

BOROUGH OF WOODCLIFF LAKE
Bergen County, New Jersey

ORDINANCE NO. 20-05

**AN ORDINANCE TO ADD CHAPTER 135 ENTITLED “CERTIFICATE OF CONTINUING OCCUPANCY”
OF THE BOROUGH CODE OF THE BOROUGH OF WOODCLIFF LAKE, STATE OF NEW JERSEY**

**BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF WOODCLIFF LAKE IN THE
COUNTY OF BERGEN AND STATE OF NEW JERSEY, AS FOLLOWS:**

WHEREAS, Borough of Woodcliff Lake Code Part II is entitled “GENERAL LEGISLATION” and sets requirements for certain certificates, permits and licenses the Borough of Woodcliff Lake; and

WHEREAS, Mayor and Council of the Borough of Woodcliff Lake, wish to amend and update the requirements in Part II to include Chapter §135 entitled “Certificates of Continuing Occupancy” to include certain inspections for re-sale or other change of occupancy of a property.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Woodcliff Lake, Bergen County, New Jersey, as follows:

That Chapter §135 entitled “CERTIFICATE OF CONTINUING OCCUPANCY” shall be added to Part II entitled “GENERAL LEGISLATION” and shall read as follows:

Chapter 135 Certificate of Continuing Occupancy

135-1 Title

This chapter shall be known as the “Woodcliff Lake Certificate of Continuing Occupancy Ordinance.”

135-2 Purpose

No person shall occupy or use any portion of a residential building after such building or portion thereof has been vacated or sold, until the owner or landlord thereof shall have applied for and secured a certificate of continuing occupancy. Such certificate shall be issued upon a determination by the Enforcement Officer that, based upon a general inspection of the visible part of the building and the portion thereof that has been vacated or sold, there are no imminent hazards, outstanding permits nor illegal connections and that the premises in question is in compliance with the applicable building, health, safety, zoning and fire codes, regulations, ordinances, and statutes of the Borough of Woodcliff Lake and the State of New Jersey.

135-3 Certificate Required; Issuance of Certificate

- a. Prior to sale of any residential building involving a new occupancy, the Enforcement Officer shall issue a certificate of continuing occupancy in accordance with the standards set forth in the purpose detailed in §135-2.
- b. A certificate of continuing occupancy shall include verification that all permits issued have

been closed, legible house numbers are placed on the front of the property, verification that sump pumps are not piped into the sanitary sewer system and are discharged properly and that dead bolts on the front door are keyless on the interior side of the door.

- c. No certificate of continuing occupancy may be issued to a residential building or any portion thereof unless an approved smoke detector device, carbon monoxide device and a portable fire extinguisher have been installed as required by applicable Borough Ordinance and State statute and all items set forth in paragraph b above have been verified.
- d. A certificate of continuing occupancy shall expire six (6) months after the date of issuance.

135-4 Application for Certificate

Prior to the sale of any residential building or any portion thereof, the owner thereof shall apply to the Woodcliff Lake Building Department, on an appropriate form, for a certificate of continuing occupancy.

135-5 Time Limit for Issuance or Denial of Certificate

The Enforcement Officer shall conduct an inspection of said residential building or portion thereof which is to be sold, within a reasonable time, not exceeding ten (10) business days after completion of said application and verification of closed permits, and shall issue a certificate of continued occupancy, provided that the standards set forth in §135-2 have been satisfied and, in the case of residential buildings, that the premises is in compliance with the requirement of installation of a smoke detector, carbon monoxide detector and a portable fire extinguisher.

135-6 Failure to Comply

If, after inspection by the Enforcement Officer, a certificate of continuing occupancy may not be issued to the residential building or portion thereof because of the existence of a violation of any code or failure to comply with the standards set forth in §135-2 of this section, notice shall be given by the Enforcement Officer to the owner detailing the violations of applicable laws, regulations or ordinances. The Enforcement Officer shall have authority to issue any summons or complaint for any violation of any ordinance, statute or regulation against the owner and/or occupant of the residential building or portion thereof wherein the violation exists. In the event that any violations are found to exist, there shall be no new occupancy or use of the premises until the criteria has been satisfied for the issuance of the certificate of continuing occupancy.

135-7 Fees

The following fees shall be applicable for the inspection and issuance of a certificate of continuing occupancy, including the smoke detector and carbon monoxide detector compliance:

- a. For one-family homes, individual townhouses, individual condominiums, cooperative units and apartment units the fee shall be one hundred (\$100) dollars.
- b. The fee for all re-inspections required for the issuance of the certificate shall be one-half (1/2) of the original fee or fifty (\$50) dollars.

135-8 Penalties

Any person violating any of the provisions of this article shall, upon conviction thereof, shall be punishable by one or more of the following: a fine of not more than \$1,000.