

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO.: 3032**

AN ORDINANCE AMENDING CHAPTER 242 ENTITLED “PROPERTY MAINTENANCE”, OF THE CODE OF THE CITY OF GARFIELD REGARDING FEES FOR INSPECTION OF LEAD-BASED PAINT IN RESIDENTIAL DWELLINGS

WHEREAS, the City of Garfield (the “City”) maintains Chapter 242 entitled “Property Maintenance” of the City Code, specifically the Property Maintenance Code; and

WHEREAS, pursuant to P.L. 2021, c.182, all municipalities are required to inspect every rental unit whether a single-family residential dwelling, a two-family residential dwelling, or a multiple residential unit dwelling located within the municipality on a recurring basis and at tenant turnover for lead-based paint hazards; and

WHEREAS, it is in the best interests of City residents to amend the City Code at this time to require inspections for lead-based paint in the aforementioned residential rental dwellings to conform with the State law.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Garfield, County of Bergen, State of New Jersey, as follows:

Section 1. The current text of City Ordinance, Part II, General Legislation, Chapter 242, Property Maintenance, is hereby amended to include the following:

§242-15- Fees

Fees. Notwithstanding any other fees due pursuant to this Chapter, the following fees shall be paid:

- a. **Initial Inspection Fee.** A dwelling owner or landlord shall owe a fee in the amount of \$220.00 which shall be paid for each lead-based paint inspection conducted by the City. Said fee shall be dedicated to meeting the costs of implementing and enforcing this subsection and the required contribution to the New Jersey Lead Hazard Control Assistance Fund (N.J.S.A. 52:27D-437.16(h)) and shall not be used for any other purpose.
- b. **Recertification Fee.** A dwelling owner or landlord shall owe a recertification fee in the amount of \$65.00 which shall be paid for each lead-based paint inspection conducted by the City every three (3) years. Said fee shall be dedicated to meeting the costs of implementing and enforcing this subsection and the required contribution to the New Jersey Lead Hazard Control Assistance Fund (N.J.S.A. 52:27D-437.16(h)) and shall not be used for any other purpose.

- c. **Administrative Fee.** Alternatively, a dwelling owner or landlord may directly hire a private lead evaluation contractor who is certified to provide lead paint inspection services by the Department of Community Affairs in which case a \$50 administrative fee shall be paid. Said fee shall be dedicated to the costs of monitoring compliance with this subsection.

Section 3. The remainder of Chapter 242 is ratified and remains in full force and effect.

Section 4. If any section or provision of this Ordinance shall be held invalid in any court of competent jurisdiction, the same shall not affect the other sections or provisions of this Ordinance, except so far as the section or provision so declared invalid shall be inseparable from the remainder of any portion thereof.

Section 5. All ordinances or parts of ordinance inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

Section 6. This Ordinance shall take effect upon final adoption and publication in accordance with Law.

ATTEST: _____

Erin Delaney, MPA, RMC, CMC

City Manager/City Clerk

Introduced: March 26, 2024

Adopted: April 9, 2024

APPROVED: _____

Richard Rigoglioso, Mayor