

Ordinance

No. 15-2025

ORDINANCE OF THE BOROUGH OF WESTVILLE AMENDING CHAPTER 272, RENTAL PROPERTY, IN THE CODE OF THE BOROUGH OF WESTVILLE

BE IT ORDAINED by the Borough Council of the Borough of Westville, County of Gloucester, and State of New Jersey amending Chapter 272, Rental Property, in the Code of the Borough of Westville, as follows:

Section 1. Article I. SECTION 272-7 Inspections

- A. Each rental unit shall be inspected and given a Certificate of Occupancy upon change in ownership or upon change in tenancy or occupancy. Each rental unit shall also be inspected and receive a Certificate of Compliance on a yearly basis for compliance with the BOCA National Property Maintenance Code, the New Jersey State Housing Code and Uniform Fire Safety Act.
- B. Such inspections shall be performed by such person, persons or agency duly authorized and appointed by the Borough of Westville, and inspections made by persons or an agency other than the duly authorized and appointed person, persons or agency of the Borough of Westville shall not be used as a valid substitute.
- C. Such inspection shall be for the purpose of determining Chapter 205, Land Use and Development, compliance and, to the extent applicable, to determine if the property complies with the Property Maintenance Code, Uniform Construction Code,¹ Housing Code and/or Building Code and/or Uniform Fire Safety Act.
- D. Unsatisfactory inspection. In the event that the inspection(s) of a rental unit does not result in a satisfactory inspection, such property shall not thereafter be registered and the owner of the property or his agent shall not lease or rent such property, nor shall any tenant occupy the property, until the necessary corrections have been made, so as to bring the property and rental unit into compliance with the applicable code, and the property is thereafter subsequently inspected and registered. In the event that the property is occupied when such conditions are discovered, all such corrections shall be made within 30 days except in the case of life safety violations, then the repairs shall be made immediately or as soon as practicable after the owner is notified, and, if not made within that time period, the owner shall be deemed in violation of this article, and, every day that the violation continues shall constitute a separate and distinct violation, subject to the penalty provisions of § 272-3 of this chapter. The owner, however, shall be permitted to apply for an extension of time to make repairs or corrections so as to comply with this article, for good cause shown.

Section 2. Article I. SECTION 272-10 Issuance of Registration

Upon the filing of a completed registration form and payment of the prescribed fee and a satisfactory inspection, the owner shall be entitled to the issuance of a registration. Registrations shall be due on January 1 of each calendar year and shall expire on December 31 of that calendar year. A registration form shall be required for each rental unit, and a registration certificate shall issue to the owner for each rental unit, even if more than one rental unit is contained in the property.

Section 3. Article I. SECTION 272-11 Fees

At the time of the filing of the registration form and prior to the issuance of a registration certificate, the owner or agent of the owner must pay a fee in accordance with the following:

A. REGISTRATION FEES

An annual registration fee is required for each rental unit due and payable on or before **January 2** for a 12 month period according to the following schedule:

1. For each non-owner-occupied rental units: **\$185.00** per unit. All previously registered rental units are required to pay a full year rental regardless as to when they are actually rented. For example: if a unit previously rented and is vacant in July and August and has not renewed the registration, a full **\$185.00** is due regardless of when the unit is re-registered. All new rental units not previously rented shall be prorated for a registration **beginning the date of occupancy and expiring the succeeding year on December 31. For example, if a new rental unit is leased in July the registration would be registered for the remaining of the current calendar year and the succeeding calendar year expiring on December 31 on a pro-rated basis.**
2. If there are eight or more rental units on a property (block and lot), for each non-owner-occupied rental units: **\$80.00** per unit.

B. INSPECTION FEES

A **Certificate of Occupancy inspection fee of \$100.00** is required upon every change in ownership, tenancy or occupancy. **A Certificate of Compliance which is due yearly and included in the annual registration fee shall be completed on a yearly basis.**

Reinspection Fees for both the Certificate of Occupancy and Certificate of Compliance are as follows:

1. First reinspection: **\$50.00** per unit;
2. Second reinspection: **\$60.00** per unit;
3. Third reinspection: **\$75.00** per unit; and
4. Fourth or subsequent reinspection: **\$100.00** per unit.

C. If the owner of the property is a senior citizen or disabled citizen who resides in a unit of the property and rents out the remaining units and would otherwise qualify under the State of New Jersey property tax deduction under N.J.S.A. 54:4-8.41, there shall be no fee.

D. If any fee is not paid within 30 days of its due date, a late fee surcharge of **\$50.00** will be assessed.

E. If the occupant of a rental unit is a family member, as defined by this article no registration fee or inspection schedule shall apply, except upon change in occupancy. Registration of units occupied by family members is required and, in addition, must be accompanied by an affidavit stating the relationship of the occupant to the owner or owner's spouse.

[Added 2-11-2009 by Ord. No. 02-2009]

A. The owner of any rental unit which is still vacant six months after the end of the preceding tenancy shall notify the **Borough Code Official and/or any designee that the Borough has appointed** within five days, in writing, of said continuing vacancy.

1. "Vacancy," as it applies to a dwelling unit, is defined as:

- a. Being unoccupied by any person or persons for more than 20 days out of a month;
- b. Receiving no electricity, gas or fuel heat; or
- c. Appearing to manifest no evidence of occupancy by a person or persons, such as by lack of furniture, lack of food or clothing, lack of mail delivery or by being boarded up.

2. "Vacancy," as it applies to a commercial unit, is defined as:

- a. Lacking a main entrance open to the general public for business; or
- b. Being closed to the general public for business for more than 18 out of 24 hours per day for more than three out of seven days per week for a period of three or more weeks.

B. Said notification shall include the following information:

1. The address and location within the building of the unit.
2. The rent charged the preceding tenant and rent to be charged the proximate incoming tenant.
3. The name, address, and telephone number of the owner.
4. The name, address and telephone number of the owner's agent and/or resident manager, if any.

C. No notification shall be required with respect to any unit rented and occupied within 60 days or less from the end of the preceding tenancy.

D. The owner or other representative of any unit that has not been previously rented, which is vacant for more than 90 days, shall notify the Zoning Officer within five days, in writing, of such vacancy. Such notification shall include the name, address, telephone number of the owner and any other relevant information, such as identification of attorney, estate or relatives with knowledge of status of ownership.

Section 5. Article II SECTION 272-18 Notification of Occupancy

A. Within 60 days after submission of the report required under § 272-17 above, the landlord (in those cases involving rental units) shall notify the **Borough Code Official and/or any designee that the Borough has appointed** that the unit has been rented and occupied, with the names of the new tenant or tenants and the terms of the tenancy. Failure to have the unit rented and occupied within 90 days after the end of the preceding tenancy, except where a waiver has been granted by the Land Use Board, shall be considered a violation of this article and subject to the penalties set forth in § 272-22 of this chapter.

- B. Within 60 days after submission of the report required under § 272-17 above, the owner (in those cases not involving rental units) shall notify the **Borough Code Official and/or any designee that the Borough has appointed** that the unit has been occupied, with the names of the new occupant or occupants. Failure to have the unit occupied within 120 days from the time that the unit became vacant, except where a waiver has been granted by the Land Use Board, shall be considered a violation of this article and subject to the penalties set forth in § 272-22 of this chapter.

Section 6. Repealer

All Ordinances contrary to the provisions of this Ordinance are hereby repealed to the extent that they are inconsistent herewith.

Section 7. Severability

Each section of this Ordinance is an independent section, and the holding of any section or part thereof to be unconstitutional, void or ineffective, shall not be deemed to affect the validity or constitutionality of any other sections or parts hereof.

Section 4. Effective date

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

Introduced: November 24, 2025

Adopted: December 15, 2025

BOROUGH OF WESTVILLE

**Fritz Sims, Jr.
MAYOR**

ATTEST:

**Kathleen Carroll
DEPUTY MUNICIPAL CLERK**