

**ORDINANCE 2016-19**

**ORDINANCE OF THE TOWNSHIP OF BARNEGAT, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 64 OF THE CODE OF THE TOWNSHIP OF BARNEGAT ENTITLED, "RENT LEVELING".**

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Barnegat, County of Ocean, State of New Jersey, that Chapter 64 of the General Code of the Township of Barnegat is hereby amended and supplemented as follows:

**SECTION 1.** Chapter 64 is hereby amended to reflect that the phrase "Rent Leveling Board" shall replace "Township Administrator" or "Administrator" wherever it is included in Chapter 64.

**SECTION 2.** The purpose of the aforementioned modification to the Township Code is to replace "Township Administrator" and/or "Administrator" with "Rent Leveling Board" which will be reinstated as set forth herein below.

**SECTION 3.** Section 9 entitled "Rent Leveling Administrator" is hereby deleted in its entirety, and its place new Section 9 shall be inserted as described herein below:

A. Board Created. There is hereby created a Rent Leveling Board within the Township of Barnegat. The Board shall consist of five (5) regular members of whom one (1) shall be a representative of each mobile home park landlord, one (1) shall be a tenant from each mobile home park and one (1) shall be an At-Large Barnegat resident, not a resident of either mobile home park. The Chairman shall be chosen from among the non-landlord-tenant members. All members shall be appointed by the Township Committee and shall serve, commencing with the initial appointments, terms of one (1) year, two (2) years, three (3) years, four (4) years and five (5) years, respectively, and thereafter terms of five (5) years, respectively, and thereafter terms of five (5) years, commencing the first day of January of the year of their appointments. There shall be three (3) alternates, appointed annually by the Township Committee, to serve in the absence or disqualification of a corresponding regular member, one (1) of whom shall be neither a representative of a landlord nor a tenant of a mobile home park, one (1) of whom shall be a representative of a landlord of one of the mobile home parks, and one (1) of whom shall be a tenant of a mobile home park. Vacancies shall be filled for the balance of the terms. Members shall not hold any other elective office or position in the Township. The members of the Board shall serve without compensation, but shall be reimbursed for reasonable and necessary expenses. The Board shall have available to it such clerical assistance as is

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budgeted annually by the Township Committee. No members shall vote upon or enter into discussions as to any matter in which he has a direct or indirect interest, financial or otherwise.

**SECTION 4.** Section 10 entitled “Appeals” is hereby deleted in its entirety. New Section 10 shall be inserted and as described as follows:

Both the landlord and tenant may appeal any decision of the Rent Leveling Board to the Superior Court of New Jersey, Law Division, within forty-five (45) days of the date of the final determination. There shall be no appeal available by the landlord or tenant to the Township Committee.

**SECTION 5.** All meetings of the Rent Leveling Board shall be held at the Township Municipal Building, in the Township Municipal Court Room.

**SECTION 6.** Other than as modified herein above, all terms and conditions of Ordinance 2014-27 and Chapter 64 of the Township Code are reaffirmed in their entirety.

**SECTION 7.** The Township Committee authorizes the Mayor, Township Clerk and Township Administrator to execute any and all necessary documents in order to implement the intent of this Ordinance.

**SECTION 8.** The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

**SECTION 9.** Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

**SECTION 10.** This Ordinance shall take effect upon publication in an official newspaper of the Township, as required by and in conformance with law.

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**NOTICE**

**NOTICE IS HEREBY GIVEN** that the foregoing Ordinance was introduced and passed on the first reading by the Township Committee of Barnegat, County of Ocean, State of New Jersey on **June 14, 2016 at 6:30 p.m.**, or as soon thereafter as the matter may be reached and considered, at the Barnegat Township Municipal Building located at 900 West Bay Avenue, Barnegat, New Jersey. The Ordinance will be considered for second and final reading at a meeting of the Township Committee on **July 5, 2016, at 6:30 p.m.**, or as soon thereafter as the matter may be reached and considered, at the Barnegat Township Municipal Building located at 900 West Bay Avenue, Barnegat, New Jersey. At that time the public is invited to ask questions, raise objections or provide public comment with regard to the proposed adoption of this Ordinance.

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Michele Rivers, RMC, Township Clerk

**CERTIFICATION**

I, Michele Rivers, Municipal Clerk of the Township of Barnegat, County of Ocean State of New Jersey do hereby certify that the foregoing Ordinance was duly adopted on second reading by the Barnegat Township Committee at their meeting held on the 5<sup>th</sup> day of July 2016.

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Michele Rivers, RMC  
Township Clerk

Prepared by:

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