 6th of March, 2023, at 7:00PM, or as soon thereafter as the matter may be reached, to be held at the Milford Borough Fire Company, located at 21 Water Street, Milford, New Jersey 08848.

Copies of said Ordinance are at the office of the Milford Borough Municipal Clerk, 30 Water Street, Milford, New Jersey 08848, and posted on the Borough website.

ATTEST:

KAREN DYSART, RMC
MUNICIPAL CLERK

Introduction: February 6, 2023
Public Hearing: March 6, 2023
Adoption: March 6, 2023
Publication: March 16, 2023

FIRST READING - ROLL CALL VOTE

Council Member	Motion	Adopt	Second	Ayes	Nays	Abstain	Absent
James Gallos			x	x			
Russel Heller				x			
Noralie LaFevre	x			x			
Ron Rehl				x			
Robert White		x		x			
Elisa Yager				x			

SECOND READING & FINAL ADOPTION - ROLL CALL VOTE

Council Member	Motion	Adopt	Second	Ayes	Nays	Abstain	Absent
James Gallos				x			
Noralie LaFevre		x		x			
Ronald Rehl			x	x			
Robert White	x			x			
Elisa Yager							x