

ORDINANCE NO. 2023-4

**AN ORDINANCE OF THE TOWNSHIP OF
BARNEGAT, COUNTY OF OCEAN AND STATE OF
NEW JERSEY AMENDING AND SUPPLEMENTING
CHAPTER 63B-1B OF THE TOWNSHIP CODE
ENTITLED “RENTAL INSPECTION REQUIRED
UPON INITIAL OCCUPANCY OR
CHANGE OF OCCUPANCY”**

NOW THEREFORE BE IT ORDAINED by the Mayor and Township Committee of the Township of Barnegat, County of Ocean, and State of New Jersey that Chapter 63B-1B of the Township Code entitled “Rental Inspection Required Upon Initial Occupancy or Change of Occupancy” shall be amended and supplemented as follows:

SECTION 1.

§63B-1. Rental inspection required upon initial occupancy or change of occupancy. [Amended 2-18-97 by Ord. No. 1997-3; 9-7-2021 by Ord. No. 2021-17]

A. Unchanged.

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

(1) Unchanged.

(2) Unchanged.

C. Per New Jersey’s Lead Safe Certificate Law (P.L. 2021, C. 182), any rental unit constructed prior to 1978 requires an inspection to check for deteriorated paint, debris, dust or residue. Each rental unit must receive a lead safe certificate upon each rental turnover (change of tenancy) or every 3 years, whichever comes first. A lead safe certificate is valid for 2 years and if the change in tenancy occurs prior to the expiration

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of the certificate an inspection is not required. The initial inspection for all rental units must take place before July 31, 2024.

If a lead paint inspection fails, the owner/landlord must remediate the issues noted in the inspection report within 30 days. Failure to do so will result in the issuance of a notice of violation and penalty in accordance with Section 63B-7.

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 All ordinances or parts of ordinances inconsistent herewith are hereby repealed.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 1st day of January **2023**, and will be considered for second and final passage at a meeting of the Township Committee to be held on the 7th day of February, **2023**, at 10:00 AM 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.

Donna M. Manno, RMC
Municipal Clerk

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