

**BOROUGH OF RIVER EDGE
ORDINANCE NO. 23-19**

**AN ORDINANCE AMENDING CHAPTER 416 IN THE REVISED GENERAL
ORDINANCES OF THE BOROUGH OF RIVER EDGE, ENTITLED 'ZONING'**

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

Section 1. Section 416-26 entitled "Dwelling units; certificates of occupancy" of Article VI, entitled "Supplementary Use Regulations" is amended by the following:

Add:

- E. Lead Based Paint Inspections.
- (1) Required Initial Inspection. The owner, landlord and/or agent of every single-family, two-family and/or multiple dwelling unit offered for rental shall be required to obtain an inspection of the unit for lead-based paint hazards within two years of the effective date of the law, July 2, 2022, or upon tenant turnover, whichever is earlier.
 - (2) Required Recurring Inspection. After the initial inspection, the owner, landlord and/or agent of such dwelling unit offered for rental shall be required to obtain an inspection of the unit for lead-based paint hazards every three years, or at tenant turnover, whichever is earlier, except that an inspection upon tenant turnover shall not be required if the owner has a valid lead-safe certification.
 - (3) Standards. Inspections for lead-based paint in rental dwelling units shall be governed by the standards set forth in N.J.S.A. 52:27D-43.7.1 et seq., and N.J.S.A. 55:13A-1 et seq.
 - (4) Exceptions. A dwelling unit in a single-family, two-family or multiple rental dwelling shall not be subject to inspection and evaluation for the presence of lead-based paint hazards, or for the fees for such inspection or revaluation, if the unit:
 - a. has been certified to be free of lead-based paint.
 - b. was constructed during or after 1978;
 - c. is in a multiple dwelling that has been registered with the Department of Community Affairs as a multiple dwelling for at least 10 years, either under the current or a previous owner, and has no 2outstanding lead violations from the most recent cyclical inspection performed on the multiple dwelling under the "Hotel and Multiple Dwelling Law", N.J.S.A. 55:13A-1, et seq.;
 - d. is a single-family or two-family seasonal rental dwelling which is rented for less than six months duration each year by tenants that do not have consecutive lease renewals; or
 - e. has a valid lead-safe certification issued in accord with N.J.S.A. 52:27D-437.16(d)(2)
 - (5) Fees. Notwithstanding any other fees due pursuant to this Chapter the following fees shall be paid:
 - a. Inspection Fee. A dwelling owner or landlord shall owe a fee in the amount of \$500.00 plus the cost of laboratory testing for each lead-based paint inspection conducted by the Borough. Said fee shall be dedicated to meeting the costs of implementing and enforcing this subsection and the required contribution to the New Jersey Lead Hazard Control Assistance Fund (N.J.S.A. 52:27D-437.16(h)) and shall not be used for any other purpose.
 - b. Administrative Fee. Alternatively, a dwelling owner or landlord may directly hire a private lead evaluation contractor who is certified to provide lead paint inspection services by the Department of Community Affairs in

which case a \$50 administrative fee shall be paid. Said fee shall be dedicated to the costs of monitoring compliance with this subsection.

Section 2. Any and all other ordinances or parts thereof in conflict or inconsistent with any of the terms hereof are hereby repealed to such extent as they are so in conflict or inconsistent.

Section 3. In case any article, section or provision of this ordinance shall be held invalid in any court of competent jurisdiction, the same shall not affect any other article, section or provision of this ordinance except insofar as the article, section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.


Section 4. This Ordinance shall take effect immediately upon final passage and publication as required by law.

INTRODUCED: October 12, 2023

ADOPTED: November 27, 2023

	Motion	Second	Yes	No	Abstain	Absent
Chinigo			X			
Kaufman			X			
Montisano- Koen		X	X			
Kinsella			X			
Malellari						X
Benson	X		X			
Mayor Papaleo						

I hereby certify the above to be a true copy of an Ordinance adopted by the Governing Body of the Borough of River Edge on November 27, 2023



Anne Dodd, RMC
Borough Clerk



Thomas Papaleo, Mayor