

ORDINANCE NO. 2024-13

ORDINANCE OF THE BOROUGH OF MOUNT EPHRAIM, COUNTY OF CAMDEN, STATE OF NEW JERSEY, AMENDING, SUPPLEMENTING, AND REVISING CHAPTER 319 OF THE CODE OF THE BOROUGH OF MOUNT EPHRAIM ENTITLED, "RENTAL PROPERTY REGISTRATION"

WHEREAS the Borough of Mount Ephraim (the "Borough") is a municipal corporation organized and operating under the laws of the State of New Jersey; and

WHEREAS pursuant to N.J.S.A. 40:48-2.53, the Governing Body is authorized to enact an ordinance requiring registration of commercial and residential properties within the municipality by owners of said property who do not reside in nor operate a business at their properties; and

WHEREAS Chapter 319 of the Borough Code sets forth rental property registration fees and inspection fees for rental properties; and

WHEREAS the Governing Body wishes to amend these fees to cover the administrative and inspection costs associated with same and to require annual registration; and

WHEREAS pursuant to N.J.S.A. 40:48-2, the Mayor and Borough Commissioners of the Borough are authorized to enact and amend ordinances as deemed necessary for the preservation of the public health, safety and welfare and as may be necessary to carry into effect the powers and duties conferred and imposed upon the Borough by law.

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the Borough of Mount Ephraim that the Code of the Borough of Mount Ephraim is hereby amended, revised and/or supplemented as follows:

SECTION 1: Chapter 319, Section 3, entitled "Registration and licensing required; term," is hereby amended, supplemented, and revised as follows:

§ 319-3 Registration and licensing required; term.

Each rental unit within a rental facility hereinabove defined shall be registered for a period of one year or with each change in occupancy, whichever shall occur first. The license term shall commence on March 31 of each year, and shall be valid for a period of 12 calendar months or upon a change of occupancy, whichever shall occur first, at which time the license shall expire and a new registration shall be required. No rental facility or portion thereof shall be rented unless the rental facility and units therein are registered and licensed in accordance with this chapter.

SECTION 2: Chapter 319, Section 10, entitled "License," is hereby amended, supplemented, and revised as follows:

§ 319-10 License.

Upon the filing of a completed registration form, payment of the prescribed fee, and a satisfactory inspection, the owner shall be entitled to the issuance of a license, which shall be valid for the period of one year. As hereinbefore stated, should a change in occupancy occur within the license period, the license shall be void and, upon the filing of a completed registration form, payment of

the prescribed fee and a satisfactory inspection, the owner shall be entitled to a new license as to the new tenant, commencing on the date of issuance.

SECTION 3: Chapter 319, Section 11, entitled "Fees," is hereby amended, supplemented, and revised as follows:

§ 319-11 Fees.

- A. Inspections. Failure to contact the inspector's office within 30 days of registration, or reregistration, to set up an inspection date will result in the issuance of a violation notice stating that an inspection must be scheduled within the next 20 days; an additional administrative fee of \$50 will be assessed.
- B. Registration fees. At the time of the filing of the registration form and prior to the issuance of a license, the owner or agent of the owner must pay a fee in accordance with the following:
- (1) A registration fee of \$50 per rental unit or single-family home, which shall be payable annually.
 - (2) An inspection fee of \$75 per rental unit.
 - (3) A fee of \$20 per unit in accordance with N.J.S.A. 52:27D-437.10 and N.J.A.C. 5:28A-2.2(b), to be deposited into the Lead Hazard Control Assistance Act Fund under the administration of the New Jersey State Department of Community Affairs.
 - (4) Change in tenancy during the licensing period requires the issuance of a new license. Registration and inspection fees as outlined in Subsection B(1) and (2) above will be applicable.
 - (5) A reinspection fee of \$75 per rental unit/per inspection shall be assessed for any reinspection conducted as a result of violations which require correction by the owner during the licensing period.
 - (6) If the owner of the property is a senior citizen who resides in a rental unit of the rental facility and rents out the remaining unit(s), and would otherwise qualify under the State of New Jersey property tax deduction pursuant to N.J.S.A. 54:4-8.41, there shall be no fee.
 - (7) If any fee is not paid within 30 days of its due date, a late fee surcharge of \$40 will be assessed.

SECTION 4: Chapter 165, Section 16, entitled "Rental property registration," is hereby repealed in its entirety.

SECTION 5: Except as set forth in Sections 1 through 4, the balance of the Code of the Borough of Mount Ephraim shall not be affected by this Ordinance.

SECTION 6: All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 7: If the provisions of any section, subsection, paragraph, subdivision, or clause of this Ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment

shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this Ordinance.

SECTION 8: This Ordinance shall take effect immediately upon final passage and publication in accordance with law.

BOROUGH OF MOUNT EPHRAIM

Date of Introduction: November 6, 2024
Date of Adoption: December 4, 2024

Approved: _____
Mayor Susan M. Carney

Attest: _____
Terry Shannon, Borough Clerk