

PROCESS FOR LANDLORDS

NON-OWNER OCCUPIED DWELLINGS

1. Complete the Non-Life Hazard Registration form for Residential Rentals. Pay the annual fee of \$52.00 per property. (FORM A)
2. Complete the Housing Registration forms and pay the annual fee of \$25.00 per rental unit. (FORMS B)
3. **PRIOR TO RENTING THE APARTMENT** you must obtain a certification of inspection of smoke, carbon monoxide detectors and fire extinguishers. To obtain this inspection you must complete the form and pay the applicable fee. (FORM C)
4. **EACH TIME THE RENTAL PROPERTY/APARTMENT UNIT IS RE-RENTED** you must obtain another certification of inspection of smoke, carbon monoxide detectors and fire extinguishers. To obtain this inspection you must complete the form and pay the applicable fee. (FORM C)

OWNER OCCUPIED DWELLINGS

1. Complete the Non-Life Hazard Registration form for Residential Rentals. Owner occupied dwellings are exempt from the fee. (FORM A)
2. Complete the Housing Registration forms and pay the annual fee of \$25.00 per rental unit. (FORMS B)
3. **PRIOR TO RENTING THE APARTMENT** you must obtain a certification of inspection of smoke, carbon monoxide detectors and fire extinguishers. To obtain this inspection you must complete the form and pay the applicable fee. (FORM C)
4. **EACH TIME THE RENTAL PROPERTY/APARTMENT UNIT IS RE-RENTED** you must obtain another certification of inspection of smoke, carbon monoxide detectors and fire extinguishers. To obtain this inspection you must complete the form and pay the applicable fee. (FORM C)

Flemington Borough Fire Safety
38 Park Avenue
Flemington, NJ 08822
Phone: 908/782-8840; Fax: 908/782-0142

Non-Life Hazard Registration Form for Residential Rentals

Building Owner: _____

Address: _____

Phone Number: _____

Federal Employer (Tax ID Number: _____

Email: _____

Emergency Contacts

1 – Name: _____ Contact Number: _____

2 – Name: _____ Contact Number: _____

Square Footage: _____ Stories: _____ Attic: _____ Basement: _____

Fire Alarm System: Yes / No Battery/Hardwired Local/Monitored

Suppression System: Yes / No Sprinkler System: Yes / No

Signature of Owner or Agent Phone Number Date

Printed Name Street Address

Fee is \$52 per property paid annually. Please return this form with check payable to Flemington Borough Fire Safety. If you have any questions, please contact the Fire Marshal, Ken McCormick at 908/782-8840 ext. 227.

FORM A

Update 2/2020

**Flemington Borough Housing Office
Office of the Fire Marshal
38 Park Avenue
Flemington, NJ 08822
Phone: 908-782-8840 X 227 Fax: 908-782-8405**

Landlord Registration Renewal Application Pursuant to Ordinance 2007-16

The following is a Rental Property Registration Statement to register a building located within the Borough of Flemington that contains dwelling units. Renewal must be submitted annually for each rental dwelling unit.

THE ANNUAL RENTAL UNIT FEE IS \$25.00 PER UNIT

Property Address: _____ Block# _____ Lot# _____

Total Number of Dwelling Units: _____

Owner Occupied: Yes or No (circle one)

Name of Property Owner (please print)

Phone Number of Property Owner

Full Address of Property Owner

Emergency Call Phone Number

State or Local Registration Number

Date

Signature of Property Owner/Landlord

Failure to submit Renewal Application by due date will result in the issuance of summons and penalties. **AS PER ORDINANCE 2016-1, A LATE FEE OF \$25.00 PER UNIT SHALL BE ASSESSED IF THE PAYMENT IS MORE THAN 30 DAYS PAST THE DUE DATE.**

- **NOTE: Smoke Detector/Carbon Monoxide Detector Inspection is required prior to re-rental of unit as per Local Ordinance 8-19, N.J.A.C. 5:70-2.3**

Office Use Only

Payment Received: _____ Payment Amount: _____ Check # _____



Flemington Borough Fire Safety
38 Park Ave
Flemington, NJ 08822



Phone: 908-782-8840 Ext. 227

Fax: 908-782-0142

To: All Real Estate Agencies/Home Owners

Subject: Smoke Alarm/Carbon Monoxide Alarm and Portable Fire
Extinguisher Inspections

Attached please find an application for a Smoke Alarm/Carbon Monoxide Alarm & Portable Fire Extinguisher Inspection which is required pursuant to the NJ Uniform Fire Code N.J.A.C. 5:70-2.3 and the Flemington Fire Safety Ordinance 8-19 when a change in occupancy or ownership occurs.

Received more than Ten (10) days before closing/change of occupancy:	\$55.00
Ten to Four (10-4) days before closing/change of occupancy:	\$90.00
Less than (4) days before closing/change of occupancy:	\$161.00

Fees can be very significant if adequate notice is not provided for the inspection.

Make checks payable to:
"Flemington Boro Fire Safety"

Thank you for your cooperation in proper scheduling. Please feel free to contact our office if you should require further assistance.

Sincerely,

Ken McCormick
Fire Marshal

ONE & TWO FAMILY HOMES CERTIFICATION CRITERIA FOR SMOKE ALARMS AND CO ALARMS

BUILT BEFORE 1977:

- 10 Year Sealed Battery Single Station Alarms
- One on each level
- Within 10 feet of each bedroom
- CO Alarm within 10 feet of each sleeping area

BUILT 1977 OR AFTER, BUT BEFORE 1984:

- Electric Alarms not interconnected
- One on each level
- Within 10 feet of each bedroom
- CO Alarm within 10 feet of each sleeping area

BUILT 1984 OR AFTER, BUT BEFORE 1990:

- Electric Alarms –INTERCONNECTED
- One on each level
- Within 10 feet of each bedroom
- CO Alarm within 10 feet of each sleeping area

BUILT 1990 TO PRESENT:

- Electric Alarms with battery back-up -ALL INTERCONNECTED
- One on each level Within 10 feet of each bedroom
- In each bedroom
- CO Alarm within 10 feet of each sleeping area

Note: Only homes built before 1977 need to have the smoke alarm at the bottom of the stairwell in basement.

Listed below are the requirements for each Certificate of Inspection:

SMOKE ALARMS

- Alarms are to be located on every level of a resident (basement, first floor, second floor) excluding crawl spaces and unfinished attics, between sleeping areas such as the kitchen, garage, basement or utility room.
- In homes with only one sleeping area on one floor, an alarm is to be placed in the hallway within 10 feet of that room.
- In single family homes with two separate sleeping areas two alarms are required outside each sleeping and within 10 feet of that room.
- In multi-level homes, alarms are to be located outside sleeping areas and on every finished level of the home.
- Basement level alarms are to be located in close proximity to the bottom of the basement stairwells.
- If placed on the wall, the alarms should be four inches down from ceiling but no more than 12 inches.
- Smoke alarms shall not be older than 10 years from the date of manufacture or older than the expiration date prescribed by the manufacturer.
- Alarms are to be Installed and Maintained in accordance with NFPA 72. And shall be listed in accordance with ANSI/UL 217

CARBON MONOXIDE ALARMS:

- Each alarm shall be located on the wall, ceiling or other location as specified in the installation instructions that accompany the unit.
- The alarm can either be electric, battery or the plug-in type.
- If you have a combination smoke/carbon monoxide alarm, it needs to be placed in accordance with smoke alarm placement in sleeping areas.
- Carbon monoxide alarms shall not be older than 10 years from the date of manufacture or older than the expiration date prescribed by the manufacturer.
- Carbon monoxide alarm equipment shall be installed in the immediate vicinity of each sleeping area.

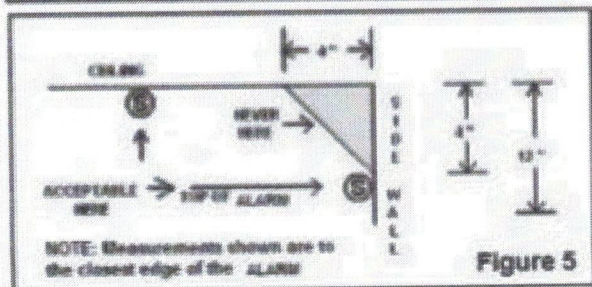
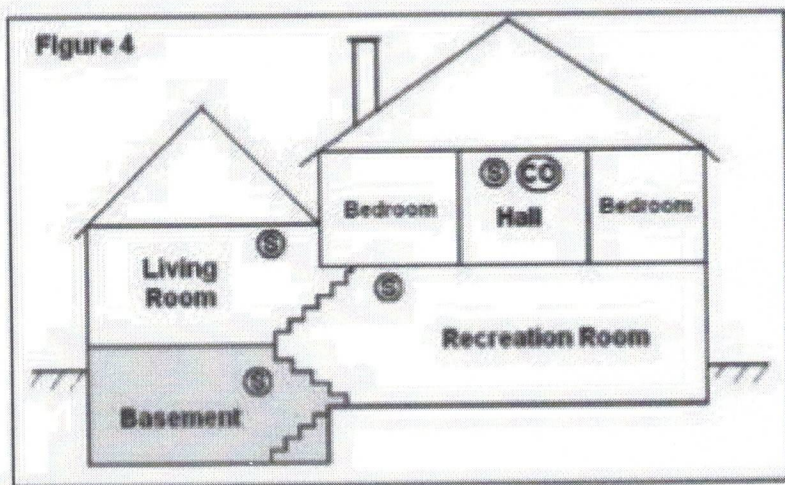
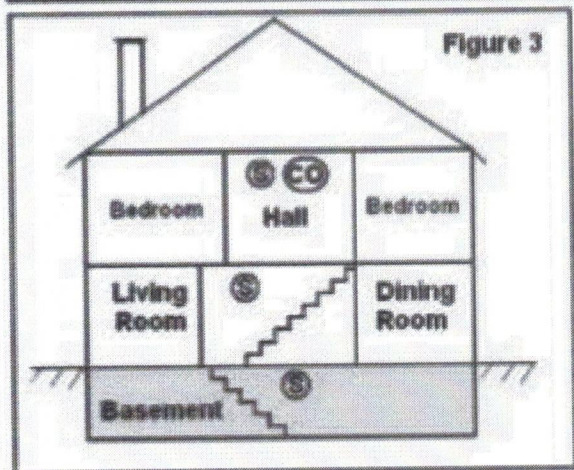
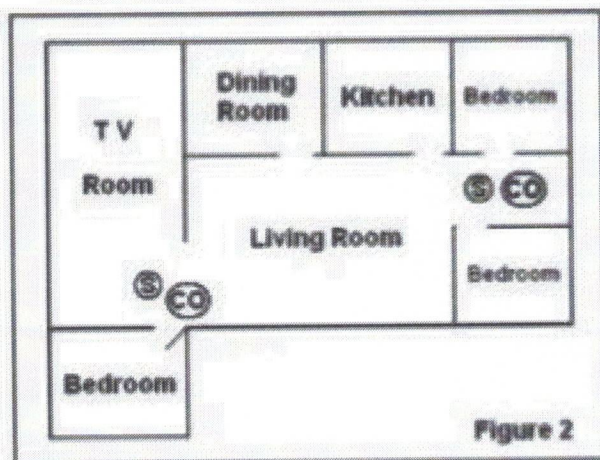
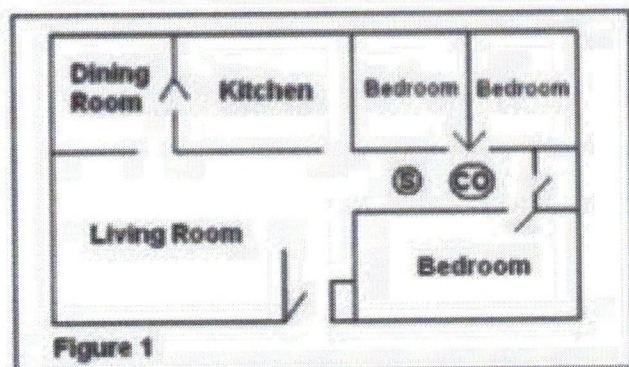
FIRE EXTINGUISHERS

- One fire extinguisher shall be mounted within 10 feet of the kitchen and located in the path of egress.
- The extinguisher shall be mounted using the manufacturer's mounting bracket, with the top of the extinguisher no higher than 5 feet from the floor. With the operating instructions clearly visible.
- The extinguisher shall be readily accessible and not obstructed from view.
- The extinguisher shall weigh no more than 10lbs and be a minimum 2A:10B:C rated extinguisher.
- The seller of the home shall provide proof of purchase showing that the extinguisher is less than 1 year old, or it shall be serviced and tagged by a certified Division of Fire Safety contractor within the last 12 months.
- The owner's manual or written operation instructions shall be provided during the inspection and left for the new occupant.

In order to receive your Certificate, the location of your smoke/carbon monoxide alarms, and fire extinguisher must all be in compliance with the regulations in all codes.

After inspection is complete, your certification is immediately issued. Each certificate is valid for six (6) months

Smoke Alarm and CO Alarm placement



Ⓢ SMOKE ALARM Ⓢ CO CARBON MONOXIDE ALARM

Flemington Borough Fire Safety

38 Park Ave

Flemington, NJ 08822

Phone: 908-782-8840 Ext 227

Fax: 908-782-0142

N.J.A.C. 5:70-2.3 // Ordinance 8-19

Request for Certificate of Inspection

Smoke & Carbon Monoxide Detector & Fire Extinguisher

Change of Occupancy in ALL Homes and Rental Units

Owner: Block: Lot:

Address: Suite/Apt #:

Phone #: Date of Application:

Date of Closing or Occupancy Change:

☐ Change in Occupancy Reason for Request: ☐ Sale ☐ Lease ☐ New Construction

☐ 1 Family Dwelling Type ☐ 2 Family ☐ Multi-Family ☐ Townhouse ☐ Condo ☐ Apartment

☐ Owner Occupied Dwelling Classification ☐ Rental Property ☐ Leased Property ☐ Bank Owned ☐ Vacant

ALL FEES MUST BE SUBMITTED WITH APPLICATION:

☐ \$55.00 – 10 DAYS PRIOR TO THE CLOSING

☐ \$90.00 – 10 -4 DAYS PRIOR TO THE CLOSING

☐ \$161.00 – UNDER 4 DAYS PRIOR TO THE CLOSING

There will be a five hundred (\$500.00) dollar noncompliance penalty issued to anyone not applying for or getting said certification with sale of house or rental of any rental unit.

All Fees Payable to "Flemington Boro Fire Safety"

Please test all Systems Prior to inspection

Fee paid for Inspection: _____ Check: # _____ Cash: _____

A SEPARATE FORM IS REQUIRED FOR EACH INSPECTION PERFORMED (ie. 2 apartments is 2 forms)

Landlord's Name: _____ Date of Application: _____
Block _____ Lot _____ Property Address: _____

Landlord Registration Application

The following is a Registration Application to register a building within the Borough of Flemington that contains dwelling units. This application is submitted by the Landlord pursuant to Ordinance 2007-16 of the Revised General Ordinances of the Borough of Flemington. Please **PRINT** or **TYPE** all information.

SECTION 1:

Name of Landlord: _____

Address of Landlord: _____

Landlord's Day Phone Number: _____

Evening Phone Number: _____

Emergency Phone Number: _____

Landlord's e-mail address (optional) _____

Address of Building to be registered: _____

Block _____ Lot _____ Number of Dwelling Units in the Building: _____

Proof of the following must be attached:

- _____ Property Taxes are current and paid in full
- _____ Sewerage Charges are current and paid in full
- _____ No assessments against property
- _____ Proof of Land Use Approval (i.e. zoning permit, Planning Board/Zoning Board Resolution, Certificate of Occupancy)

Landlord's Name: _____ Date of Application: _____
Block _____ Lot _____ Property Address: _____

SECTION 2:

Please complete the following section for each dwelling unit.

1. Floor Location: _____

Total gross floor area of habitable rooms (in square feet) _____

Dwelling Unit: _____ Unit Number: _____

Number of Rooms for sleeping purposes _____

Gross floor area for each room for sleeping purposes in square feet _____

No. of Tenants in each sleeping area _____

Gross floor area for each room for sleeping purposes in square feet _____

No. of Tenants in each sleeping area _____

Gross floor area for each room for sleeping purposes in square feet _____

No. of Tenants in each sleeping area _____

Total Number of Tenants permitted in the Dwelling Unit _____

Total number of occupants _____ Date occupancy commenced _____

2. Floor Location: _____

Total gross floor area of habitable rooms (in square feet) _____

Dwelling Unit: _____ Unit Number: _____

Number of Rooms for sleeping purposes _____

Gross floor area for each room for sleeping purposes in square feet _____

No. of Tenants in each sleeping area _____

Gross floor area for each room for sleeping purposes in square feet _____

No. of Tenants in each sleeping area _____

Gross floor area for each room for sleeping purposes in square feet _____

No. of Tenants in each sleeping area _____

Total Number of Tenants permitted in the Dwelling Unit _____

Total number of occupants _____ Date occupancy commenced _____

Landlord's Name: _____ Date of Application: _____
Block _____ Lot _____ Property Address: _____

Landlord Certification

Note to Applicant: Submitting false information, documentation or identification in connection with the Landlord's Registration Application shall pay a minimum fine of \$250.00, plus court costs for the first offense, minimum of \$1,250.00 for the second offense and \$2,500.00 for each offense thereafter. Any person who submits a false certification or documentation shall be subject to criminal prosecution, in addition to the penalties outlined in Ordinance 2007-16. In addition to the foregoing, a certificate of occupancy that is issued on the basis of information or documentation that is knowingly false or fraudulent when made, shall be subject to revocation pursuant to and in accordance with Ordinance 2007-16 of the Revised General Ordinances of the Borough of Flemington.

I, _____, hereby certify, in lieu of oath, that the foregoing statements made by me are true, full and perfect answers to each and all said questions. I am aware that if any of the foregoing statements made by me are willfully false I am subject to punishment.

Signature of Property Owner/Landlord

Date

Print Name of Property Owner/Landlord

Please note that a notary seal shall be required for all corporate owned properties.

Landlord's Name: _____

Date of Application: _____

Block _____ Lot _____ Property Address: _____

Office Use Only

Date Payment Received _____ Payment Amount _____

Received by: _____

Copy of DCA Certificate of Registration is on File in the Clerks Office:

Yes _____ No _____

Proof of Submission of the following Documents:

_____ Current Property Taxes _____ Proof of Land Use Approval

_____ Current Sewerage Charge _____ Pre-Existing/No Conforming Use

_____ No Assessments Against Property

Zone: _____

Tax Assessor Review:

Assessed Multi-Family _____

Tax Assessor Notes:

Date reviewed by Tax Assessor _____ Initial of Assessor _____

Zoning Official Review:

Date Approved by Zoning Official _____ Initial of Zoning Officer _____

Zoning Official Notes:

Construction Official Review:

Date Approve by CO _____ Initial of Construction Official _____

Construction Official Notes:

Registration Number _____ **Date Issued** _____

LANDLORD IDENTITY REGISTRATION STATEMENT
ONE AND TWO-UNIT DWELLING REGISTRATION FORM

The form of the certificate of Registration to be filed with the municipal clerk and distributed to tenants by owners or non-owner occupied one and two unit dwellings shall be substantially as follows:

(1) Property Address:

(2) The names and addresses of all record owners of the building or the rental business (including all general partners in the case of a partnership) are as follows:

(3) If the record owner is a corporation, the names and addresses of the registered agent and of the corporate officers are as follows:

☐ Record owner is not a corporation.

(4) If the address of any record owner is not located in the county in which the dwelling is located, the name and address of a person who resides in the county and is authorized to accept notices from a tenant, to issue receipts for those notices and to accept service of process on behalf of the out-of-county record owner(s) is as follows:

☐ The addresses of all record owners in the county in which the dwelling is located:

(5) The name and address of the managing agent is as follows:

☐ There is no managing agent.

(6) The name and address (including dwelling unit, apartment or room number) of the superintendent, janitor, custodian or other person employed to provide regular maintenance service is as follows:

☐ There is no superintendent, janitor, custodian or other person employed to provide regular maintenance service.

- (7) The name, address and telephone number of an individual representative of the record owner or managing agent who may be reached or contacted at any time in the event of an emergency affecting the dwelling or any dwelling unit, including such emergencies as the failure of any essential service or system, and who has authority to make emergency decisions concerning the building, including the making of repairs and expenditures, is as follows:

- (8) The names and addresses of all holders of recorded mortgages on the property are as follows:

☐ There is no recorded mortgage on the property.

- (9) If fuel oil is used to heat the building and the landlord furnishes the heat, the name and address of the fuel oil dealer servicing the building and the grade of fuel oil used are as follows:

☐ The building is not heated by fuel oil

☐ The building is heated by fuel oil, but the landlord does not furnish heat.

Date

Landlord or Authorized Representative

SEND COMPLETED FORMS TO TENANTS AND MUNICIPAL CLERKS ONLY

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 08/12/13 07:30 PM
Department: Clerk of the Borough
Category: Council Ordinance
Prepared By: Rebecca Newman

Initiator: Rebecca Newman
Sponsors:

ADOPTED

ORDINANCE 2013-15

DOC ID: 1300

**An Ordinance Amending the Revised Ordinances of the
Borough of Flemington, Chapter Ixb Property Maintenance
Code, Requiring Certain Landlords to Post Adequate Security
Against the Consequences of Disorderly Behavior of Their
Tenants**

BOROUGH OF FLEMINGTON
COUNTY OF HUNTERDON

**AN ORDINANCE AMENDING THE REVISED ORDINANCES OF THE BOROUGH OF
FLEMINGTON, CHAPTER IXB PROPERTY MAINTENANCE CODE, REQUIRING
CERTAIN LANDLORDS TO POST ADEQUATE SECURITY AGAINST THE
CONSEQUENCES OF DISORDERLY BEHAVIOR OF THEIR TENANTS**

Section 9-5.1 Purpose

WHEREAS, P.L.1993, c.127, (**S2422**, Good Neighbor Act), was enacted to permit the adoption of Ordinances holding landlords to standards of responsibility in the selection of tenants and supervision of their rental premises, by virtue of this Act such landlords may be required to post adequate bond against the consequences of disorderly behavior of their tenants, and in the case of subsequent violations forfeit such bond, in whole or part, in compensation for the consequences of such behavior.

The purpose of this Article is to enable the Borough of Flemington to take effective action to assure that excesses arising from irresponsible rentals, when they occur, shall not be repeated, and that landlords be held to sufficient standards of responsibility in order to preserve the peace and tranquility of the Borough for all residents.

Section 9-5.2 Definitions

"Hearing Officer" shall mean Flemington Municipal Court judge.

"Landlord" means the person or persons who own or purport to own a building in which there is rented or offered to rent housing space for living or dwelling under either a written or oral lease which building contains no more than four dwelling units. In the case of a mobile home, "landlord" shall mean the owner of an individual dwelling within the mobile home park.

"Substantiated complaint" means a complaint which may form the basis for proceedings in accordance with section 9-5.3.

"Housing Enforcement Officer" shall mean the person authorized by this section to issue notice of violations or summons to enforce compliance with this chapter and to investigate and/or inspect complaints and possible unsafe conditions and includes the rental housing officer, zoning official, fire official, construction code official, and any police officer of the Borough of Flemington.

"Occupant" shall mean any person, including a minor, who resides or intends to reside in a dwelling unit.

"Tenant" shall mean any person, including a minor, who resides in a dwelling unit on a continuous basis for more than 30 days.

"rental premises" shall mean the entire property owned by the Landlord on which the rental unit in which the Tenant resides is located, inclusive of all buildings , and rental units , and open and other areas on the property.]

Section 9-5.3

- a. If in any twenty-four-month period **a specified number, which shall not be less than two, of , there are two** complaints, on separate occasions, of conduct upon or in proximity to any rental premises, and attributable to the acts or incitements of any of the tenants of those premises, have been substantiated by prosecution and conviction in any court of competent jurisdiction as a violation of any provision of Title 2C of the New Jersey Statutes or any municipal ordinance governing disorderly conduct, the municipal governing body **or any officer [, Housing Enforcement Officer]** or employee of the municipality designated by the governing body for the purpose, **including but not limited to the Housing Enforcement Officer**, may institute proceedings to require the landlord of those premises to post a bond against the consequences of future incidents of the same character. **Each two additional such complaints in any subsequent twenty-four month periods shall be a separate basis under this ordinance to institute proceedings to require the landlord to post a bond.**
- b. **(1)** In the event a tenant is convicted of any of the conduct described in subsection a. of this section, the governing body, **or any officer [, Housing Enforcement Officer]** or employee designated pursuant to subsection a. of this section, shall cause notice advising that the conduct specified has occurred to be served on the landlord, in person or by registered mail, at the address appearing on the tax records of the municipality.

- (2) The governing body or person designated pursuant to subsection a. of this section shall cause to be served upon the landlord, in person or by registered mail to the address appearing on the tax records of the municipality, notice advising of the institution of such proceedings, together with particulars of the substantiated complaints upon which those proceedings are based, and of the time and place at which a hearing will be held in the matter, which shall be in the municipal building, municipal court or other public place within the municipality, and which shall be no sooner than 30 days from the date upon which the notice is served or mailed.
- c. At the hearing convened pursuant to subsection b. of this section, the **Hearing Officer** shall give full hearing to both the complaint of the municipality and to any evidence in contradiction or mitigation that the landlord, if present or represented and offering such evidence, may present. The **Hearing Officer** may consider, to the extent deemed relevant by the **Hearing Officer**, prior complaints about the residents of the property, even if those complaints did not result in a conviction. At the conclusion of the hearing the **Hearing Officer** shall determine whether the landlord shall be required to post a bond in accordance with the terms of the ordinance.
- d. Any bond required to be posted shall be in accordance with the judgment of the **Hearing Officer**, in light of the nature and extent of the offenses indicated in the substantiated complaints upon which the proceedings are based, to be adequate in the case of subsequent offenses to make reparation for (1) damages likely to be caused to public or private property and damages consequent upon disruption of affected residents' rights of fair use and quiet possession of their premises, (2) securing the payment of fines and penalties likely to be levied for such offenses, and (3) compensating the municipality for the costs of repressing and prosecuting such incidents of disorderly behavior; but no such bond shall be in an amount less than \$500 or more than \$5,000. The municipality may enforce the bond thus required by action in the Superior Court, and shall be entitled to an injunction prohibiting the landlord from making or renewing any lease of the affected premises for residential purposes until that bond or equivalent security, in satisfactory form and amount, has been deposited with the municipality.
- e. A bond or other security deposited in compliance with subsection d. of this section shall remain in force for a period of three years. Upon the lapse of the three year period the landlord shall be entitled to the discharge thereof, unless prior thereto further proceedings leading to a forfeiture or partial forfeiture of the bond or other security shall have been had, in which case the security shall be renewed, in an amount and for a period that shall be specified by the **Hearing Officer**.
-