

**TOWNSHIP OF WEST WINDSOR  
COUNTY OF MERCER, NEW JERSEY**

1st Reading August 28, 2023  
 2nd Reading & Public Hearing Sept 12, 2023  
 Date Adopted Sept 12, 2023  
 Date Effective Oct 3, 2023  
 DOT APPROVAL RECEIVED \_\_\_\_\_

Date to Mayor Sept. 12, 2023  
 Date Signed Sept. 13, 2023  
 Date Resubmitted to Council \_\_\_\_\_  
 Approved as to Form and Legality \_\_\_\_\_

Township Attorney  
*Michael W. Herbert*

2023-11

AN ORDINANCE TO AMEND AND SUPPLEMENT  
 CHAPTER 66, "CONTRACTORS, REGISTRATION OF," "SECTION 66-1  
 REGISTRATION REQUIREMENTS" OF THE  
 REVISED GENERAL ORDINANCES  
 OF THE TOWNSHIP OF WEST WINDSOR

**RECORD OF VOTE**

First Reading							Second Reading						
Council	Yes	No	NV	AB	Mov	Sec	Council	Yes	No	NV	AB	Mov	Sec
Gawas	X					X	Gawas	✓					✓
Geevers	X						Geevers	✓					
Mandel	X						Mandel	✓					
Stevens	X					X	Stevens	✓				✓	
Whitfield	X						Whitefield	✓					

x-Indicates Vote AB-Absent NV-Not Voting Mov-Moved Sec-Seconded

*Hemant Marathe*  
 Hemant Marathe, Mayor

9/13/2023  
 Date

Rejected \_\_\_\_\_

Reconsidered by Council \_\_\_\_\_

Override Vote: YES \_\_\_\_\_ NO \_\_\_\_\_

*Gay M. Huber*  
 Gay M. Huber, Township Clerk

AN ORDINANCE TO AMEND AND SUPPLEMENT  
CHAPTER 66, "CONTRACTORS, REGISTRATION OF," "SECTION 66-1  
REGISTRATION REQUIREMENTS" OF THE  
REVISED GENERAL ORDINANCES  
OF THE TOWNSHIP OF WEST WINDSOR

WHEREAS, pursuant to *N.J.S.A. 40A:11-1*, the New Jersey Local Public Contracts Law, the Township of West Windsor, and other certain public entities, are required to assess and vet the qualifications and experience of contractors bidding on work, which work frequently involves the need for a building permit from the Township; and

WHEREAS, the Township has in place a registration requirement for contractors seeking a building permit to register with the Division of Code Enforcement, as is outlined in Chapter 66 of the Township Code; and

WHEREAS, this contractor registration process duplicates much of the effort and expense contractors have already put forth in the process of being awarded work under the New Jersey Local Public Contracts Law; and

WHEREAS, to the extent practical, the Township wishes to recognize this prior effort on the part of the public entities and remove this redundant effort in the registration of these contractors as part of the building permit application process.

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of West Windsor, County of Mercer, State of New Jersey as follows:

Section 1: Part II, General Legislation, Chapter 66, "Contractors, Registration of," shall be amended as follows:

§ 66-1 Registration requirements.

A. Except for the following entities, **[required to register pursuant to the New Home Warranty and Builders' Registration Act,]** every person and entity engaged in the business of constructing, erecting, altering, renovating, repairing, restoring, re-roofing, re-siding, moving or demolishing the whole or any part of buildings or structures; or providing carpentry, masonry, HVAC or other work typically provided by subcontractors **[(other than plumbers and electricians)]** therefor; or engaged in the construction or installation of swimming pools; or engaged in the business of erecting or altering signs, for any of which a [building] construction permit is required, shall be required to register the name of such person or firm or corporation with the Division of Code Enforcement[.];

- (1) Builders registered pursuant to the New Home Warranty and Builders' Registration Act, N.J.S.A 46:3B-1 et seq.
- (2) New Jersey Home Improvement Contractors registered in accordance with the Contractors' Registration Act, N.J.S.A 56:8-136 et seq.
- (3) New Jersey Electricians and Plumbers licensed in accordance with N.J.A.C. 13:31 et seq. and N.J.S.A. 13-32 et seq., respectively
- (4) Entities performing work for a public agency where said work has been awarded in accordance with the New Jersey Local Public Contracts Law N.J.S.A. 40A:11-1 et seq.

(5) Entities performing work for a public school where said work has been awarded in accordance with the New Jersey Local Public School Contracts Law N.J.S.A. 18A:18A-1 et seq.

(6) Entities performing work for a county college where said work has been awarded in accordance with the New Jersey County College Contracts Law N.J.S.A. 18A:64A-25.1 et seq.

B. The owner or occupant of a building or structure applying for a [**building**] construction permit required herein shall not be required to register, provided that the owner or occupant does his or her own work without use of any contractor or subcontractor and executes a sworn statement to this effect on forms supplied by the Construction Official.

C. A construction contractor, corporation or partnership needs to register only once, so long as the work is performed solely by that entity. Work performed for the contractor, corporation or partnership by a subcontractor requires registration of each subcontractor for each relevant class listed in § 66-5. Hereinafter in this chapter, all references to "contractor" shall also refer to "subcontractor."

Section 2: If any part of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portion of the ordinance. All ordinances or parts of ordinances inconsistent with this ordinance shall be repealed as to their inconsistencies only.

Section 3: This ordinance shall take effect as follows: 1) after action or inaction by the Mayor as provided by law or an override of a Mayoral Veto by the Council, whichever is applicable; 2) after publication in accordance with the law.

Introduction: August 28, 2023

Public Hearing: September 12, 2023

Adoption: September 12, 2023

Mayor's Approval: September 13, 2023

Effective Date: October 3, 2023

Explanation – Matter enclosed in bold-faced brackets [**thus**] in the above ordinance is not enacted and is intended to be omitted in the ordinance. Matter underlined thus is new matter.