

ORDINANCE NO. 2024-01

AN ORDINANCE OF THE BOROUGH OF SOUTH TOMS RIVER, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 13-6 OF THE BOROUGH CODE ENTITLED "RENTAL LICENSES"

NOW THEREFORE, BE IT ORDAINED by the Mayor and Borough Council of the Borough of South Toms River, County of Ocean, State of New Jersey that Chapter 13-6 of the Borough Code entitled "Rental Licenses" is hereby amended and supplemented to read as follows:

SECTION 1.

- 13-6.1 Unchanged.
- 13-6.2 Unchanged.
- 13-6.3 Unchanged.
- 13-6.4 Unchanged.
- 13-6.5 Unchanged.
- 13-6.6 Unchanged.
- 13-6.7 Unchanged.
- 13-6.8 Unchanged.
- 13-6.9 Unchanged.
- 13-6.10 Unchanged.
- 13-6.11 Unchanged.
- 13-6.12 **Fees for Rental and Retail Inspections.**

Fees for the inspection of a rental dwelling shall be as follows:

| | |
|--------------------|-------|
| Inspection Fee | \$120 |
| Reinspection Fee | \$ 25 |
| Administrative Fee | \$ 50 |

Resale Inspection Fee \$100

Lead Abatement \$ 20

Notwithstanding anything set forth herein, property owners must also comply with all the provisions of Chapter 17 of the Borough Code entitled "Business, Rental Property, and Multi-Family Insurance Registration".

No residential property may be sold until the owner of the property obtains a certificate issued by the Zoning/Code Enforcement Official or designee verifying that the property is in compliance with all applicable property maintenance laws of the Borough of South Toms River.

13-6.13 Violations and Penalties.

Any person, firm or corporation who shall violate any provision of this section shall be subject to a Notice of Violation and Order to pay a penalty of \$500 per day for each violation and further upon conviction thereof, subject to a fine of not less than \$500. Each day that a violation continues after notice has been served shall constitute a separate offense.

SECTION 2. This Ordinance shall be part of the code of the Borough of South Toms River as though codified and fully set forth therein. The Borough Clerk shall have this ordinance codified and incorporated in the official copies of the Code. The Borough Clerk and the Borough Attorney are authorized and directed to change any Chapter, Article and/or Section number of the Code of the Borough of South Toms River in the event that the codification of this Ordinance reveals that there is a conflict between the numbers and the existing Code, and in order to avoid confusion and possible accidental repealers of existing provisions not intended to be repealed.

SECTION 3. If any section, subsection, paragraph, sentence or other part of this Ordinance is adjudged unconstitutional or invalid, such judgment shall not affect or invalidate the remainder of this Ordinance but shall be confined in its effect to the section, subsection, paragraph, sentence or other part of this Ordinance directly involved

in the controversy in which said judgment shall have been rendered and all other provisions of this Ordinance shall remain in full force and effect.

SECTION 4. All Ordinances or parts of Ordinances which are inconsistent with the provisions of this Ordinance are hereby repealed, but only to the extent of such inconsistencies.

SECTION 5. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 6. This ordinance shall take effect after second reading and publication as required by law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed by the Borough Council on first reading at a meeting of the Borough Council of the Borough of South Toms River on the 22nd day of JANUARY, 2024, and will be considered for second and final passage at a meeting of the Borough Council to be held on the 12th day of February, 2024, at 7 AM/PM at the Municipal Building located at 19 Double Trouble Road, South Toms River, New Jersey, at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.

JAMIE JUBERT, Acting Municipal Clerk
Borough of South Toms River