

ORDINANCE NO. 2021-17

**ORDINANCE OF THE TOWNSHIP OF BARNEGAT,
COUNTY OF OCEAN, STATE OF NEW JERSEY
AMENDING AND SUPPLEMENTING CHAPTER
63B OF THE TOWNSHIP CODE ENTITLED
“RENTAL PROPERTIES”**

NOW THEREFORE BE IT ORDAINED by the Mayor and Township Committee of the Township of Barnegat, County of Ocean, and State of New Jersey as follows:

SECTION 1. Chapter 63B of the Township Code entitled “Rental Properties” is hereby amended and supplemented to read as follows:

§63B Rental Properties.

63B-1. Rental inspection required upon initial occupancy or change of occupancy.

A. All buildings and structures, and units thereof, that are leased or rented within the Township of Barnegat for living or sleeping purposes shall be inspected by the Zoning Official, Construction Code Official or a duly authorized representative on every initial occupancy or change of occupancy after the effective date of the ordinance. All buildings and structures and units thereof which are leased or rented and are not currently occupied at the time this ordinance takes effect shall be considered an initial occupancy and subject to the inspection provisions hereof. This provision shall apply to all units leased for a term of one (1) month or more. All buildings and structures and units thereof rented as hotels, motels and rooming houses and boarding houses which are rented on a short term basis (less than thirty (30) days) are required to obtain a rental permit and shall be required to have one rental permit inspection for each residentially rented building structure or unit thereof in any calendar year.

B. In lieu of interior inspection, property owners may file the following notarized affidavits on forms that shall be provided by the Construction Code Official certifying that:

(1) All smoke alarms, carbon monoxide alarms, and portable fire extinguishers have been installed, tested and are operational pursuant to the New Jersey Uniform Fire Code.

DASTI & ASSOCIATES

ATTORNEYS AT LAW

310 Lacey Road
P.O. Box 779
Forked River, N.J. 08753

(2) The interior is maintained in a clean, safe, and satisfactory manner condition and in a manner that complies with all applicable Barnegat Township Ordinances and provisions of the New Jersey Uniform Construction Code.

63B-2. Unchanged.

63B-3. Unchanged.

63B-4. Unchanged.

63B-5. Unchanged.

63B-6. Unchanged.

63B-7. Unchanged.

63B-8. Unchanged.

SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

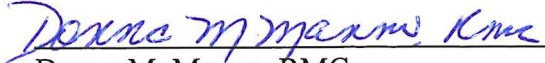
SECTION 4. This ordinance shall take effect after second reading and publication as required by law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed by the Township Committee on first reading at a meeting of the Township Committee of the Township of Barnegat on the 3rd day of August, 2021, at 10:00 AM and will be considered for second and final passage at a meeting of the Township Committee to be held on the 7th day of September, 2021, at 6:30 PM at the Municipal Building located at 900 West Bay Avenue, Barnegat, New Jersey, at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.

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Donna M. Manno, RMC
Township Clerk

**CERTIFICATION IN LIEU OF
INTERIOR INSPECTION FOR RENTAL PROPERTY
CERTIFICATION**

This Certification applies solely to the interior of the dwelling. Barnegat Township will conduct an inspection to ensure that the exterior of the house, the property, all accessory buildings, structures, shed, fence, pool, hot tubs, decks, etc. are maintained in a clean, safe, and satisfactory condition and in a manner that complies with all applicable Barnegat Township Ordinances and provisions of the New Jersey Uniform Construction Code.

Dwelling Location: Block: _____ Lot: _____

(not mailing address) Street: _____

Municipality: _____ County: _____

***NOTE: ALL BOXES MUST BE CHECKED IN ORDER FOR CERTIFICATION TO BE VALID**

- ☐ An inspection of the premises has been conducted by the owner or an authorized representative of the owner.
- ☐ The interior of is clean, safe, free from any and all hazards and debris. All windows, doors, or screens are operational, fit properly, and have no holes.
- ☐ Any and all holes have been repaired and painted and are in an overall satisfactory condition.
- ☐ Any leaking pipes have been repaired.
- ☐ All electrical service equipment, such as cable, meter socket, panel and service mast, and all interior light fixtures are properly supported and secured. There are no exposed connections, missing outlets, switch plates, junction boxes and/or wiring that is not terminated in the proper junction box. There are no extension cords, nor will they be used or substituted for permanent wiring.
- ☐ Entry door deadbolts, if any, are not keyed on the interior.
- ☐ Anti-tip devices are installed on the kitchen range.
- ☐ Safety relief valves on waters heaters and boilers are piped downward approximated 6" to the floor (not through the floor), with no reducers or threads on the bottom.
- ☐ Cold water is on the right side and hot water on the left side of all faucets and valves.
- ☐ All dryer exhaust vents are metallic flexible or rigid pipe, not thin foil or plastic.
- ☐ Exhaust fans in any bathrooms without a window (if applicable) are functioning properly.
- ☐ All stairways are secure and, if applicable, have handrails or guardrails.
- ☐ A certificate of smoke alarm, carbon monoxide alarm, and portable fire extinguisher compliance has been obtained from the Township.

Please mail certificate to: _____ Phone #: _____

_____ Fax #: _____

_____ Zip: _____

Contact person: _____ Phone#: _____

I do hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I will be subject to penalty.

Sworn and subscribed to before me this _____ day of _____, 20 _____

Notary Signature

Applicant Printed Name

Printed Signature

FOR OFFICE USE ONLY

Log Number: _____ Check Number: _____

**APPLICATION AND CERTIFICATION IN LIEU OF
INSPECTION FOR CERTIFICATE OF SMOKE ALARM,
CARBON MONOXIDE ALARM AND PORTABLE FIRE
EXTINGUISHER COMPLIANCE**

Dwelling Location: Block: _____ Lot: _____

(not mailing address) Street: _____

Municipality: _____ County: _____

***NOTE: ALL BOXES MUST BE CHECKED IN ORDER FOR CERTIFICATION TO BE
VALID**

☐ Smoke alarm on each level of the dwelling, including basements, excluding attic or crawl space; and

☐ Smoke alarm and carbon monoxide alarm outside each separate sleeping area; and within 10 feet of bedrooms

☐ All smoke alarms are in working order ☐ Carbon monoxide alarm(s) in working order

☐ Fire extinguisher is the correct size, is properly mounted, and is located within 10 feet of the kitchen

An inspection shall be conducted by the owner or an authorized representative of the owner. The smoke alarms required above shall be located in accordance with NFIPA 74; the carbon monoxide alarm(s) installed per NFPA-720.

Please mail certificate to: _____ Phone #: _____

_____ Fax #: _____

_____ Zip: _____

Contact person: _____ Phone#: _____ Closing Date: _____

I do hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I will be subject to penalty.

Sworn and subscribed to before me this _____ day of _____, 20 _____

Notary Signature

Applicant Printed Name

Printed Signature

FOR OFFICE USE ONLY

Log Number: _____ Check Number: _____

WHERE TO LOCATE ALARMS:

Alarms are to be located on every level of a residence, (basement, first floor, second floor) excluding crawl spaces and unfinished attics, and in every separate sleeping area, between sleeping areas and living areas such as the kitchen, garage, basement, or utility room. In homes with only one sleeping area on one floor, an alarm is to be placed in the hallway outside each sleeping areas as shown in Figure 1. In single floor homes with two separate sleeping areas, two alarms are required, outside each sleeping areas as shown in Figure 2. In multi-level homes, alarms are to be located outside sleeping areas and at every finished level of the home as shown in Figure 3. Basement level alarms are to be located in close proximity to the bottom of basement stairwells as shown in Figure 4.

CARBON MONOXIDE ALARMS:

Alarms are to be located in every separate sleeping area per NFPA 720 and manufacturer's recommendations.

WHERE TO LOCATE FIRE EXTINGUISHER:

Within 10 feet of the kitchen and located in the exit or travel path; and is visible and in a readily accessible location. The top of the fire extinguisher is not more than 5 feet above the floor and is mounted using manufactures hanger or brackets. The extinguisher is listed, labeled, charged and operable. The extinguisher must have been serviced and tagged by a contractor certified by the New Jersey Division of Fire Safety within the past 12 months or seller must provide a recent proof of purchasing receipt.

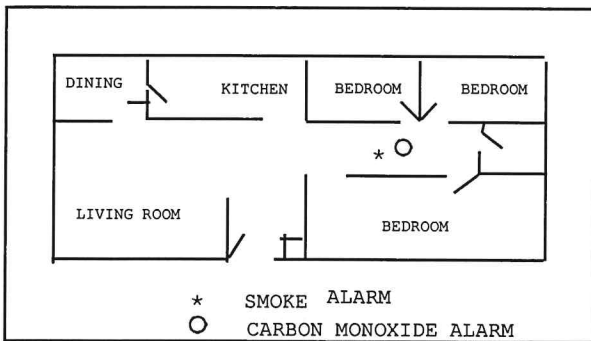


Figure 1

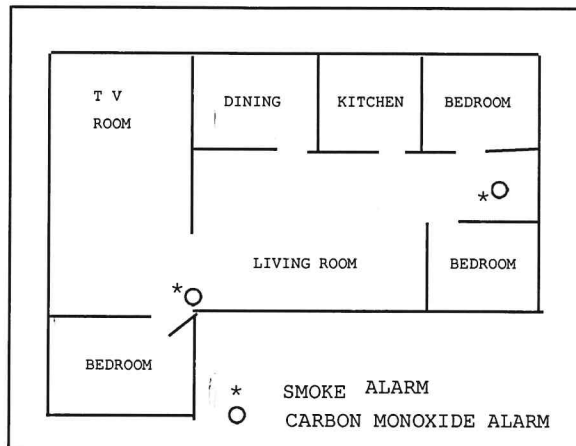


Figure 2

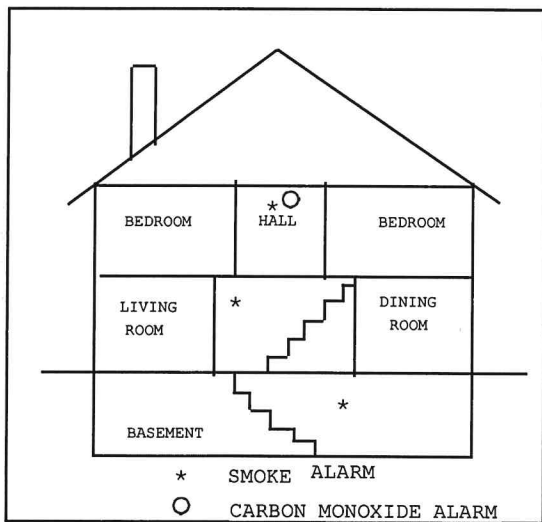


Figure 3

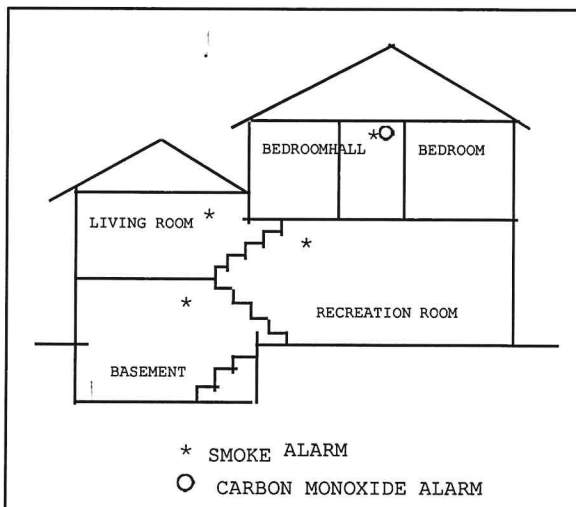


Figure 4

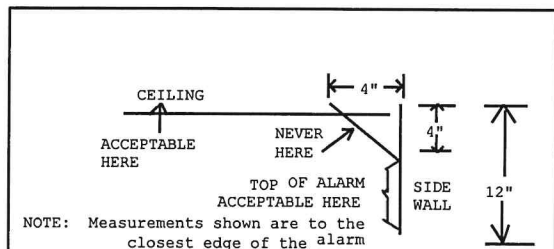


Figure 5

CERTIFICATION

I, Donna M. Manno, Municipal Clerk of the Township of Barnegat, County of Ocean, State of New Jersey do hereby certify by my hand and seal that the foregoing Ordinance namely **Ordinance 2021-17** Amending and Supplementing Chapter 63B of the Township code Entitled "Rental Properties" was introduced and passed at a meeting of the Township Committee on the 3rd day of August, 2021 and finally adopted after Public Hearing at a meeting held in the Municipal Complex, 900 West Bay Avenue, Barnegat, NJ on the 7th day of September, 2021


Donna M. Manno, RMC
Municipal Clerk

DASTI & ASSOCIATES

ATTORNEYS AT LAW

310 Lacey Road
P.O. Box 779
Forked River, N.J. 08753

DASTI & ASSOCIATES

Christopher J. Dasti

Joseph C. Falk*

Jeffrey D. Cheney

*Rule 1:40 Mediator

A Professional Corporation

Attorneys At Law

310 Lacey Road

P.O. Box 779

Forked River, New Jersey 08731

609-549-8990

Fax: 609-549-5043

www.DastiLaw.com

File No.: GL-1012

July 7, 2021

Via Email

Donna M. Manno, Township Clerk

Township of Barnegat

900 West Bay Avenue

Barnegat, NJ 08005

Re: Ordinance re 63B Rental Properties

Dear Donna:

Enclosed please find proposed ordinance and supporting forms with regard to the above-captioned matter.

If you have any questions, please contact me.

Very truly yours,

/s/ Christopher J. Dasti

CHRISTOPHER J. DASTI

CJD: bm

Encl.

Cc: Martin Lisella, Township Administrator-w/encl.-via email
John Durasky, Code Enforcement-w/encl.-via email

Township of Barnegat

COUNTY OF OCEAN

900 WEST BAY AVENUE
BARNEGAT, NEW JERSEY 08005-1298
Email: clerk@barnegat.net



MUNICIPAL OFFICES: (609) 698-0080
FAX #: (609) 698-7980
Visit Our Website: www.barnegat.net

The Beacon | THURSDAY, AUGUST 12, 2021 |

Notice is hereby given that Ordinance 2021-17, An Ordinance of the Township of Barnegat, County of Ocean, State of NJ Entitled "Amending and Supplementing Chapter 63B of the Township Code Entitled "Rental Properties", was passed by the Township Committee on first reading at a meeting held on August, 3, 2021. The Ordinance will be considered for second and final reading at a meeting of the Township Committee which is scheduled for September 7, 2021 at 6:30 p.m., or as soon thereafter as the matter may be reached, at the Municipal Building located at 900 W. Bay Avenue, Barnegat, NJ, at which time the public is invited to ask questions, raise objections, or provide public comment with regard to the proposed adoption of this Ordinance. Copies of this Ordinance are available free of charge at the Municipal Clerk's Office. Submitted by Donna M. Manno, RMC (\$9.61)

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