

**BOROUGH OF HALEDON
ORDINANCE NO. 2-23-2023**

AN ORDINANCE OF THE BOROUGH COUNCIL OF THE BOROUGH OF HALEDON, IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY, SUPPLEMENTING THE BOROUGH'S REVISED GENERAL ORDINANCES OF CHAPTER 304 ("RENTAL PROPERTIES") TO IMPLEMENT NEW STATE LAW REQUIRING OWNERS OF BUSINESSES AND RENTAL PROPERTIES TO MAINTAIN CERTAIN INSURANCE COVERAGES

WHEREAS, the Borough of Haledon (the "Borough") contains numerous and varied business and rental properties within its limits; and

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

WHEREAS, the Borough Council has found it proper to amend the language of the Municipal Code to update the language to be reflective of the statutory provisions as well as to provide clarification;

NOW THEREFORE BE IT ORDAINED by the Borough Council of the Brough of Haledon, that Chapter 304, Rental Properties, of the Code of the Borough of Haledon, is hereby amended and supplemented as follows (deletions are struck through and additions are underlined):

§304-11 Business Insurance Registration Required.

It shall be 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 owner occupied, to operate within the Borough of Haledon 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.

§ 304-12 Applicability.

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 and temporary retail food establishments and mobile food units.

- 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.

§ 304-13 Registration Official.

The Municipal Clerk or his or her designee shall accept, approve, and file registration applications, and collect registration fees hereunder.

§ 304-14 Registration Fees; Expiration; Renewal.

The registration fee for each business or rental unit under this Chapter shall be in accordance with the current municipal fee resolution. Registration shall expire on December 31st of each year. Renewals must be submitted by December 1st of each year. Upon adoption of this Chapter, entities covered under this Chapter shall be required to initially register by March 31, 2023 and such registration shall be valid until December 31, 2023.

§ 304-15 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 Technical Assistant to the Construction Official or his or her designee upon forms provided by the Technical Assistant to the Construction Official or his or her designee. The application 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.
 - (1) 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.

(2) 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.

§ 304-16 Violations and Penalties.

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.

All other sections and provisions of Chapter 304, other than identified above, continue in full force and effect without any modification by this ordinance.

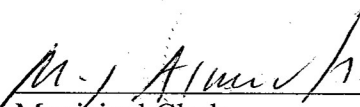
NOW, THEREFORE, BE IT FURTHER ORDAINED that:

1. Ordinances, resolutions and regulations or parts of ordinances, resolutions and regulations inconsistent herewith are hereby repealed to the extent of such inconsistency; and
2. If any section, subsection, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid by a court of competent jurisdiction, such a decision shall not affect the remaining portion of the Ordinance; and
3. Except as hereby amended, the Code of the Borough of Haledon shall remain in full force and effect.
4. This Ordinance shall take effect twenty days after final passage and publication in accordance with law.

Introduced: 2-23-23

Adopted: 3-23-23

ATTEST:


Municipal Clerk

APPROVE:


Mayor