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**AN ORDINANCE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH AND STATE OF NEW JERSEY AMENDING CHAPTER 295 OF THE CODE OF THE BOROUGH OF OCEANPORT, ENTITLED "PROPERTY MAINTENANCE" PASSED AND APPROVED ON OCTOBER 3, 2013, AS LAST REVISED AND PASSED ON FEBRUARY 19, 2015**

**SECTION 1.** BE IT ORDAINED by the Mayor and Council of the Borough of Oceanport that the following be added to Chapter 295 entitled Property Maintenance:

**NOTE:** Additions are underlined and deletions are marked by strike through.

295-2. Revisions

The following sections of the International Property Maintenance Code, 2012 Edition are hereby revised:

Chapter 1 Scope and Administration

H. Section 111, Means of Appeal, is hereby deleted

J. Section 113, Certificate of Occupancy, is hereby added as a new section to read as follows:

Section 113 Certificate of Occupancy

**113.1 Certificate of Occupancy Required for Rental/Resale and Transfer of Title; forms; fees; conditional approval:** No owner, owner of rental properties, agent of owner, real estate agent or broker, firm, company, partnership, corporation or person or persons shall sell, rent, transfer, grant, lease, let or 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 be temporary or permanent, any dwelling unit, hotel, motel, rooming unit, boardinghouse or premises on which a building is located and is used for human occupancy unless a certificate of occupancy certifying that the building and premises are in compliance with *all other ordinances* of the Borough of Oceanport. Such certificate of occupancy shall be granted or denied within 21 days from the date of the application for same.

1. The Housing Inspector shall cause to be prepared appropriate application forms for such certificate of occupancy, which forms shall be available in the Building Department. The Housing Inspector shall also cause to be prepared appropriate forms of such certificate of occupancy.

2. A charge of \$50 for rentals and \$50 for transfers of ownership, to cover the cost of inspection in connection with such applications, shall be paid to the Building Department at the time the application is filed and shall not be refundable. A charge of \$25 for re-inspections shall be paid to the Building Department prior to issuance of the certificate of occupancy.

3. Whenever the Housing Inspector shall have made an inspection of any property as herein provided in connection with a proposed sale of such property and upon determining that one or more violations of this code exist, the Housing Inspector shall, upon request of the owner of such property, distinguish between those violations that may endanger the public health or safety and those which do not. All public health and safety violations shall be corrected immediately. Upon receipt of a letter signed by any prospective purchaser of such property acknowledging the existence of those violations which do not endanger the public health or safety and accepting responsibility for the corrections of such violations, the Housing Inspector may issue a conditional certificate of occupancy enumerating the violations remaining to be corrected and specifying the time within which such violations should be corrected, which time shall be commensurate with the nature of the violations to be corrected.

Chapter 2 DEFINITIONS

Section 202 General Definitions

[A] CODE OFFICIAL. The official who is charged with the administration and enforcement of this code, or any duly authorized representative. The duly authorized representative for Certificates of Occupancy for Rentals and Transfers of Title shall be known as the Housing Inspector.

**SECTION 2.** All ordinances and resolutions or parts of ordinances and resolutions, inconsistent with this amending ordinance be and the same are hereby repealed.

**SECTION 3.** This amending ordinance shall become effective upon due passage and publication according to law.

**Introduced:** July 16, 2015

**Approved:** July 16, 2015

**Adopted:**

ATTEST:

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JEANNE SMITH  
BOROUGH CLERK

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MICHAEL J. MAHON  
MAYOR