

BOROUGH OF HAMBURG

ORDINANCE NO. 05-2023

AN ORDINANCE AMENDING CHAPTER 159- RENTAL PROPERTY- OF THE CODE OF THE BOROUGH OF HAMBURG TO AMEND AND SUPPLEMENTAL THE CODE TO ADD A NEW ARTICLE II ENTITLED - BUSINESS AND RENTAL INSURANCE REGISTRATION.

WHEREAS, P.L. 2022 c. 92 recently enacted by the New Jersey Legislature and signed by the Governor into law requires the owners of certain business and rental units to maintain certain minimum liability insurance coverage; and

WHEREAS, the aforesaid statute requires such owners to annually file with the municipality in which the business is located certificates of insurance evidencing the required coverage;

NOW THEREFORE BE IT ORDAINED by the Mayor and Council of the Borough of Hamburg, County of Sussex, State of New Jersey, as follows:

SECTION 1. The Code of the Borough of Hamburg is hereby amended to provide for the addition for Chapter 159 – Rental Property – of a new Article II to provide in full as follows:

ARTICLE II

BUSINESS AND RENTAL INSURANCE REGISTRATION

159 – 6. Intent.

It is the intention of this Article to comply with the requirements imposed upon the Borough by P.L. 2022,c.92, which provides for the annual registration of certificates of insurance by business owners and the owners of rental units located in the Borough.

159 – 7. Insurance Requirements.

- a. As required by the aforesaid statute and except as provided in subsection B. of this section, the owner of a business or the owner of a rental unit or units shall maintain liability insurance for negligent acts and omissions in an amount of not 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 contains four or fewer units, one of which is owner-occupied, shall maintain liability insurance for negligent acts and omissions in an amount of not less than \$300,000 for a combined property damage and bodily injury to or death of one or more persons in any one accident or occurrence.

159 – 8. Registration Requirements.

- a. The owner of a business, the 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 file a copy of a certificate of insurance demonstrating compliance with P.L. 2022, c.92 with the Borough Clerk.
- b. A copy of the certificate of insurance shall be filed with the Borough Clerk as follows:
 1. No later than June 30, 2023;
 2. Thereafter, on or before January 15 of each and every year following enactment of this ordinance;
 3. Within 30 days of establishment of said business or rental unit(s) within the Borough of Hamburg;

159 – 9. Definition of Business.

Any person or entity offering and/or engaged in buying, selling, storing, and/or transferring merchandise, goods, real property, personal property, moneys, services and/or other items who do so for a fee, price, retainer, commission, percentage and/or other means of compensation for the purpose, stated or otherwise, of realizing a profit or other gain.

159 – 10. Registration Fee.

The filing fee to be paid for each certificate of insurance filed with the Borough Clerk shall be the sum of \$ 50.00.

159 – 11. Violations.

If the owner of a business or rental unit(s) subject to the registration requirements provided herein is found to be in violation of these provisions, a fine of not less than \$5,000 may be assessed against same through a summary proceeding in accordance with the provisions of N.J.S.A. 2A:58-10 et seq.

SECTION 2. All Ordinances or parts hereof inconsistent with the provisions of this Ordinance be and the same are hereby repealed to the extent of such inconsistencies.

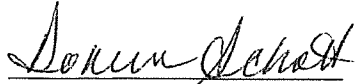
SECTION 3. Should any section, paragraph, clause or any other portion of this Ordinance be adjudged by a Court of competent jurisdiction to be invalid, such judgment shall not effect or impair the remainder of this Ordinance.

SECTION 4. This Ordinance shall take effect upon its passage and publication according to law.

CERTIFICATION

NOTICE is hereby given that the above ordinance was introduced and passed on first reading of a meeting of the Mayor and Council of the Borough of Hamburg, held on Monday March 6, 2023 at 7 p.m. and will be considered for a final passage at a regular meeting of the Mayor and Council to be held on Monday, March 20, 2023 at 7 p.m. or as soon thereafter as same can be considered, in the Municipal Building, 16 Walkill Avenue, Hamburg, New Jersey at

which time and place all persons interested therein or affected thereby will be given an opportunity to be heard concerning the same. A copy of said Ordinance is on file in the Office of the Borough Clerk, Municipal Building, 16 Wallkill Avenue, Hamburg, New Jersey and is available for public inspection during regular business hours. During the week prior and up to the time of public hearing, copies of said Ordinance will be available to the member of the general public who request the same.



Doreen Schott, RMC
Municipal Clerk

STATEMENT

The above ordinance was duly adopted by roll call vote at the March 20, 2023 Regular Meeting of the Hamburg Mayor and Council.

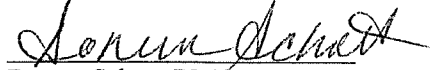
Roll Call:

Ayes: Burd, Oehler, Endres, Law, Haig, Sena

Nays: None

Abstain: None

Absent: None



Doreen Schott, RMC