

TOWNSHIP OF MAPLEWOOD



ORDINANCE

2772-15

**AN ORDINANCE
CHAPTER 209
OF THE CODE
OF THE
TOWNSHIP OF MAPLEWOOD
ENTITLED
"RENTAL PROPERTIES"**

"Interpretive Statement"

This ordinance will exempt the periodic inspection period for newly constructed apartments or dwelling units in excess of four (4) rental units from once every twenty-four (24) months until after two (2) State of New Jersey licensing periods after the issuance of a Certificate of Occupancy.

WHEREAS, dwellings of four (4) units or more are subject to inspection by the State of New Jersey; and

WHEREAS, the Township of Maplewood Construction Official in coordination with the Township of Maplewood Code Enforcement Sub-Committee have made a recommendation regarding inspections for newly constructed apartments and/or dwelling units in excess of four (4) units.

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Maplewood, County of Essex, State of New Jersey that Chapter 209 of the Code of the Township of Maplewood entitled "Rental Properties" be amended as follows:

FIRST: Section 209-28 Periodic Inspections

Shall be amended to read as follows:

- A. Each rental unit shall be inspected at least once every twenty-four (24) month period. If there are reported issues within a unit or building, then the subject site shall be inspected once every twelve (12) months until two (2) inspections have passed without critical or major issues. Appointments for inspections shall be scheduled at reasonable times and upon notice to the owner and tenant.

Newly constructed apartments and/or dwelling units in excess of four (4) rental units are exempt from this inspection for two (2) State of New Jersey licensing periods after the Certificate of Occupancy is issued provided there are no violations filed with the Township Building Department and the property is properly registered and inspected with and by the State of New Jersey as required by the Hotel and Multiple Dwelling Code.

- B. Such inspections shall be performed by such person, persons or agency duly authorized and appointed by the Township of Maplewood and inspections made by persons or an agency other than the duly authorized and appointed person, persons or agency of the Township of Maplewood shall not be used as a valid substitute.
- C. Such inspection shall be for the purpose of determining Chapter 271 (Zoning and Development Regulations) compliance, and to the extent applicable, to determine whether the property complies with Chapter 203 (Property Maintenance), and any other municipal code appropriate for the conditions observed.
- D. Unsatisfactory inspection. In the event that the inspection(s) of a rental unit does not result in a satisfactory inspection, such property shall not thereafter be registered nor shall a license issue, and the owner of the property or his agent shall not lease or rent such property nor shall any tenant occupy the property until the necessary corrections have been made so as to bring the property and rental unit into compliance with the applicable code and the property is thereafter subsequently inspected, registered and licensed. In the event that the property is occupied when such conditions are discovered, all such corrections shall be made within sixty (60) days, and if not made within that time period, the owner shall be deemed in violation of this article, and every day that the violation continues shall constitute a separate and distinct violation, subject to the penalty provisions of this article.
- E. An inspection made by the Township for a Certificate of Continued Occupancy pursuant to Chapter 204 of the Code of the Township of Maplewood shall satisfy the requirements of Subsection A of this section.

All other sections shall remain unchanged.

SECOND: Severability

If any section, paragraph, subparagraph, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the specific section, paragraph, subparagraph, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

THIRD: Repeal of Prior Ordinances

Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance be and the same are hereby repealed to the extent of any such inconsistencies.

FOURTH: Effective Date

This Ordinance shall take effect after final passage and publication and as provided by law.

PUBLIC NOTICE is hereby given that the foregoing proposed Ordinance was introduced and read by title for the first time at a meeting of the Township Committee of the Township of Maplewood, held on March 3, 2015, and that Committee met again on March 17, 2015, at 7:30 p.m. at the Municipal Building, 574 Valley Street, Maplewood, New Jersey, at which time and place the Township Committee held a hearing and proceeded to consider the said Ordinance on second reading and final passage.

ELIZABETH J. FRITZEN, R.M.C.
Township Clerk