

ORDINANCE NO. 2016-04

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTERS XX LICENSES GENERAL AND XXVI HOUSING AND PROPERTY OF MAINTENANCE OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BELMAR, IN THE COUNTY OF MONMOUTH, NEW JERSEY

WHEREAS, the Borough of Belmar Mayor and Council wish to amend the ordinance regarding animal houses, summer rental licenses and mercantile licenses as follows:

SECTION I. 20-2 MERCANTILE LICENSES.

20.2.2

(j) A statement, in the case of a property used for residential purposes, that the property is not one that has been subject to proceedings under Borough Ordinance 26-11, et seq., the "Animal House" ordinance, in which any person or entity was required to post the maximum amount of bond permitted thereunder during the last licensing term. Where no such statement may be provided by and certified to by the applicant, no renewal of the mercantile license shall be had for a term of twelve months.

SECTION II. 20-8 REVOCATION OF LICENSES.

20-8.1

(g) Where, in the case of a property used for residential purposes, the property has been subject to proceedings under Borough Ordinance 26-11, et seq., the "Animal House" ordinance, in which any person or entity has been required to post the maximum amount of bond permitted thereunder.

SECTION III. 26-3 Public Accommodations and Summer Rental Licenses

26-3.2 Applicability of Chapter XX, General Licensing.

Public Accommodations Licenses and Summer Rental Licenses are deemed to be forms of mercantile licenses. The provision of Chapter XX, General Licensing, shall apply to Summer Rental Licenses and Public Accommodations Licenses, ~~as enforced hereunder by the Code Official~~, provided that in the event of any inconsistency or conflict between the provisions of this Chapter and the provisions of Chapter XX, the provisions of this Chapter shall be controlling. (Ord. No. 1994-9 § 26-3.2; Ord. No. 1998-16 § 1)

26-3.5 Application Procedures.

- a. *Public Accommodations Licenses.* Applications for Public Accommodations Licenses for hotels and motels shall be in writing, on forms prescribed by the Code Official and signed by the owner of the premises or the owner's authorized agent. The Code Official may require proof of agency. The applicant shall be

required to pay the fee prescribed by Section 26-5 at the time when the application is filed. The applicant shall be required to supply the following information:

1. The street address and the tax map lot and block numbers of the premises.
2. The names and mailing addresses of all owners of the premises.
3. The name, mailing address, and daytime telephone number of the person signing the application.
4. A notarized affidavit, on a form to be furnished by the Code Enforcement Officer, in which the property owner acknowledges that he or she has:
 - (a) Retained a fully executed copy of any lease agreement executed by all adult persons who will be tenants of the dwelling unit; provided, however, that this paragraph shall not be construed to require the property owner to enter into a written lease agreement;
 - (b) Determined that each such adult tenant intends to reside in the dwelling unit as his or her permanent residence, and that he or she will not maintain any other permanent residence; provided, however, that the property owner shall not be required to make this representation if the application for the Public Accommodations License states that the licensee will comply with the provisions of subsection 26-3.12.;
 - (c) Obtained a true and correct copy of the driver's license or, if not available, alternative proof of identification, for each adult tenant.
5. The information required by ~~paragraphs a, b, c, g, and h~~ of **paragraphs a, b, e, g, h, and i**, Chapter XX, General Licensing, subsection 20-2.2.
6. A certification that the property taxes, and water bill assessments against the property, municipal water charges, municipal sewer charges and any other municipal charges or assessments pursuant to N.J.S.A. 40:52-1.2 for the premises have been paid through the preceding quarter.

Applications for Public Accommodations Licenses for rooming and boarding houses shall be made in accordance with subsection 26-8.3 of this Chapter.

The property owner shall be required to maintain in his possession and control the documents and information described in a,4. above during all times that the tenants, or any of them, are in possession of the dwelling unit and for at least one (1) year following the termination or expiration of the license issued in connection therewith; provided, however, that the property owner shall not be required to produce these documents or information to any official of the Borough of Belmar, except pursuant to and in accordance with subsection 26-2.8 of the Revised General Ordinances of the Borough of Belmar.

- b. *Summer Rental Licenses.* Applications for Summer Rental Licenses shall be made in writing, on forms prescribed by the Code Official and signed by the owner of the premises or the owner's authorized agent. The Code Official may require proof of agency. Applications for Summer Rental Licenses shall not be deemed complete by the Code Official unless the applicant:
1. Fully completes the form required by the Code Official for such applications, which shall include at a minimum, the following information:
 - (a) The street address and the tax map lot and block numbers of the premises.
 - (b) The names and mailing addresses and telephone numbers of all owners of the premises.
 - (c) The name, mailing address, and daytime telephone number of the person signing the application.
 2. Submits the appropriate inspection fee prescribed by Section 26-5.
 3. Provides proof of payment of property taxes, assessments against the property, municipal water charges, municipal sewer charges and any other municipal charges or assessment pursuant to N.J.S.A. 40:52-1.2.
 4. Provides the information required by ~~paragraphs a, b, e, g, and h.~~ of paragraphs a, b, e, g h, and i, of Chapter XX, General Licensing, subsection 20-2.2.

SECTION IV. If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

SECTION VI. All Ordinances or parts of ordinances inconsistent with or in conflict with the ordinance are hereby repealed to the extent of such inconsistency.

SECTION VII. This Ordinance shall take effect 20 days after final passage, adoption and publication according to law.