

Title 5

BUSINESS LICENSES AND REGULATIONS

Chapters:

5.04 Charitable Solicitations

5.08 Junkyards

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Chapter 5.04

CHARITABLE SOLICITATIONS

Sections:

5.04.010 Defined.

5.04.020 Permit application.

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5.04.040 Age limit.

5.04.060 Terms and conditions.

5.04.070 Adopted.

5.04.010 Defined.

The township shall permit charitable organizations as defined in N.J.S. 45:17A-20 to solicit contributions in roadways situate in the township in accordance with the provisions contained herein. (Ord. 98-6 § 1)

5.04.020 Permit application.

All charitable organizations as defined in N.J.A.45:17A-20 who desire to solicit contributions situate in the township shall file an application for a permit with the township clerk on a form supplied by the clerk specifying the following information:

- A. Name of applicant organization;
- B. Address of applicant organization;
- C. Telephone number of applicant organization;
- D. Contact person of applicant organization;
- E. Specific location or location of proposed charitable solicitation;

- F. Dates and times of proposed charitable solicitation;
- G. If such request pertains to a location or locations on any county highway, or intersection of a county highway, the application shall include a copy of an authorization from the Burlington County board of chosen freeholders to permit such charitable solicitation;
- H. If such request pertains to a location or locations on any state highway or intersection of a state highway, the application shall include a copy of an authorization from the Commissioner of Transportation of the state of New Jersey to permit said charitable solicitation.
- I. Identify the manner in which the motorist solicitation will be conducted and the procedures to be used to ensure the safety of the members of the public who will be traveling the roadways situated in the township of Bass River.

(Ord. 98-6 § 2)

5.04.030 Permit.

Upon the filing of a complete application in accordance with the provisions of this chapter, the township clerk shall present same to the board of commissioners of the township for its review and consideration, after which the board of commissioners shall grant or deny the applicant's request. In the event the board of commissioners grants the applicant's request, it shall issue a permit to the applicant which shall be subject to the representations contained in the applicant's application and any conditions imposed by the board of commissioners.

(Ord. 98-6 § 3)

5.04.040 Age limit.

In no event shall any charitable organization requesting authorization from the township for such charitable solicitation use by any individual under the age of eighteen (18) years to perform any function or task associated with the charitable solicitation in any roadway.

(Ord. 98-6 § 4)

5.04.050 Terms and conditions.

Any charitable organization requesting authorization from the township for such charitable solicitation shall comply with all of the terms and conditions of N.J.S. 39:4-60, as amended by P.L. 1997, Chapter 82, approved April 30, 1997.

(Ord. 98-6 § 5)

5.04.070 Adopted.

This chapter is adopted pursuant to N.J.S. 39:4-60, as amended by P.L. 1997, Chapter 82, approved April 30, 1997.

(Ord. 98-6 § 6)

Chapter 5.08

JUNKYARDS*

Sections:

- 5.08.010 General prohibition.
- 5.08.020 Definitions.
- 5.08.030 Junkyards as nonconforming uses permitted subject to various provisions.
- 5.08.040 License and application requirements.
- 5.08.050 Regulations.
- 5.08.060 Right of refusal to renew license.
- 5.08.070 Suspension and revocation of license--Inspection.
- 5.08.080 Violation and penalties.
- 5.08.090 Modifications.

* Prior history: Ord. 90-14

5.08.010 General prohibition.

All junkyards as defined in this chapter are prohibited in all zoning districts in the township, except as set forth in this chapter and conditioned upon compliance with the licensing and regulation provisions herein contained.

(Ord. 2003-7 §3, 2003)

5.08.020 Definitions.

For the purposes of this chapter, the following terms are defined as follows:

"Automobile graveyard" means any land or building which is maintained, used or operated for storing, keeping, buying or selling wrecked, scrapped, ruined or dismantled motor vehicles. Three or more such vehicles will constitute an automobile graveyard.

"Good cause" means the violation of any of the provisions of this chapter or any false statement contained in the application for license or failure to pay any license fee when due or any conviction of the applicant during the terms for which the license was issued for the violation of any statute or law of the state of New Jersey, or any state of the United States or the United States Government arising out of and in the course of operating the junkyard.

"Junk" means any old, discarded or unused waste material of any type, whether or not it has outlived its usefulness or the original purpose, including but not limited to iron, metals, glass, paper, rags, clothes, machines, boats, automobiles, motor vehicles or parts thereof or accessories thereof, such as auto bodies and the like, and all other materials commonly or generally known as "junk" in the ordinary meaning of the word, including, without limitation, parts or portions of automobiles and discarded automobiles and automobile bodies.

"Junk dealer" means any person who deals in junk for commercial purposes or who buys or otherwise acquires or collects or stores junk within the township of Bass River.

"Junk shop" means any building within the township in which junk is stored, placed, sold or purchased.

"Junkyard" means any lands or parcels thereof on which junk is collected or placed or stored or used or sold. The term "junkyard" shall include, without limitation, automobile graveyards, junk dealers, junk shops, and, where applicable, licensed premises. This term does not include, and this chapter does not prohibit or require a license for storage of old materials to be used by persons or entities storing the same for manufacturing or other business purposes commonly used in connection with, and as an accessory and subservient part of, the normal operation of that business. However, any such old materials will be presumed to be "junk" as defined by this subsection if they are kept on site for a continuous period of more than two years.

"Licensed premises" means any lands or buildings or both for which a license has been properly issued under this chapter.

(Ord. 2003-7 §3, 2003)

5.08.030 Junkyards as nonconforming uses permitted subject to various provisions.

Where, at the effective date of the adoption of the ordinance codified in this chapter the lawful use of land or parcel thereof as a junkyard exists, such use may be continued as a nonconforming use provided it remains otherwise lawful and complies with the provisions of the ordinances of the township and the licensing procedures herein contained.

(Ord. 2003-7 §3, 2003)

5.08.040 License and application requirements.

A. Any person, entity or junk dealer who shall own, operate or maintain any junkyard shall apply for a license from the governing body of the township on or before April 1st of each year, commencing with April 1, 2004.

B. Every applicant for a license shall file with the township clerk a written application signed by the applicant(s) and the owner(s) of the premises upon which junk is located, which application shall contain the following information:

1. The name and address and endorsement of the applicant(s) and, if a firm or corporation, the names and addresses of the officers and registered agent or partners of the corporation.
2. The name and address and endorsement of the owner(s) of premises where the junkyard is located and, if a firm or corporation, names and addresses of the officers and the registered agent or partners.
3. The length of time the applicant or owner used the subject premises as a junkyard prior to the application.
4. A full description of that portion of the premises actually being utilized as a junkyard and which will therefore be the subject of the license application, including a metes and bounds description of the lands constituting the junkyard portion and the entire outside perimeter lot lines of the premises upon which a portion is utilized as the junkyard, together with a description and location of any and all buildings and improvements thereon, parking areas, description and

location of materials stored, location and structure of fencing and landscaping, and means of egress and ingress. The aforesaid description shall include a survey and site plan showing existing and proposed uses prepared and certified by a licensed professional and the applicant shall provide the names and addresses of all owners of real estate within a five hundred (500) foot radius, according to a certified tax map locator, of the outside lot lines of the premises. The applicant shall provide notice of time, place and date of the junkyard license hearing to such persons within the five hundred (500) foot radius, which will be the next regular meeting of the governing body of the township, following submission of a completed application, or such other time as the governing body may dictate.

Junkyard license applications subsequent to the initial application under this chapter may provide an affidavit of no change, if applicable, in lieu of an annual survey and site plan.

5. A description of firefighting equipment and means of egress and ingress for emergency type vehicles, and any license approval shall be conditioned upon approval of same by the local fire company representative or such other official designated from time to time by the governing body of the township.
6. Monitoring wells shall be installed as herein set forth and according to the specifications on file with the township engineer and township clerk, which such specifications shall be based upon New Jersey Department of Environmental Protection Unconsolidated Monitor Well Specifications and may from time to time be modified by resolution upon prior written notice to licensees by certified mail. Sampling of monitor wells shall be required to meet those sampling specifications based upon NJDEP's Field Sampling Procedures Manual in force at that time of sampling. Monitoring wells must be tested twice a year at applicant's sole expense. Testing shall be done by a certified laboratory and test results shall be forwarded by such laboratory directly to the township clerk and engineer. All monitoring well groundwater samples shall be analyzed for compounds listed in Table 1. A designated township official must witness sample collection. If the township desires a split sample for testing by a laboratory selected at the township's expense, the township shall notify the applicant of such request and the applicant shall be responsible for coordinating the attendance of all testing personnel required to accomplish such test. If groundwater sample analysis reveals compound concentration above New Jersey drinking water standards, applicant may, within fifteen (15) days of such results, at applicant's sole expense, retest monitoring wells under the same terms and conditions as set forth regarding regular testing. If such retest reveals compound concentration above New Jersey drinking water standards, all potable wells located within a five hundred (500) foot radius from a contaminated monitoring well must be sampled within thirty (30) days. Samples collected from potable wells must be analyzed for all contaminants detected in affected monitoring wells in accordance with drinking water standards. Should such testing reveal compound concentration above the New Jersey drinking water standards within such potable wells, then all potable wells within a one thousand (1,000) foot radius from a contaminated monitoring well must be sampled within thirty (30) days. Samples collected from such potable wells must be analyzed for all contaminants detected in affecting monitoring wells in accordance with drinking water standards.
7. A description of the means and location of draining, collection, storage and disposal of liquids from automobile or automobile parts prior to and subsequent to storage and a description of the

containing surfaces where such acts are to take place. The applicant shall provide such documentation as may be required by the governing body to insure compliance with all laws pertaining to such materials.

8. A description of and location of monitoring wells as approved by a qualified hydro-geologist, which approval shall be obtained prior to and included within the application. Any junkyard shall have a minimum of three monitoring wells with at least one well located downgradient from a potential area of contamination. One additional downgradient well for each area of potential contamination as may be required as determined by a qualified hydrogeologist. Placement of monitoring wells must be reviewed and approved by the township prior to installation. Groundwater flow direction shall be determined by a qualified professional (e.g., hydrogeologist).
9. No application will be considered unless the applicant provides proof that all municipal real estate taxes and other municipal charges are current on the licensed property.

C. The applicant shall submit a nonrefundable license application fee made payable to the township in the amount of two hundred fifty dollars (\$250.00).

D. Upon receipt, the township clerk shall present any application together with fee accompanying same to the governing body at its next regular meeting. Should the application be deemed by the governing body to be incomplete, written notification by certified mail shall be directed to the applicant, setting forth the reasons for determining that the application is incomplete. If the application is deemed complete, the governing body shall set forth when the license hearing shall take place, which shall be at the next regular governing body meeting, unless the governing body otherwise specifically provides, but in no event more than thirty (30) days after receipt of a complete application.

E. Any license granted by the township under this chapter shall expire on the 31st day of March following issuance of the license, except as provided in Section 5.08.060 of this chapter.

Table 1

Parameter	Units	Sample Type
Benzene	µg/l	grab
Methylbenzene	µg/l	grab
Naphthalene	µg/l	grab
Toluene	µg/l	grab
Total Xylenes	µg/l	grab
MTBE	µg/l	grab
TBA	µg/l	grab
Lead	µg/l	grab
Arsenic	µg/l	grab
Cadmium	µg/l	grab
Chromium	µg/l	grab
Mercury	µg/l	grab

(Ord. 2003-7 § 3, 2003)

5.08.050 Regulations.

The following regulations shall pertain to junkyards:

- A. Motor vehicles, parts of motor vehicles, or any other junk or materials upon the premises which are the subject of the license shall be stored as follows:
 1. If such motor vehicles, parts of motor vehicles or any other junk or materials upon the premises are stored in a single layer, not piled one upon the other, then such vehicles, parts of motor vehicles, or any other junk or materials shall not exceed forty (40) feet in width, and such storage configuration shall not exceed five hundred (500) feet in length. The purpose of this requirement is to allow access by EMTs, fire fighters and equipment in the event of a fire or other emergency within the licensed premises.
 2. If such motor vehicles, parts of motor vehicles, or any other junk or materials upon the premises are stored one on top of another, then such vehicles shall not be stored more than sixteen (16) feet in width. In no case shall any item or composite of items exceed thirteen (13) feet in height from ground level. Such storage configuration shall not exceed five hundred (500) feet in length. The purpose of this requirement is to allow access by EMTs, firefighters, and equipment in the event of fire or other emergency within the licensed premises.
 3. Storage of motor vehicles, parts of motor vehicles, or any other junk or materials upon the licensed premises may be a combination of storage methods set forth in subsections (A)(1) and (A)(2) of this section, but each block of vehicles shall conform to the requirements of either subsections (A)(1) or (A)(2) of this section. Within any block of vehicles, all vehicles within the block shall either be stored flat or stacked. The purpose of this requirement is to allow access by EMTs, firefighters, and equipment in the event of fire or other emergency within the licensed premises.
- B. The entire perimeter of that portion of the entire premises for which a junkyard license has been issued shall be enclosed completely on all sides by a fence approved by the governing body. In the alternative, the portion of the premises for which the junkyard license is issued may be delineated by the placement of metal posts at least four feet in height, spray painted a bright color every twenty (20) feet around the perimeter, and the eighteen (18) foot fire lane referred to in subsection M of this section shall be located adjacent to such boundary markers in the interior portion of the junkyard such that no junk or debris will be placed within eighteen (18) feet of the posts. The fire lane shall be maintained in passable condition, be kept free from grass, vegetation or overgrowth such that the posts remain clearly visible, and the posts shall be maintained such that the bright colored paint is clearly visible on each post. Further, such fire lane shall be constructed wholly upon the portion of the property licensed as a junkyard and shall not extend or encroach onto any other portion of the lot on which the junkyard is located or onto any other lot.
- C. Disposal of junk by incineration on the licensed premises is prohibited.
- D. No junk or rubbish or salvaged material of any type shall be kept without the parameters of the

monuments and fencing enclosing the licensed premises.

- E. Any excessive or unreasonable noise created by operation of the junkyard, creating a nuisance or otherwise violating any ordinance or law shall be considered a violation of the license by the licensee.
- F. No license issued pursuant to the terms of this chapter shall entitle any licensee or any person to operate under said license at, in or upon any lot, building, dwelling or location of any part thereof, other than that specified in the license. No license shall be assignable or transferable to any other place, lands or premises. A person-to-person transfer shall be permitted by the governing body upon proper application by an existing licensee. The application shall contain names and addresses of all parties to the transfer applied for, in accordance with all terms of this chapter, and shall be accompanied by a payment to the township of Bass River in the amount of fifty dollars (\$50.00). Any license so permitted to be transferred by the township of Bass River shall expire on the same date as it would had no transfer taken place.
- G. No materials of an explosive, corrosive, ignitable, or toxic nature shall be kept, stored, used, maintained or demolished on the licensed premises, except motor vehicle liquids and other materials and items normally involved in the operation of a junkyard, and in accordance with this chapter.
- H. No materials of an odorous, hazardous or environmentally detrimental nature shall be kept or maintained on the licensed premises, except motor vehicle liquids and other materials and items normally involved with the operation of a junkyard, and in accordance with this chapter and other applicable laws.
- I. The licensee shall at all times keep whatever fire equipment that has been required, pursuant to the application process, on the premises in an accessible place and maintained in operating condition, and shall at all times maintain clear and accessible egress and ingress for emergency vehicles. The following minimum equipment for fire safety shall be maintained and accessible to employees during junkyard operations:
 - 1. Portable fire extinguisher rated for class A/B/C fires.
 - 2. Telephone, labeled with the 9-1-1 dialing number for emergencies.
- J. No licensee or his agent, representative, or employee shall knowingly or illegally buy, sell, receive, dispose of, conceal or have in its possession any motor vehicle from which the manufacturer's serial number or any other number or identification mark has been removed, defaced, altered, covered or destroyed for the purpose of concealing the identity of such vehicle, except as same may be accepted by the licensee from a person or entity authorized by law to deliver such items.
- K. Any licensee or agent, representative or employee thereof who shall illegally receive or possess any goods, articles, or things which may have been stolen, and shall not have not legally obtained same from a person or entity authorized to deliver same. Should the licensee receive

any such items other than from a legal and authorized source, the licensee shall immediately notify the nearest New Jersey state troopers' barracks of the same.

- L. Any drainage, collection, storage or disposal of any liquids retrieved from automobiles or parts thereof shall be accomplished on and over a containing surface in a manner so as not to spill any such material on the ground. The licensee shall drain antifreeze and fuel from any automobile or part thereof within forty-eight (48) hours of receipt of same and prior to storage or any other disposition of such motor vehicle or motor vehicle parts. Said liquids shall be disposed of in accord with Department of Environmental Protection regulations.
- M. The interior of the junkyard shall be served by a fire lane that is eighteen (18) feet wide, terminates in a manner which provides safe and efficient entry and turn-around for fire equipment, and if present, has bridges or culverts having a highway load limit of at least ten (10) tons. The fire lane shall be kept clear of junk materials and storage that would impede access by fire equipment. Where such fire lanes enter the junkyard, such entry point will be in a straight line to allow access by fire equipment. This road shall exit onto a state, county, or municipal road or street.
- N. Storage areas for tires shall be separated from other junk materials and storage areas by a firebreak that is clear of flammable material and vegetation, to mineral soil or other road-surface material.

(Ord. 2003-7 §3, 2003)

5.08.060 Right of refusal to renew license.

A. The township, by issuing such license, reserves unto itself the right to refuse the renewal of any existing license upon a finding by the township that the operation of such junkyard at the premises used for such purpose is detrimental to the health, safety and general welfare of the public. The granting of a license under this chapter shall not be construed for any purposes as permission to the licensee to maintain any condition which would constitute a public or private nuisance, be detrimental to the environment, or maintain any condition which would violate the regulations propounded in this chapter or any other federal, state, county or local law or regulation.

B. Any licensee who has filed a timely and complete application shall be permitted to continue junkyard operations, pending the application hearing and determination, unless the governing body, upon such notice to the licensee as is reasonably possible under the circumstances, orders an immediate shutdown of junkyard operations because of a reasonable belief of imminent public or environmental hazard as a result of such operations.

(Ord. 2003-7 §3, 2003)

5.08.070 Suspension and revocation of license--Inspection.

A. The township may revoke any license at any time during the period for which the license was issued on the township's own action or on the objection of a taxpayer or inhabitant of the township, upon any violation of the provisions of this chapter, upon hearing, and upon at least twenty-one (21) days written notice by certified mail to the licensee.

B. The licensed premises shall be open to inspection by the building inspector of the township, board of health, health officer, the state trooper, or any authorized agent of the township, who shall have the right at any and all reasonable times without prior notice, to inspect any and all parts of the licensed premises to ensure compliance with this chapter, as well as applicable state and federal law.

C. In the event any license shall be revoked or voluntarily terminated, any activities permitted by the license shall cease immediately. The licensee or former licensee shall, within ninety (90) days of such revocation or termination, remove all junk from the premises, leaving the premises clean and pollution free, and provide full documentation of proper disposal of the junkyard items. Any request for an extension of time for such removal beyond the ninety (90) days herein provided, shall be made to the governing body by filing such request with the municipal clerk within forty-five (45) days of the final revocation or termination. Failure to so remove shall, in addition to any other remedies that may be provided by law, be deemed a nuisance and subject to removal by the township, the costs and expenses of which shall become a lien on the premises.
(Ord. 2003-7 §3, 2003)

5.08.080 Violation and penalties.

Enforcement in a municipal court by way of prosecution of violations of this chapter shall not be exclusive and shall not preclude other remedies that may be available at law. A person violating any portion of this chapter shall be subject to a fine of not less than two hundred fifty dollars (\$250.00) nor more than one thousand dollars (\$1,000.00), community service and/or may be imprisoned for a term not to exceed thirty (30) days.
(Ord. 2003-7 §3, 2003)

5.08.090 Modifications.

Any modifications to the terms and conditions of this chapter shall be by amendatory ordinance, except that, additional specific requirements or waiver thereof to a specific applicant during a specific application proceeding may be imposed or permitted as consistent with and as provided in this chapter.
(Ord. 2003-7 §3, 2003)

Chapter 5.12

LIQUOR LICENSES

Sections:

5.12.010 Purpose.

5.12.020 Definitions.

5.12.030 Liquor licenses and fees.

5.12.040 Revocation of license.

5.12.010 Purpose.

A new liquor license fee chapter is enacted as set forth herein. The statutes pertaining to annual license fees permit a twenty (20) percent increase annually, the board of commissioners have determined that such an increase is fair and reasonable in relation to costs incurred by the township in connection with the issuance of

licenses and the enforcement of rules and regulations by the Director of the Division of Alcoholic Beverage Control. This chapter is enacted pursuant to N.J.S.A. 33:1-1 et seq.
(Ord. 91-1 § 1)

5.12.020 Definitions.

For the purposes of this chapter the words and terms used herein shall be deemed to have the meanings accorded to them by N.J.S.A. 33:1-1 et seq., and the rules and regulations from time to time promulgated by the Director of the Division or Alcoholic Beverage Control of the state of New Jersey.
(Ord. 91-1 § 2)

5.12.030 Liquor licenses and fees.

A. Rules. All applications for licenses under this chapter and all licenses issued and proceedings held hereunder shall be subject to the aforesaid act, and the rules and regulations of the State Director.

B. Issuance. The board of commissioners of the township, being the governing body of the municipality, shall constitute the authority for the administration of the issuance of licenses under this chapter, and shall forthwith report the issuance of all such licenses to the Director of the Division of Alcoholic Beverage Control.

C. License Fees.

1. Beginning with licenses to be renewed on July 1st, 2006 and continuing thereafter for five consecutive years, there shall be an automatic annual increase for licenses each year by twenty (20) percent over the previous year, with such increase rounded down to the nearest dollar.

2. Annual license fees and number of licenses for the sale and distribution of alcoholic beverages shall be established and fixed as follows:

Class of License	Number of Licenses	Annual License Fee 2010-11
Plenary retail consumption	2	\$1,814.00
Plenary retail distribution	1	1,267.00

D. Annual license fee upon the expiration of five years. For each class of license authorized and issued within the township, the annual license fee charged shall be in effect thereafter unless the township amends this chapter further to change the license fees.

(Ord. 2006-07 §§ 1, 2; Ord. 2001-2 § 4; Ord. 91-1 § 3)

(Ord. No. 2010-03, 6-7-2010)

5.12.040 Revocation of license.

A. Any license issued under this chapter may be suspended or revoked for violation of any of the provisions of this chapter, or any other sections of other ordinances of the township, as it pertains to alcoholic beverage control, or any provisions of the act or statutes heretofore mentioned, or of any of the regulations and

rules prescribed by the Director of the Division of Alcoholic Beverage Control.

B. Proceedings for suspension or revocation shall be in accordance with the provisions of the Act, by service of a five day notice of charges served against the licensee as prescribed in the Act, and a forwarding of a reasonable opportunity for a hearing, and such suspension or revocation shall carry the penalties and prohibitions provided for in the Act.
(Ord. 91-1 § 4)

Chapter 5.16

RESIDENTIAL RENTAL UNITS

Sections:

5.16.010 Purpose.

5.16.020 Registration.

5.16.030 Certificate of occupancy for rental units.

5.16.010 Purpose.

This chapter is enacted by the board of commissioners of the township pursuant to N.J.S.A. 40:52-1 et seq., N.J.S.A. 40:48-2.12m, N.J.S.A. 40:48-1 and N.J.S.A. 46:8-28.1.
(Ord. 92-10 § 1 (part))

5.16.020 Registration.

A. **General Requirement.** All rental units shall hereafter be registered by the landlord or owner with the municipal clerk of the township on forms which shall be provided for that purpose and which shall be obtained from the municipal clerk. Such registration shall occur on an annual basis as provided herein.

B. **Registration Terms and Initial Registration Provisions.** Each rental unit shall be registered annually. The terms shall commence April 1st of each year and such registration shall be valid until March 31st of the following year at which time it shall expire and a new registration shall occur. The initial registration for 1993 shall occur within forty-five (45) days following the adoption of this chapter or April 1, 1993, whichever is later. Any lease which has been executed prior to the adoption of this chapter shall not be effected but the rental unit must nevertheless be registered in accordance with this chapter.

C. **Fees.** At the time of the filing of the registration form, the landlord or owner shall pay a fee equal to the following: one rental unit, twenty-five dollars (\$25.00) each additional rental unit, owned by the same owner(s) on the same property or different properties, fifteen dollars (\$15.00).

D. **Registration Forms, Filing, Contents, Public Inspection and Payment of Fees.** All rental units shall be registered as provided herein with every landlord or owner filing with the township a registration form for each unit contained within the building or structure at issue. The municipal clerk shall index and file the registration form and make it reasonably available for public inspection. The municipal clerk shall follow the mandates of N.J.S.A. 46:8-28.1 as amended and supplemented. The municipal clerk shall maintain a master index of all such registration forms and any person may obtain from the municipal clerk a list of all rental units properly registered and licensed upon payment of a fee to cover the costs thereof.

E. Violations and Penalties. Any landlord or owner who violates any registration provisions shall be liable for a penalty of not more than five hundred dollars (\$500.00) for each offense, which shall be recoverable in a summary proceeding pursuant to N.J.S.A. 2A:58-1 et seq. The municipal court of the township shall have jurisdiction to enforce this penalty provision.
(Ord. 92-10 § 2(1))

5.16.030 Certificate of occupancy for rental units.

A. General Provision. No person or persons shall hereafter occupy any rental unit nor shall the landlord or owner permit such occupancy of any rental unit within the township of Bass River, unless same has been registered, inspected and issued a certificate of occupancy in accordance with this chapter.

B. Application--When Required. Each time after a rental unit has been vacated but prior to each new occupancy beginning for such rental unit, the landlord or owner shall be required to obtain a certificate of occupancy from the township of Bass River. The landlord or owner shall apply to the municipal clerk for a certificate of occupancy on forms which shall be provided for that purpose and which shall be obtained from the municipal clerk.

C. Fee. At the time of filing the application for a certificate of occupancy, the owner or landlord shall pay a fee equal to the following: one rental unit - twenty-five dollars (\$25.00), each additional rental unit, owned by the same owner(s) on the same property or different properties - fifteen dollars (\$15.00).

D. Inspection. All rental units shall be inspected by an authorized agent or designated official of the township of Bass River prior to the issuance of a certificate of occupancy for the rental unit in question. The inspection shall occur within thirty (30) days from the date of the application being filed and the fee being paid by the owner or landlord for the rental unit in question.

E. Inspection Disclosing Unsatisfactory Conditions.

1. Unoccupied Property. In the event that a rental unit or units do not pass inspection, same shall not thereafter be issued a certificate of occupancy nor shall the owner or landlord, his or her agent or tenant, be permitted to occupy such property until the necessary repairs or corrections have been made so as to bring the property and rental unit into compliance so that the property may satisfactorily pass inspection. The fact that a unit has failed inspection shall not relieve the landlord or owner of the obligation to register the property in accordance with this chapter, notwithstanding that the necessary repairs have not been made. No certificate of occupancy shall be issued until such time as the authorized agent or designated official of the township is presented with satisfactory evidence that the property has been reinspected and is satisfactory.
2. Occupied Property. Whenever the property is occupied by tenant at the time of the inspection and the rental unit does not pass inspection, such unit may continue to be occupied provided that all such repairs or corrections are made within sixty (60) days of the original inspection unless the nature of the deficiency and the applicable law under which the inspection is made mandates a shorter time for repairs, in which event the short time shall govern. In the event that the conditions are not corrected within the sixty (60) day period or sooner if required by law, the

landlord, owner or any tenant occupying the unit shall be deemed in violation of this chapter and each and every day the violation continues thereafter shall constitute a separate offense.

F. Payment of Delinquent Taxes and Other Delinquent Municipal Charges. No certificate of occupancy shall be issued for any property containing a rental unit unless all delinquent municipal taxes, water charges, sewer charges and other delinquent municipal assessments are paid. The landlord or owner of the property shall nevertheless cause the rental unit to be registered in accordance with this chapter but the licensing authority shall withhold the issuance of the certificate of occupancy until such time as evidence is submitted that all of the charges referred to in this section are paid on a current basis.

G. Violations and Penalties. Any person who shall violate any section of the certificate of occupancy provisions shall be subject to one or more of the following penalties as prescribed by the municipal court judge of the township: Imprisonment in the county jail or in any place provided by the municipality for detention of prisoners for any term not to exceed ninety (90) days; or, by a fine not to exceed two thousand dollars (\$2,000.00); or, by a period of community service not to exceed ninety (90) days. Any person who is convicted or pleas guilty to a violation of the certificate of occupancy provisions of this chapter within one year of the date of a previous violation of the same chapter shall be sentenced by the municipal court judge of the township to an additional fine as a repeat offender.
(Ord. 2006-06 § 1 (part); Ord. 92-10 § 2(2))