

**BOROUGH OF TETERBORO
RESOLUTION**

OFFERED BY: Councilwoman Emden
SECONDED BY: Councilman Ramirez


BE IT RESOLVED by the Mayor and Council of the Borough of Teterboro that an Ordinance entitled:

**BOROUGH OF TETERBORO
ORDINANCE NO. 598**

**AN ORDINANCE TO AMEND AND SUPPLEMENT
CHAPTER 185 OF THE CODE
ENTITLED "ZONING ORDINANCE OF THE BOROUGH OF
TETERBORO"**

be introduced and does now pass at first reading, and that said Ordinance be further considered for final passage at a REGULAR MEETING to be held on the 12TH day of MARCH, 2019, at 6:00 P.M. or as soon thereafter as the matter can be reached at the regular meeting place of the Borough Council, at the Municipal Building in the Borough of Teterboro and that at such time and place all persons interested be given an opportunity to be heard concerning the same, and that the Municipal Clerk be and she is hereby authorized and directed to publish said Ordinance in The Record, once, at least ten (10) days prior to said hearing, with a notice of its introduction and passage on first reading and of the time and place when and where said Ordinance will be considered for final passage.

I, VIRGINIA A. ALCURI, MUNICIPAL CLERK of THE BOROUGH OF TETERBORO, do hereby certify that the aforesaid is a true copy of the resolution adopted by the Mayor and Council at a Special Meeting held February 21, 2019.


Virginia A. Alcuri, RMC
Municipal Clerk

<u>ROLL CALL</u>	<u>YES</u>	<u>NO</u>	<u>ABSENT</u>	<u>ABSTAIN</u>
Mayor John P. Watt	X			
Councilman Gregory J. Stein	X			
Councilman Juan J. Ramirez	X			
Councilman John B. Watt	X			
Councilwoman Christie Emden	X			

BOROUGH OF TETERBORO

ORDINANCE #598

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 185 OF THE CODE ENTITLED "ZONING ORDINANCE OF THE BOROUGH OF TETERBORO"

BE IT ORDAINED by the Mayor and Council of the Borough of Teterboro, County of Bergen and State of New Jersey that **Article V Occupancy Requirements** is supplemented by adding thereto a new Section 185-14.2 **Conditional Certificate of Zoning Occupancy**.

Notwithstanding the provisions of Section 185-12 to 185-14, the Zoning Code/Zoning Officer is authorized to issue a Conditional Certificate of Zoning Occupancy ("CCZO") to those applicants (1) who certify that its use is substantially similar to an existing approved use within the same premises and (2) apply to the Planning Board for a permanent Zoning Certificate of Occupancy under Chapter 185-12 within 30 days of issuance of the CCZO.

All references to "Borough of Teterboro" in Sections 185-12 to 185-14 are amended to read "Borough of Teterboro Planning Board".

A new **Article VA** is added to read as follows:

185-14.3 Certificates of Continued Occupancy for Commercial or Industrial Property

- A. Certificate required for selling of commercial or industrial property. Effective thirty (30) days after adoption of this section, no premises or portion of premises zoned for commercial or industrial use, whether in a commercial or industrial zone, or in a different zone by reason of being a nonconforming use, shall be sold, rented or leased and thereafter occupied by a new tenant or owner, without the appropriate application for and issuance of a certificate of continued occupancy.
- B. Application for certificate; inspection; issuance. The owner of the premises about to be newly occupied, or their respective agents, shall apply to the Zoning Officer for a certificate of continued occupancy and shall supply, as necessary, information on said application of all facts relating to the nature of the business, occupation or industry, the manufacturing or other processes involved and the nature of all materials stored on the premises as part of, or pertinent to, said business, occupation, or use. Upon receipt of said application, the Zoning Officer or his agent shall review same and inspect the premises within ten (10) days to determine whether such premises complies with the local zoning and planning laws. No certificate of continued occupancy shall be issued unless there is full and complete compliance with all of the foregoing, unless otherwise specified in writing by the Zoning Officer or his agent. The fee for said inspection shall be three hundred dollars (\$300.) for commercial and industrial uses.

All owners, or their designated agents, applying for a certificate as provided herein shall advise the Zoning Officer or his agent of a reasonable time or times when the inspections

may be made and have someone present to assist and provide entry for the inspection purposes.

- C. Responsibility of owner. The owner or owners, of all commercial and industrial premises shall be responsible for notification to the Zoning Officer of the pendency of any new ownership.
- D. Certain establishments exempt. All buildings that are inspected by the state shall be exempt from this section.
- E. Violations and penalties. Any person or persons or partnership, firm, corporation or limited liability company violating any provision of this section shall, upon conviction thereof, be punished by a fine not exceeding one thousand dollars (\$1,000.) or by imprisonment in the county jail for a period not exceeding thirty (30) days or both for each offense. Each violation of any of the provisions of this section and each day the same is violated shall be deemed and taken to be a separate and distinct offense.

185 -14.4 Certificates of Continued Occupancy for Residential Dwelling Units

A. Certificate required for selling, leasing or renting of residential dwelling units. Effective thirty (30) days after adoption of this section, no premises or portion of any one-family, two-family, or multi-family dwelling unit used for residential purposes, whether in a residential zone, or in a different zone by reason of being a nonconforming use, shall be sold and thereafter occupied by a new tenant or owner, without the appropriate application for and issuance of a certificate of continued occupancy.

B. Application for certificate; inspection; issuance. Any owner intending to sell any dwelling unit shall apply to the Zoning Officer or his designated agent for a certificate of continued occupancy. Upon receipt of said application, the Zoning Officer or his agent shall review same and inspect the premises within ten (10) days to determine whether such premises complies with the local zoning and planning laws. No certificate of continued occupancy shall be issued unless there is full and complete compliance with all of the foregoing, unless otherwise specified in writing by the Zoning Officer or his agent. The fee for said inspection shall be one hundred dollars (\$100.) for one family or unit; one hundred twenty-five dollars (\$125.) for a two-family or units; one hundred forty-five dollars (\$145.) for a three-family or units; one hundred sixty dollars (\$160.) for a four-family or units; and one hundred sixty dollars (\$160.) plus ten dollars (\$10.) extra per unit for a five- or more family or units.

All owners, or their designated agents, applying for a certificate as provided herein shall advise the Zoning Officer or his agent of a reasonable time or times when the inspections may be made and have someone present to assist and provide entry for the inspection purposes.

C. Responsibility of owner. The owner or owners, of all residential properties shall be responsible for notification to the Zoning Officer of the pendency of any new ownership.

D. Violations and penalties. Any person or persons or partnership, firm, corporation or limited liability company violating any provision of this section shall, upon conviction thereof, be punished by a fine not exceeding five hundred dollars (\$500.) or by imprisonment in the County jail for a period not exceeding thirty (30) days or both for each offense. Each violation of any of the provisions of this section and each day the same is violated shall be deemed and taken to be a separate and distinct offense.

Section 185-14.5 REPEALER

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

Section 185-14.6 SEVERABILITY

If any section, subsection, paragraph, sentence, clause, phrase, or word contained in chapter shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this chapter, which shall remain in full force and effect, and to this end the provisions of this chapter are hereby declared to be severable.

Section 185-14.7 EFFECTIVE DATE

This Ordinance shall take effect upon passage and publication as required by law.