

**City of Lambertville**

**ORDINANCE NUMBER 28-2019**

**AN ORDINANCE OF THE CITY OF LAMBERTVILLE AMENDING CHAPTER X, SECTION 10-7 OF THE CITY CODE ENTITLED “RENTAL OF HOUSING UNITS” AND CHAPTER XI ENTITLED “FIRE PREVENTION”**

**WHEREAS**, the City Council of the City of Lambertville (the “City Council”) is responsible for promulgating regulations to protect the health, safety and general welfare of its residents and property owners; and

**WHEREAS**, City Council recognizes that frequent continuous noncompliance of Chapter X, Section 10-7 and Chapter XI of the City Code leads to the creation of a blighted effect on residential neighborhoods throughout the community negatively impacts the health, safety, and welfare of the residents and property owners of the City of Lambertville; and

**WHEREAS**, the City Council has determined that in order to protect the public health, safety and welfare of residents and property owners it is necessary to amend the existing provisions of the City Code to permit for a more efficient process of abating violations of Chapter X, Section 10-7 and Chapter XI, particularly when recurring violations at the same property location continue to appear; and

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Lambertville, in the County of Hunterdon, State of New Jersey that Chapter XI of the City Code be and is hereby amended as follows:

**SECTION I: AMENDED SECTIONS.** Chapter XI of the City Code of the City of Lambertville entitled “Fire Prevention” shall be amended and supplemented as follows:

- 1) §11-1.2 “Agency Designation and Duties” shall be amended as follows:
  - a. The local enforcing agency shall be the Bureau of Fire Prevention which is hereby created in the City. The agency shall have at least one (1) paid fire official and shall enforce the New Jersey Uniform Fire Safety Act and the codes and regulations adopted under it in all buildings, structures and premises within the established boundaries of the City as required by law, and all codes and regulations in this any other applicable chapter of municipal code.
  
- 2) §11-1.3 “Organization” shall be amended as follows:

The local enforcing agency established by subsection 11-1.2 of this section shall be a part of the City and shall be under the direct supervision and control of the Fire Official who shall report to the Business Administrator and Mayor.

- 3) §11-1.5 “Life Hazard Uses” shall be retitled as “Life Hazard Uses (LHU)” and amended as follows:

The local enforcing agency established by subsection 11-1.2 of this section shall carry out the periodic inspections of life hazard uses, as defined under N.J.S.A. 52:27D-196 of the Uniform Fire Safety Act, N.J.S.A. 52:27D-192 et seq. and as required by the Uniform Fire Code on behalf of the Commissioner of Community Affairs. Permits for the required inspections shall be as mandated and set forth in the Uniform Fire Safety Act and N.J.A.C. 5:70-1.1 et seq. (1990 Code §11-1.5; Ord. No. 2005-07).

- 4) §11-1.6 “Non-Life Hazard Uses” shall be amended as follows:

- a. In addition to the regulations required by the Uniform Fire Safety Act, N.J.S.A. 52:72D-192 et seq., the following non-life hazard uses shall register with the Bureau of Fire Prevention and pay annual fees pursuant to the “Non-LHU Fee Structure.”

3. §11-1.6(a)(3) shall be deleted in its entirety.

4. §11-1.6(a)(4) shall be deleted in its entirety.

5. §11-1.6(a)(5) shall be deleted in its entirety.

- b. §11-1.6(b) shall be deleted in its entirety

- c. §11-1.6(c) shall be deleted in its entirety.

- e. Inspections of Non-Life Hazard Units.

1. Definitions. Unless expressly defined under this subsection, any and all terms relevant to this section shall be the same as those definitions as set forth in the Hotel and Multiple Dwelling Law, N.J.S.A. 55:13A-3, and such definitions are specifically incorporated into this section by reference herein. Additionally, the following terms shall be defined as follows:

- a. “Residential Rental Unit” shall mean any one or two family dwelling unit that includes or provides for the rental of any space or room within the dwelling unit or on the property of the dwelling unit, in

exchange for consideration, for any period of time, by a non-immediate family member.

2. Inspections. Each Non-Life Hazard Unit shall be inspected at least once during each twenty-four-month period by a City of Lambertville Fire Official or Fire Inspector for the purpose of determining the extent that the Non-Life Hazard Unit complies with the City’s fire and safety codes or State UFC. All such premises or buildings shall be subject to such inspection and registration, regardless of any other state or municipal inspections which may be conducted of such premises.

3. Inspection fee. The owner of each Non-Life Hazard Unit shall pay a fee for inspection of the subject premises.

a. Multi-family. The fees are hereby established at \$100 for the inspection of the common areas in premises with more than three dwelling units and \$10 per unit of dwelling space for all premises.

b. Residential Rental Unit. The fees are hereby established at \$50 annually for the inspection of each premises.

<b>NON-LHU FEE STRUCTURE</b>	
<b>UCC Code Type</b>	<b>2020 Annual Fee</b>
<b>Business Use Group</b>	
under 2,500 square feet	\$55.00
2,500-4,000 square feet	\$105.00
5,000-9,999 square feet	\$130.00
10,000 square feet and over	\$155.00
<b>Factory Use Group</b>	
under 5,000 square feet	\$105.00
2,500 and over square feet	\$130.00
<b>Mercantile Use Group</b>	
M-1 under 6,000 square feet	\$80.00
M-2 6,000-11,000 square feet	\$155.00
<b>Storage Use Group</b>	

S-1 under 2,500 square feet	\$55.00
S-2 2,500 square feet and over	\$105.00
<b>Utilities Use Group</b>	
U-1 under 2,500 square feet	\$105.00
U-2 2,500 square feet and over	\$205.00

c. All other Non-LHU fees are as follows:

For each occasion that an owner fails to provide access after receipt of two notices, a fee of \$75 shall be imposed in addition to the inspection fee.

4. Persons authorized to conduct inspections. The inspection shall be conducted by a municipal official authorized by the City and certified as a Fire Official or Fire Inspector. Such official may be accompanied by any other City official necessary to conduct adequate fire and safety inspections. Such inspections will be performed under the direction of the Fire Official, Business Administrator, and Mayor.

5. Powers of Inspectors. The inspectors under this section are hereby granted all the powers necessary and appropriate to carry out and execute the purposes of this section, including, but not limited to the power to:

(c) Compel the owner of any Non-Life Hazard Unit to produce any and all files, books, documents or other objects which are necessary in order to carry out the purposes of this section.

5) §11-1.11 “Certificate of Smoke Detector and Carbon Monoxide Detector Compliance” shall be amended as follows:

The fee for a Certificate of Smoke Detector and Carbon Monoxide compliance as required by N.J.A.C. 5:70-2.3 shall be sixty five (\$65.00) dollars. (1990 Code §11-1.11; Ord. No. 2003-08 §2; Ord. No. 2005-07; Ord. No. 03-2012).

6) §11-5 shall be titled “Annual Landlord Registration Addendum (ALRA)” and codified as follows:

The owner of any Life Hazard Unit or Non-Life Hazard Unit in the City of Lambertville that is offered for rental, whether in whole or in part, shall file with the Fire Official an ALRA, which, when possible, shall be integrated by the City into any existing annual filing requirements.

1. The ALRA shall be filed annually by January 1<sup>st</sup> and any ALRA received after February 1<sup>st</sup> shall be considered late and subject to applicable late fees.

2. All ALRAs must be filed electronically pursuant to instructions that the City will distribute annually to all Landlords. The City has absolute and sole discretion to determine whether a filed ALRA is complete. If the City notifies a Landlord that additional information or resubmission is required, the Landlord must respond to the City’s notice within five (5) business days, otherwise late fees may be assessed

Chapter X of the City Code of the City of Lambertville entitled “Rental of Housing Units” shall be amended and supplemented as follows:

1) The phrase “Landlord Registration Statement” shall be replaced with “Annual Landlord Registration Addendum (ALRA), in accordance with Chapter XI of the

City Code” throughout Chapter X, §10-7 of the City Code.

- 2) §10-7.2 “Landlord’s Registration Statement Required” shall be retitled as “Annual Landlord Registration Addendum (ALRA) Required.”
- 3) §10-7.4 “Landlord Registration Statement Required” shall be retitled as “Annual Landlord Registration Addendum (ALRA) Required.”

**SECTION II: SEVERABILITY.** In the event that any clause, section, paragraph or sentence of this Ordinance is deemed to be invalid or unenforceable for any reasons, then the City Council hereby declares its intent that the balance of the Ordinance not affected by said invalidity shall remain in full force and effect to the extent that it allows the City to meet the goals of the Ordinance.

**SECTION III: EFFECTIVE DATE.** This Ordinance shall take effect upon final passage and publication in accordance with the law.

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**MAYOR**

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**CITY CLERK, RMC/CMR**

**CITY OF LAMBERTVILLE  
NOTICE OF PENDING ORDINANCE  
Ordinance No. \_\_-2019**

AN ORDINANCE OF THE CITY OF LAMBERTVILLE AMENDING CHAPTER X,  
SECTION 10-7 OF THE CITY CODE ENTITLED “RENTAL OF HOUSING UNITS” AND  
CHAPTER XI ENTITLED “FIRE PREVENTION”

**Take Notice** that the Ordinance identified above which authorizes the City of Lambertville to amend Chapter X, Section 10-7 and Chapter XI of the City Code regarding the rental of housing units and fire prevention has been adopted on first reading by the City Council of the City of Lambertville, County of Hunterdon, State of New Jersey, held on November 26, 2019. It will be considered for final passage after public hearing to be held on December 3, 2019, at 7:00 P.M. in the Phillip L. Pittore Justice Center, 25 S Union Street, Lambertville, New Jersey.

The Ordinance will take effect immediately upon adoption and publication as required by law.

Copies of the full ordinance are on file with the City Clerk of the City of Lambertville in City Hall. Copies may be obtained free of charge on request and a copy is posted on the municipal bulletin board in City Hall, 18 York Street, Lambertville, NJ 08530.

Cynthia Ege, CMR/RMC  
City Clerk