BOROUGH OF CRESSKILL

ORDINANCE NO. 16-09-1488

AMEND CHAPTER 275-74 CERTIFICATES OF OCCUPANCY

BE IT ORDAINED by the Mayor and Council of the Borough of Cresskill in the County of Bergen and State of New Jersey, as follows:

SECTION I (6) **Rental/Lease Units**. No owner or occupant of real property located in the Borough of Cresskill shall license, rent, lease, sub-lease, sub-let or otherwise allow occupancy for remuneration of any portion of real property unless a certificate of continued occupancy for same has been obtained from the Construction Code Official and Fire Sub-code Official.

(a) Any application pursuant to this Section must be made at least 10 days prior to occupancy.

(b) No building or portion thereof shall be licensed, rented, leased, sub-leased, sub-let or otherwise occupied for remuneration for residential purposes for a period of less than six (6) months.

(c) Inspection. Before a certificate of continued occupancy shall be issued, the Construction Code Official and Fire Sub-code Official shall make an inspection of the premises to determine whether the certificate may or may not be issued.

(d) Violations. If an owner or occupant of property in the Borough of Cresskill fails to obtain a certificate of continued occupancy, as required by this Section, the property owner and occupant shall each be subject to a fine of not less than one thousand ($1,000.00) dollars or more than five thousand ($5,000.00) dollars. Each day a violation continues beyond the date fixed for compliance in the notice provided for herein, shall constitute a separate offense.

(e) As used in this Section, the word "occupant" refers to any person or entity that desires to act as licensor, landlord, sub-landlord, lessor, sub-lessor, or who in any way desires to allow further occupancy of any portion of real property for remuneration of any kind.

SECTION II

All other Ordinances of the Borough, or parts thereof, which are in conflict with this Ordinance, are hereby repealed to the extent of such conflict.

SECTION III

If any section, subsection, paragraph, subdivision, or sentence of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, such decision shall apply only to the section, subsection, paragraph, subdivision, sentence, clause, phrase or provision so adjudged, and the remainder of this Ordinance shall be deemed valid and effective.

SECTION IV

This Ordinance shall take effect immediately upon final passage and publication according to law.