

BOROUGH OF NORTHVALE
County of Bergen
State of New Jersey

ORDINANCE #1061-2023

AN ORDINANCE OF THE BOROUGH OF NORTHVALE CREATING A NEW CHAPTER 47 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF NORTHVALE TO BE ENTITLED “REGISTRATION OF BUSINESS AND RENTAL UNIT INSURANCE”

WHEREAS, P.L. 2022, c. 92 recently enacted by the New Jersey Legislature and signed by the Governor into law requires the owners of certain Businesses and rental units to maintain certain minimum liability insurance coverages; and

WHEREAS, the aforesaid statute requires such owners to annually file certificates of insurance evidencing the required coverages with the municipality in which the Business is located;

NOW, THEREFORE BE IT ORDAINED, by the Governing Body of the Borough of Northvale, County of Bergen, State of New Jersey, as follows:

SECTION 1

There is hereby created Chapter 47 of the Revised General Ordinances of the Borough of Northvale entitled “REGISTRATION OF BUSINESS AND RENTAL UNIT INSURANCE.”

SECTION 1 BUSINESS INSURANCE REGISTRATION

§ 47-1 Purpose.

It is the purpose of this Chapter to comply with the requirements imposed upon the Borough by P.L. 2022, c. 92, which provides for the annual registration of Certificates of Insurance by Business owners and the owners of rental units located in the Borough.

§47-2 Definitions.

The following words and phrases, when used in this Chapter, shall have the meanings ascribed to them in this Section, except where the context clearly indicates a different meaning:

BUSINESS

Shall mean any person offering and/or engaged in buying, selling, storing and/or transferring merchandise, goods, real property, personal property, moneys, services and/or other items who

do so for a fee, price, retainer, commission, percentage and/or other means of compensation for the purpose, stated or otherwise, of realizing a profit or other gain.

CERTIFICATE OF REGISTRATION

Shall mean the certificate issued by the Municipal Clerk indicating compliance with the registration requirements of P.L. 2022, c. 92.

CERTIFICATE OF INSURANCE

Shall mean the certificate of insurance form submitted by each Business.

MUNICIPALITY

Shall mean the Borough of Northvale

§47-3 Insurance Requirements.

- a. As required by the aforesaid statute and except as provided in subsection b. of this section, the owner of a Business or the owner of a rental unit or units shall maintain liability insurance for negligent acts and omissions in an amount of not less than \$500,000 for combined property damage and bodily injury to or death of one or more persons in any one accident or occurrence. The provision of this section shall take effect on the 90th day next following enactment for all new policies issued on or after the 90th day following enactment and shall take effect on the 180th day next following enactment for all policies in force on the date of enactment that are renewed on or after the 180th day next following enactment of P.L. 2022, c. 92.
- b. The owner of a multifamily home which contains four or fewer units, one of which is owner-occupied, shall maintain liability insurance for negligent acts and omissions in an amount of not less than \$300,000 for combined property damage and bodily injury to or death of one or more persons in any one accident or occurrence. The provisions for this section shall take effect on the 180th day next following enactment and shall apply to policies issued or renewed on or after the 180th day following enactment of P.L. 2022, c. 92.

§47-4 Registration Requirements; Certificate of Registration.

The owner of a Business, the owner of a rental unit or units, and the owner of a multi-family home of four or fewer units, one of which is owner occupied, shall register annually by filing a copy of a Certificate of Insurance with the Municipal Clerk, demonstrating compliance with P.L. 2022, c. 92.

- a. The copy of the Certificate of Insurance shall be filed with the Municipal Clerk no later

than thirty (30) days after the issuance or renewal of the policy or policies of insurance required to be maintained by said owner.

- b. The Municipal Clerk shall issue a Certificate of Registration to each owner who files a Certificate of Insurance demonstrating compliance with P.L. 2022, c. 92. and the required registration fee. A new Certificate of Registration shall be required annually for each calendar year.

§47-5 Registering Two or More Businesses or Locations.

- a. In the event that two (2) or more Businesses occupy the same location, the owner of each Business shall be required to submit a Certificate of Insurance for each such Business.
- b. In the event that the same owner conducts business at two (2) or more locations within the Municipality, a separate Certificate of Insurance shall be required for each location

§47-6 Compliance with Applicable Laws and Ordinances.

Issuance of a Certificate of Registration certificate by the Municipal Clerk does not evidence compliance with other applicable rules, regulations, ordinances and statutes of the Municipality, County and State of New Jersey, or other regulatory agencies having jurisdiction over the activities of the certificate holder.

§47-7 Registration Fee.

The registration fee to be paid prior to issuance of each Certificate of Registration by the Municipal Clerk shall be the sum of one hundred dollars (\$100.00).

§ 47-8 Failure to Register, Penalties.

Pursuant to N.J.S.A. 40A:10A-2.b., the governing body of the Borough may collect, through a summary proceeding pursuant to the "Penalty Enforcement Law of 1999," P.L.1999, c.274 (C.2A:58-10 et seq.), a fine of not less than \$500 but no more than \$5,000 against an owner who has failed to comply with the provisions of P.L. 2022, c. 92.:

SECTION II

All Ordinances or parts thereof inconsistent with the provisions of this Ordinance be and the same are hereby repealed to the extent of such inconsistencies.

SECTION III

Should any section, paragraph, clause of any other portion of this Ordinance be adjudged by a Court of competent jurisdiction to be invalid, such judgment shall not affect or impair the remainder of this Ordinance.

SECTION IV

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

Joseph E. McGuire

Joseph E. McGuire, Mayor

Attest:

Frances M. Weston

Frances Weston
Municipal Clerk

Introduced: January 19, 2023

2nd Reading: February 8, 2023

Adopted: February 8, 2023