

TOWNSHIP OF FLORENCE

ORDINANCE 2019-15

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 116 ENTITLED "PROPERTY MAINTENANCE," AND CHAPTER 2, ENTITLED "FEES," OF THE TOWNSHIP CODE OF THE TOWNSHIP OF FLORENCE TO AMEND THE INSPECTION REQUIREMENTS FOR THE RESALE OF PROPERTY WITHIN THE TOWNSHIP

WHEREAS, the Township Council of the Township of Florence is responsible for promulgating regulations to protect the health, safety and general welfare of its residents and property owners; and

WHEREAS, the Township Council of the Township of Florence recognizes that noncompliance with the provisions of Chapter 116 of the Township Code of the Township of Florence regarding inspections to buy, sell, rent, transfer, grant, lease, or otherwise dispose of ownership of property may adversely impact the public health, safety and welfare of the residents and property owners of the Township of Florence; and

WHEREAS, the Township Council of the Township of Florence has determined that in order to protect the public health, safety and welfare of residents and property owners it is necessary to amend the existing provisions of the Township Code to permit for a more effective and efficient process of abating violations of Chapter 116, particularly with respect to the resale of property located within the Township of Florence; and

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Florence in the County of Burlington, State of New Jersey that Chapter 116 of the Township Code be and is hereby amended as follows:

ARTICLE I: AMENDED SECTIONS. Chapter 116 of the Township Code of the Township of Florence, entitled "Property Maintenance" is hereby amended to read as follows:

1. Chapter 116, Section 4 (§116-4) shall be amended to read as follows:

No owner, owner of rental properties, agent of owner, buyer, real estate agent or broker, firm, company, partnership, corporation or person or persons shall buy,

sell, rent, transfer, grant, lease, let, mortgage with right of occupancy or otherwise dispose of the ownership or occupancy thereof, whether or not for a consideration and whether such disposal of ownership or occupancy is temporary or permanent, any residential dwelling unit, motel apartment, rental unit or premises on which a building is located and is used for human occupancy or commercial purposes unless a continued certificate of occupancy (CCO), certifying that the building and premises are in compliance with all ordinances of the Township of Florence, shall first be obtained from the Construction Code Official or the appropriate official as designated by the governing body of the Township of Florence.

The Construction Code Official, or the appropriate official as designated by the governing body of the Township of Florence, shall cause to be prepared appropriate application forms and certificates to be issued upon successful completed of inspections for such continued certificate of occupancy (CCO). Such application forms and information shall be available at the office of the Construction Code Official.

A. In the case of a resale of any residential unit or nonresidential building, structure, or rental unit and the premises or part of the premises on which they are situated in the Township of Florence, compliance with the following standards shall be utilized as a basis for determining the appropriateness of issuance of a continued certificate of occupancy.

1. *SMOKE DETECTORS - Required on all house levels habitable attic, second floor, first floor, basement, etc.) and outside of each sleeping area. The alarms are not required to be interconnected. All detectors must operate by battery or house current and must be replaced after 10 years due to changes in the State Fire Codes and NFPA 72, National Fire Protection Association standards. Ten-year sealed battery powered single station smoke alarms shall be installed and shall be listed in accordance with ANSI/UL 217. However, A/C powered or multiple-station smoke alarms installed as part of the original construction or rehabilitation project shall not be replaced with battery-powered smoke alarms.*

2. CARBON MONOXIDE DETECTORS - Required in all buildings that contain fuel burning appliances or that have an attached garage. They must be listed in accordance with UL-2034. At least one detector must be installed in the immediate vicinity of the bedrooms per NFPA-720, alarms may be battery operated. Reference: NJAC 5:70-2.3

3. KITCHEN - Stove burners, oven and broiler must operate. Consumer Product Safety Commission (CPSC) requires gas and electric ranges to have an anti-tilt bracket installed. Wall oven must operate. Stove hardware and knobs must be intact and serviceable.

4. FIRE EXTINGUISHER - Minimum size of 2A:10B:C (see additional information in housing application packet).

5. ELECTRICAL - Visual inspection of service cable at entrance to home to make sure it is solid, secured to the structure and that the jacket protecting the wiring is not frayed. Existing GFI outlets must be functioning at the time of the inspection.

6. HANDRAILS - Required for steps and stairways and must be tightly fastened and graspable.

7. PLUMBING - Protection of the Potable Water Supply in accordance with the current adopted codes and standards with amendments (ie. Backflow Prevention Devices installed for irrigation, boilers, cross connections). Water Heater must have a pressure relief valve discharge pipe (same diameter) reaching six inches above floor. Hot water temperature at the kitchen sink must be between 120-140 degrees Fahrenheit. Water Meter must be installed in accordance with Chapter 140-42 of the Township Code.

8. ROOF - If there are any interior visual evidence of active leaks a roofing certification from a licensed roofing contractor will be required.

9. EXTERIOR - Must be in compliance with the municipal code and free of maintenance violations. Grass must be mowed, any junk, trash and debris must

be removed. All significant overgrowth must be removed.

10. *STRUCTURE* - If there is a visible structural deficiency, then it must be properly addressed prior to release of CCO.

11. *HEATER CERTIFICATION* - Heater certification is required to be done by a licensed contractor and must be on the specified form (included in housing application packet). The original Heating System Certification form must be submitted. Fax or copies will not be accepted. Florence Tollgate Condominiums only) do not require heater certification. Inactive oil fill pipes and inactive above ground or in-basement fuel tanks are to be removed. Note: Boiler systems shall be certified by a licensed Master Plumber or licensed HVACR Contractor. Hot Air Furnace System shall be certified by a licensed HVACR Contractor. The certifications shall be signed and shall bear a raised professional seal.

12. *CHIMNEY CERTIFICATION* - Required for solid fuel stove or wood burning fireplaces. Certification to be performed by a qualified chimney sweep company.

13. *WORK DONE WITHOUT PERMITS* - If any work has been performed without permits (when necessary), you will be required to obtain the proper permits and have all inspections completed before a CCO will be issued; as per State requirement.

14. *OTHER* - Any visible life-safety hazards must be addressed before issuance of CCO.

15. *"NO OCCUPANCY" LETTER REQUEST* - The Florence Township Housing Office does not issue a Temporary Certificate of Occupancy. The Buyer can request a "No Occupancy" letter if the property is being purchased "As-Is" and occupancy will not occur and is prohibited until the Buyer completes all repairs, renovations, permits and certifications as may be required and a Continued Certificate of Occupancy is issued. The Housing Inspection Application form & \$60.00 inspection fee must be submitted prior to processing a "No Occupancy" letter. Also a copy of the signed contract stating as-is purchase and an

original letter written and signed by the Buyer stating they are purchasing the property As-Is and will not occupy until a CCO is issued must be submitted to the Housing Inspection Office. The Buyer is required to sign the "No Occupancy" letter at the Florence Township Housing inspection Office and a notarized copy will be given to the Buyer for the closing procedure.

- B. In the case of a rental of any residential unit or nonresidential building, structure, or rental unit and the premises or part of the premises on which they are situated in the Township of Florence, there shall be inspections and verification of compliance with the entirety of Chapter 116 to include those standards established in Section 116 Section 4.A of the Township Code.
- C. Negotiation for repairs prior to selling a property or the issuance of a continued certificate of occupancy (CCO) is at the discretion of the Construction Code Official, or the appropriate official as designated by the governing body of the Township of Florence, with the owner and potential buyer in agreement. Agreements will be in writing and will follow the requirements under § 116-18 of this chapter.

A continued certificate of occupancy (CCO) shall be granted or denied within 10 business days from the day of the application for same. In instances where, as a result of initial review of the landlord registration form, a continued certificate of occupancy (CCO) inspection is deemed to be required, a landlord registration certificate shall be issued within three business days following the successful completion of the CCO inspection.

- 2. Chapter 2 entitled "Fees," Section 2 (§2-2) entitled "Schedule A" as it relates to the section for Property Maintenance fees is hereby amended to read as follows:

	Fee
Landlord Registration Certificate	\$25
Landlord Registration Certificate Annual Renewal	\$25
Initial Inspection and first reinspection for a Continued Certificate of Occupancy for resales	\$60
Initial Inspection and first reinspection for a Continued Certificate of Occupancy for rentals	\$120
Second reinspection after initial and first reinspection for a Continued Certificate of Occupancy	\$35
Third Inspection after initial and subsequent reinspection for a Continued Certificate of Occupancy	\$50
Fourth reinspection, and subsequent reinspections, after initial series to obtain a Continued Certificate of Occupancy	\$100
Inspection and reinspection fees where the inspection is for a property owned and occupied by a senior citizen, at least 65 years of age.	No Fee
Landlord Registration Certificate where the application is for a property owned and occupied by a senior citizen, at least 65 years of age residing in a unit of the property and rents out the remaining units.	No Fee
Administrative Fee for amending a Continued Certificate of Occupancy	\$20

ARTICLE II: Repealer, Severability and Effective Date.

1. Repealer. Any and all Ordinances inconsistent with the terms of this Ordinance are hereby repealed to the extent of any such inconsistencies.
2. Severability. In the event that any clause, section, paragraph or sentence of this Ordinance is deemed to be invalid or unenforceable for any reason, then the Township Council hereby declares its intent that the balance of the Ordinance not affected by said invalidity shall remain in full force and effect to the extent that it allows the Township to meet the goals of the Ordinance.

3. Effective Date. This Ordinance shall take effect upon proper passage in accordance with the law.

JERRY SANDUSKY
COUNCIL PRESIDENT

NANCY L. ERLSTON, RMC
TOWNSHIP CLERK

TOWNSHIP OF FLORENCE
NOTICE OF PENDING ORDINANCE
Ordinance No. 2019-15

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"PROPERTY MAINTENANCE," AND CHAPTER 2, ENTITLED "FEES," OF THE
TOWNSHIP CODE OF THE TOWNSHIP OF FLORENCE TO AMEND THE
INSPECTION REQUIREMENTS FOR THE RESALE OF PROPERTY WITHIN THE
TOWNSHIP

Take Notice that the Ordinance identified above which amends Chapter 116 entitled "Property Maintenance" and Chapter 2 entitled "Fees" of the Township Code of the Township of Florence with respect to the inspection requirements and associated fees for the resale of property within the Township of Florence, has been adopted on first reading by the Township Council of the Township of Florence, County of Burlington, State of New Jersey, held on June 5, 2019. It will be considered for final passage after public hearing to be held on June 25, 2019, at 6:30 P.M. in the Municipal Complex, Council Chambers, 711 Broad Street, Florence, New Jersey.

The Ordinance will take effect immediately upon adoption and publication as required by law.

Copies of the full ordinance are on file with the Township Clerk of the Township of Florence in the Municipal Complex. Copies may be obtained free of charge on request and a copy is posted on the municipal bulletin board in the Municipal Complex at 711 Broad Street, Florence, New Jersey.

Nancy L. Erlston RMC
Township Clerk