

**CITY OF NORTHFIELD, NJ
ORDINANCE NO. 13-2022**

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 275
RENTAL UNIT REGISTRATION, OF THE CODE OF THE CITY OF
NORTHFIELD, TO IMPOSE INSPECTION REQUIREMENTS FOR
LEAD BASED PAINTS, AND REPEALING ALL ORDINANCES
HERETOFORE ADOPTED, THE PROVISIONS OF WHICH ARE
INCONSISTENT HEREWITH.**

WHEREAS, in July of 2021, Governor Murphy signed into law P.L. 2021, c. 182, which legislation amended the Lead Hazard Assistance Act (N.J.S.A. 52:21D-437.1, et seq.) as same pertains to lead-paint hazards in residential properties; and

WHEREAS, the aforesaid legislation requires municipalities to either perform inspections of certain single-family, two-family and multiple rental dwellings for lead-based hazards, or to permit the dwelling owner or landlord to directly hire a certified lead evaluation contractor; and

WHEREAS, Chapter 275, of the City of Northfield Code currently contains ordinances which provide oversight and control of the residential rental units in the City; and

WHEREAS, the Common Council is desirous of amending and supplementing these ordinances so as to enact a program requiring inspections on certain rental units to alleviate lead-based paint hazards in certain rentals.

NOW, THEREFORE BE IT ORDAINED, by the Common Council of the City of Northfield, County of Atlantic and State of New Jersey as follows:

SECTION 1: Chapter 275 Rental Unit Registration, Section § 275-3 Registration required; fee.

A. No change

Section A shall be supplemented to add subparagraphs “1” through “5” which will read as follows:

1. At the time of the filing of the registration form referred to in this Chapter, or at the time of any registration amendment due to tenant turnover, every owner shall present to the Housing Officer notice of the last tenant turnover date, as well as a valid lead-based paint evaluation report prepared by a certified lead evaluation contractor as set forth in Subsection 4 below. Should the owner fail to provide such a report within thirty (30) days of filing, the City, shall have said inspection performed with the City’s cost for same to be assessed against the landlord’s rental property as a municipal lien.

2. Should the evaluation report identify lead-based hazards, then the owner shall remediate the hazards through abatement or lead-based hazard control mechanisms. The remediation shall be confirmed through a subsequent lead-based hazard inspection. The identification of a lead-based hazard will result in the City, or the inspector retained to conduct such inspections, providing notification of same to the Commissioner of Community Affairs.
3. If there are no findings of a lead-based hazard in the initial or any subsequent inspection conducted pursuant to the provisions of Subsections 1 and 2 above, the lead evaluation inspector or representative of the City shall certify the unit as lead-safe, on a form proscribed by the Department of Community Affairs. This lead-safe certification shall be valid for two years. A copy of this certification shall be provided to the tenants of the unit inspected.
4. Notwithstanding the provisions of Subsection 1 above, a dwelling unit in a single family, two-family, or rental dwelling shall not be subject to inspection and evaluation for the presence of lead-based paint hazards if the unit:
 - a. has been certified to be free of lead-based paint;
 - b. has previously been inspected, and three years will not have passed before the next required registration of the property and there has not been a tenant turnover since the last inspection;
 - c. was constructed during or after 1978;
 - d. is in a multiple dwelling that has been registered with the Department of Community Affairs as a multiple dwelling for at least ten (10) years, either under the current or a previous owner, and has no outstanding lead violations from the most recent cyclical inspection performed on the multiple dwelling under the "Hotel and Multiple Dwelling Law," N.J.S.A. 55:13A-1 et seq.
 - e. has a valid lead-safe certification issued pursuant to Subsection 1, above.
5. Pursuant to the provisions of N.J.S.A. 52:27D-437.16, unless a unit owner demonstrates that the Department of Community Affairs has already assessed an additional inspection fee of \$20, a fee of \$20 for each inspection per unit shall be paid by the owner at the time of the registration of the unit. Said fee shall be deposited by the City into the "Lead Hazard Control Assistance Fund" established pursuant to N.J.S.A. 52:27D-437.4.

B. No change

C. No change

D. No change

E. Registration fee. The owner shall pay at the time of registration a fee of \$65, plus any fee due pursuant to subsection 5, above. An annual registration fee,

due January of each subsequent year, shall be \$65. If full payment is not received by March 1 of any year, a late fee of \$25 shall be assessed

Effective Date. This Ordinance shall take effect according to law after final passage and publication.

Repealer. All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies.

Severability. If any Section or part of this Ordinance is deemed to be invalid or illegal in any Court of competent jurisdiction then said part is severable from the Ordinance as a whole and the remaining sections or parts of this Ordinance shall remain in full force and effect.

Mary Canesi, RMC, Municipal Clerk

Erland Chau, Mayor

The above Ordinance was introduced and passed on its first reading at a regular meeting of the Common Council of the City of Northfield, New Jersey held on November 29, 2022, and will be taken up for a second reading, public hearing and final passage at a meeting of said Council held on December 13, 2022 in Council Chambers, City Hall, Northfield, New Jersey.

FIRST READING:	November 29, 2022
PUBLICATION:	December 3, 2022
SECOND READING:	December 13, 2022
PUBLICATION:	December 16, 2022