ORDINANCE O:10-2023

AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MONROE TO AMEND CHAPTER 162 OF THE CODE OF THE TOWNSHIP OF MONROE, ENTITLED "HOUSING STANDARDS"

WHEREAS, Council of the Township of Monroe has determined that certain amendments to Chapter 162 of the Code of the Township of Monroe are necessary pursuant to the enactment of amendments to Title 40A of the New Jersey Statutes; and

WHEREAS, on June 29, 2022, the New Jersey Legislature approved and adopted amendments to Title 40A:10A-1 et seq.; and

WHEREAS, on August 5, 2022, Governor Philip D. Murphy approved P.L. 2022, c.92, amending Title 40:10A-1 et seq. to include the following requirements:

a. The owner of a business or the owner of a rental unit or units shall maintain liability insurance for negligent acts and omissions in the amount of no less than $500,000 for combined property damage and bodily injury to or death of one or more persons in any one accident or occurrence.

b. The owner of a multifamily home which is four or fewer units, one of which is owner-occupied, shall maintain liability insurance for negligent acts and omissions in an amount of no less than $300,000 for combined property damage and bodily injury to or death of one or more persons in any one accident or occurrence.

WHEREAS, the amendments require municipal enforcement of these requirements for purposes of annual registration by property owners; and

WHEREAS, pursuant to the amendments, the Township of Monroe may establish a reasonable administrative fee for the certificate of registration and may collect, through a summary proceeding pursuant to the "Penalty Enforcement Law of 1999," P.L.1999, c.274 (C.2A:58-10 et seq.), a fine of not less than $500 but not more than $5,000 against an owner who failed to comply with the provisions of this act.

WHEREAS, the provisions of the P.L.2022, c.92 took effect on November 3, 2022; and

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Monroe that the Code of the Township of Monroe is hereby amended to include the amendments herein.

SECTION I. This section, which is a part of Chapter 162, is hereby amended to add the following:

§162–27 Property Liability Insurance.

    A. Purpose and intent. It is the purpose and intent of the Township to establish a business insurance registration system within the Township to comply with Title 40A:10A-1 et seq.

    B. Liability insurance, negligent acts, omissions; business owners, rental unit, units owner.

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1. **Except as provided in subsection b. of this section, the owner of a business or the owner of a rental unit or units pursuant to N.J.S.A. 40A:10A-1 et seq. shall maintain liability insurance for negligent acts and omissions in an amount of no less than $500,000 for combined property damage and bodily injury to or death of one or more persons in any one accident or occurrence.**

2. **The owner of a multifamily home which is four or fewer units, one of which is owner-occupied, shall maintain liability insurance for negligent acts and omissions in an amount of no less than $300,000 for combined property damage and bodily injury to or death of one or more persons in any one accident or occurrence.**

C. **Certificate of insurance, annual registration, municipality business, rental units, multi-family home.**

1. **The owner of a business, owner of a rental unit or units, and the owner of a multi-family home of four or fewer units, one of which is owner occupied, shall annually register the certificate of insurance demonstrating compliance with section 1 of this act with the Township of Monroe.**

2. **For violations of any provision in this Section, a fine of not less than $500 but no more than $5,000 shall be imposed against an owner who failed to comply with the provisions of this act.**

SECTION II. All prior Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION III. If any word, phrase, clause, section or provision in this Ordinance shall be found by any Court of competent jurisdiction to be unenforceable, illegal, or unconstitutional, such word phrase, clause, section or provision shall be severable from the balance of the Ordinance and the remainder of the Ordinance shall remain in full force and effect.

SECTION IV. This Ordinance shall take effect twenty (20) days after final passage and publication as required by law.

TOWNSHIP OF MONROE

_____
CNCL. PRES., CAROLANN FOX

ATTEST:

_____
Twp. Clerk, Aileen Chiselko, RMC
or Deputy Clerk, Jennifer Harbison, RMC

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CERTIFICATION OF CLERK

The foregoing Ordinance was introduced at a meeting of the Township Council of the Township of Monroe held on the 13th day of March, 2023, and will be considered for final passage and adoption at a meeting of the Township Council of the Township of Monroe to be held on 27th day of March, 2023 at the Municipal Building, 125 Virginia Avenue, Williamstown, New Jersey 08094, at which time any person interested therein will be given an opportunity to be heard.

_____
Twp. Clerk, Aileen Chiselko, RMC
or Deputy Clerk, Jennifer Harbison, RMC

ROLL CALL VOTE

1st Reading

	AYES	NAYS	ABSTAIN	ABSENT
Cncl. Adams				
Cncl. Garbowski				
Cncl. Heverly				
Cncl. McKinney				
Cncl. O'Reilly				
Cncl. Valcourt				
Cncl. Pres. Fox				
Tally:				

2nd Reading

	AYES	NAYS	ABSTAIN	ABSENT
Cncl. Adams				
Cncl. Garbowski				
Cncl. Heverly				
Cncl. McKinney				
Cncl. O'Reilly				
Cncl. Valcourt				
Cncl. Pres. Fox				
Tally:				

The foregoing ordinance was hereby approved by the Mayor of the Township of Monroe on this _____ day of _____, 2023.

_____
MAYOR GREGORY A. WOLFE