

**ORDINANCE OF THE TOWNSHIP OF PENNSAUKEN,
COUNTY OF CAMDEN, STATE OF NEW JERSEY,
AMENDING ARTICLE III. REGISTRATION OF RENTAL
PROPERTIES, IN CHAPTER 251, RENTAL UNITS, OF
THE CODE OF THE TOWNSHIP OF PENNSAUKEN**

BE IT ORDAINED by the Township Committee of the Township of Pennsauken, County of Camden, and State of New Jersey, that Article III. Registration of Rental Properties, in Chapter 251, Rental Units, in the Code of the Township of Pennsauken is hereby amended as follows:

ARTICLE III.

Registration of Rental Properties

ARTICLE I. ARTICLE III. SECTION 251-28 Purpose and Intent.

It is the purpose and intent of the Township Committee to protect the health, safety, and welfare of the residents of Pennsauken Township and to ensure owners and occupants share responsibility to prevent and avoid nuisances in the township. The purpose of this Article is to identify Rental Property in the Township of Pennsauken, to ensure that such properties afford tenants a safe and decent place to dwell, and to require Rental Property with substandard conditions to meet and maintain minimum building and housing code standards, exterior maintenance standards, and to reduce criminal activity. The Pennsauken Township Committee has determined that requiring that all Rental Properties be registered with the township and inspected serves these legitimate governmental interests.

**ARTICLE II. ARTICLE III. SECTION 251-29 Registration of
Rental Properties.**

A. Pursuant to the provisions of this Chapter, the Township committee, or its designee, shall establish a registry cataloging each Rental Property within the Township of Pennsauken, containing the information required by this Article.

(1) Without in any way intending to infringe upon the requirements of N.J.S.A. 46:8-28, all rental units shall be inspected as provided herein. Every Owner of Rental

Property shall, prior to permitting occupancy thereof by any person (or, within sixty (60) days of the enactment of this Ordinance) register the property with the Code Enforcement Department, or its designee, on forms or other manner as directed. A separate registration is required for each Rental Property. Registration shall be required annually becoming due on the anniversary date of the initial obligation to register.

(2) Registration pursuant to this section shall contain the name(s), direct mailing address, a direct contact name, telephone number, and e-mail address for the Owner or Owners of the rental business if not the same person(s). In case of partnership, the names and addresses of all the general partners shall be provided together with the valid telephone numbers for each of such individuals. A physical location of where said person(s) can be found during normal business hours for the purpose of service of any notices or orders which may be necessary shall be provided.

(3) If the record owner is a corporation, the name and address of the registered agent and cooperate officers of said corporation including the addresses and telephone numbers of the corporate officers. A physical location of where said person(s) or the registered agent can be found during normal business hours for the purpose of service of any notices or orders which may be necessary shall be provided.

(4) If the address of any recorded owner is not located within twenty-five (25) miles of the Township of Pennsauken, the name and address of a person who resides within twenty-five (25) miles of the Township of Pennsauken who is authorized to accept notices from a tenant and to issue receipts therefor and to accept service of process on behalf of the record owner. The address shall be a physical location of where said person(s) or registered agent can be found during normal business hours.

(5) The name, addresses and telephone number of an individual representative of the record owner or managing agent who may be reached or contacted at any time in the event of an emergency affecting the premises or any unit of dwelling space therein, including such emergencies as the failure of any essential service or system, and who has the authority to make emergency decisions concerning the building and any repair thereto or expenditure in connection

therewith. The addresses shall be a physical location of where said person(s) can normally be found during regular business hours and normally found during off hours.

(6) The name and address of every holder of a recorded mortgage on the premises.

(7) As to each rental unit, a specification of the exact number of sleeping rooms contained in the rental unit, and the exact number of sleeping accommodations contained in each of the sleeping rooms, identifying each sleeping room specifically by number and location within the apartment or dwelling, and by the square footage thereof. In order to satisfy the requirements of this provision, an owner shall submit a floor plan which shall become part of the application and which shall be attached to the rental inspection application form when filed by the Township Rental Coordinator.

(8) Such other information as may be prescribed by the Township

B. If the Owner does not reside within twenty-five (25) miles of the Rental Property, the name and twenty-four (24) hour contact phone number for the Property Manager. The registration shall also identify the name(s), direct mailing address, a direct contact name, telephone number, and e-mail address for the all persons authorized by the Owner to occupy the Rental Property.

C. At the time of initial registration, each registrant shall pay a non-refundable annual registration fee of \$350.00 for each registration required this section. Subsequent annual registrations as required by this Article are due within ten (10) days of the expiration of the previous registration. Said fees shall be used to offset the costs of: (1) registration and registration enforcement, (2) code enforcement and mitigation related to Rental Properties, (3) and for any related purposes as may be adopted in the policy set forth in this Article. Said fees shall be deposited to a special account in the Pennsauken Township dedicated to the cost of implementation and enforcement of this Ordinance, and fulfilling the purpose and intent of this Article.

D. Any person or other legal entity that has registered a property under this section must report any change of information contained in the registration within ten (10) days of the

change. No fee shall be required for the filing of an amendment except where the ownership of the premises is changed.

E. Copy to occupants and tenants. Every owner shall provide each occupant or tenant occupying a rental unit with a copy of the rental inspection application form required by this Article. This subsection shall not apply to any hotel, motel or guest house registered with the State of New Jersey pursuant to the Hotel and Multiple Dwelling Act as defined in N.J.S.A. 55:13A-3. This subsection may be complied with by posting a copy of the Certificate of Inspection in a conspicuous place within the rental unit(s).

F. If the Rental Property is sold, the new Owner is subject to all the terms of this Article. If the new Owner does not immediately occupy the property, the new Owner shall register the Rental Property or update the existing registration within ten (10) days of the sale. Any and all previous unpaid fees, fines, and penalties at the time of initial registration and/or renewal registrations were required and are subject to enforcement per this Article. The previous Owner will not be released from the responsibility of paying all previous unpaid fees, fines, and penalties accrued during that Owner's involvement with the Rental Property. The provisions of this section are cumulative with and in addition to other available remedies. Moreover, the Township of Pennsauken is authorized and empowered to collect on the previous Owner's non-payment of previous fees, fines, and penalties in any lawful manner.

G. Properties registered as a result of Chapter 244 (Property, Vacant, Foreclosed and Abandoned) are not required to be registered under this Article.

**ARTICLE III. ARTICLE III. SECTION 251-30 Maintenance of
Rental Properties.**

A. Properties subject to this Article shall be kept free of weeds, overgrown brush, dead vegetation, trash, junk, debris, building materials, any accumulation of newspaper circulars, flyers, notices, except those required by federal, state or local law, discarded personal items including, but not limited to, furniture, clothing, large and small appliances, printed material, or any other items that give the appearance that the property is abandoned.

B. The property shall be maintained free of graffiti or similar markings by removal or painting over with an exterior grade paint that matches the color of the exterior structure.

C. Front, side, and rear yards, including landscaping, shall be maintained in accordance with the applicable code(s) at the time registration is required.

D. Yard maintenance shall include, but not be limited to, grass, ground covers, bushes, shrubs, hedges or similar plantings, decorative rock or bark or artificial turf/sod. Acceptable maintenance of yards and/or landscape shall not include weeds, gravel, broken concrete, asphalt or similar material.

E. Maintenance shall include, but not be limited to, watering, irrigation, cutting and mowing of required ground cover or landscape and removal of all trimmings.

F. Pools and spas shall be maintained so the water remains free and clear of pollutants and debris and shall comply with the regulations set forth in the applicable code(s).

G. Failure of the Owner to properly maintain the property may result in a violation of the applicable code(s) and issuance of a citation or notice of violation in accordance with the applicable code of the Township of Pennsauken. Pursuant to a finding and determination by the Pennsauken Sheriff, Magistrate or a court of competent jurisdiction, the Township of Pennsauken may take the necessary action to ensure compliance with this section.

H. In addition to the above, the property is required to be maintained in accordance with the applicable code(s) of Pennsauken Township.

ARTICLE IV. ARTICLE III. SECTION 251-31 Violations, penalties.

A. Any person, firm, association or corporation violating any of the provisions of this article shall, upon conviction, be subject to one or more of the following: a fine of not less than \$500.00, but not exceeding \$2,000.00, and/or imprisonment in the county jail for a term not exceeding 90 days, and/or a period of community service not exceeding ninety (90) days, in the discretion of the Municipal Court Judge.

B. Any person, firm, association or corporation who is convicted of violating this article within one year of the date of a previous violation and who was fined for the previous

violation shall be sentenced by the court to an additional fine as a repeat offender. The additional fine imposed by the court upon a person, firm, association or corporation for a repeated offense shall not be less than the minimum or exceed the maximum fine fixed for a violation of the article but shall be calculated separately from the fine imposed for the violation of the article.

C. If the Rental Property is not registered, or either the registration fee or the renewal fee is not paid within thirty (30) days of when the registration or renewal is required pursuant to this section, a late fee equivalent to ten percent (10%) of the registration fee shall be charged for every thirty-day period (30), or portion thereof, the property is not registered and shall be due and payable with the registration. This section shall apply to the initial registration and registrations required by subsequent Owners of Rental Property. Registrations delinquent greater than thirty (30) days are also subject to additional fines as described herein.

D. Failure of the Owner of record to properly register or to modify the registration to reflect a change of circumstances as required by this ordinance is a violation of this Article and shall be subject to enforcement by any of the enforcement means available to the Township of Pennsauken

E. If any property is in violation of this Article the township may take the necessary action to ensure compliance with and place a lien on the property for the cost of the outstanding obligation and any additional cost incurred to the property into compliance.

F. The foregoing penalties shall be in addition to any other penalty provided in this article and shall be in addition to those penalties set forth in N.J.S.A. 46:8-35.

ARTICLE V.

All Ordinances contrary to the provisions of this Ordinance are hereby repealed to the extent that they are inconsistent herewith.

ARTICLE VI.

This Ordinance shall take effect upon passage and publication according to law.

THE TOWNSHIP OF PENNSAUKEN

BY: JACK KILLION, MAYOR

ATTEST:

GENE PADALINO, TOWNSHIP CLERK

The foregoing Ordinance was introduced by the Township Committee at its regular meeting held on June _____, 2018. This Ordinance will be considered for adoption on final reading and public hearing to be held on June _____, 2018 at 5:30 p.m. in the Meeting Room, Pennsauken Township Building, 5605 North Crescent Boulevard, Pennsauken, New Jersey.

The purpose of this Ordinance is to make certain changes to the Fee Schedule for rental property inspections as required in this Chapter in and for the Township of Pennsauken. A copy of this Ordinance is available at no charge to the general public between the hours of 9:00 AM to 5:00 PM, Monday through Friday (Legal Holidays excluded), at the Office of the Township Clerk, Pennsauken Township Building, 5605 North Crescent Boulevard, Pennsauken, New Jersey.