

ORDINANCE 2025 –30

AN ORDINANCE OF THE BOROUGH OF SOUTH RIVER, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AMENDING THE BOROUGH CODE OF THE BOROUGH OF SOUTH RIVER, SO AS TO AMEND CHAPTER 262 ENTITLED "RENTAL PROPERTIES"

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

SECTION 1. Chapter 262 of the Borough Code of the Borough of South River, entitled "Rental Properties" is hereby amended to read entirely as set forth below:

Chapter 262 Rental Properties

Article I- Landlord/Tenant Registration.

§262-1 Registration of residential rental units.

A. The term "landlord" shall mean the person or persons who own or purport to own, or exercise control of, any building or project in which there is rented, or offered for rent, housing space for living or dwelling purposes under either a written or oral lease, provided that this definition shall not include owner-occupied two-unit premises.

B. No person shall hereafter occupy any rental unit, nor shall the landlord or owner permit occupancy of any rental unit within the Borough, which is not registered, if required, in accordance with this article.

C. Each rental unit shall be inspected annually pursuant to Borough Code §§258-25 and 258-26. No tenant shall occupy a rental unit where a certificate of occupancy has not been issued by the Construction Official or his/her designee.

§262-2 Certificate of Registration.

A. Every landlord of a one-dwelling-unit rental or a two-dwelling-unit non-owner- occupied premises shall hereafter be registered with the Code Enforcement on forms which contain the requirements of N.J.S.A. 46:8-28. The forms shall be provided by the Code Enforcement. A valid Rental Certificate of Registration shall be satisfy any registration requirement pursuant to Borough Code §258-24. Code Enforcement shall provide the Borough Clerk with a copy of the every issued Certificate and application.

B. The registration fee shall be \$75.00.

C. Renewal; submission.

(1) Each landlord registration form shall be renewed on an annual basis between January 1 and January 31 of the year for which a certificate shall be effective. Failure to complete the certificate of registration or renewal process by January 31 of the year for which the certificate of registration shall apply shall be considered a violation of this article.

(2) With respect to all documents required to obtain a landlord registration, including all registration forms and the provision of documents required to contain such forms.

(3) This provision shall take effect on January 1, 2026, and be effective for all landlord registration certificates thereafter. In the event a new tenancy is created by a landlord after January 31 of any calendar year, a certificate of registration must be obtained for the balance of the calendar

year prior to occupancy.

D. Every landlord shall deliver a copy of the rental license and certificate of occupancy simultaneously to the tenant(s) upon submission of the landlord registration form to the Code Enforcement.

E. Amendments. Every person required to file a landlord registration form pursuant to this section shall file an amended registration form within 20 days after any change in the information required to be included thereon. No fee shall be required for the filing of an amendment, except where the ownership or tenancy of the premises is changed.

§262-3 Registration forms.

A. Every owner shall file with the Code Enforcement Division a registration form or other forms developed by the Borough for each rental unit contained within a building or structure, which shall include the following information:

- (1) The name, address, telephone number and email address of the owner or owners of the premises and the record owner or owners of the rental business, if not the same persons, shall be provided. In the case of a partnership, the names and addresses of all general partners shall be provided, together with the telephone numbers and email addresses for each individual partner, indicating where such individual may be reached both during day and evening hours, which telephone numbers shall include cell phone numbers. If the record owner is a corporation, the name and address of the registered agent and corporate officers of said corporation shall be provided, together with the telephone number and email address for each such individual, indicating where such individual may be reached both during day and evening hours, which shall include providing the cell phone numbers of each such individual. All registration addresses shall be physical addresses; post office boxes alone are insufficient.
- (2) If the address of the owner of record is not located in the County of Middlesex, the name, address, telephone number and email address of a person who resides in the County of Middlesex who is authorized to accept notices from a tenant and to issue receipts therefor and to accept service of process on behalf of the owner of record.
- (3) The name, address, telephone number and email address of the managing agent of the premises, if any.
- (4) As to each rental unit, a specification of the exact number of sleeping rooms contained in the rental unit and the exact number of sleeping accommodations contained in each of the sleeping rooms, identifying each sleeping room specifically by number and location within the apartment or dwelling and by the square footage thereof.
- (5) Number of occupants or tenants occupying the rental unit.
- (6) The name and address of every holder of a recorded mortgage on the premises;
- (7) Such other information as may be prescribed by the Borough on the appropriate form or otherwise by ordinance or resolution

B. In addition to the registration information set forth above, every owner shall file with the Code Enforcement and provide a copy to each individual tenant, by separate forms, the name, age and address, including the dwelling unit number, telephone number and email address of each occupant or tenant occupying a rental unit and a floor plan of the rental unit. These forms shall be filed with the Construction Official and shall not be available for public inspection.

C. Documents to be provided to the Borough with the registration:

- (1) A copy of the deed establishing ownership of the premises;
- (2) A copy of the lease;
- (3) If the premises is managed by a property manager or agent: a property management agreement or such document evidencing that the property manager or agent has agreed to be responsible for the premises;
- (4) If the owner is an entity registered with the New Jersey Department of Treasury, certificate of good standing.
- (5) In addition to all such other documents, the applicant shall include a copy of a valid driver's license for the owner of record, if an individual, each partner of any partnership, any managing partner of any limited-liability corporation. If said individual does not have a valid driver's license, then in that event the applicant shall submit a photo identification of the individual which otherwise meets the requirements of this chapter.

D. The owner is required to update any of the above-listed documentation any time there is a change in status, change of tenancy or change of property manager.

§262-4 Violations and Penalties.

Any landlord failing to obtain a certificate of registration in accordance with this chapter shall be fined \$500 for a first offense, \$750 for a second offense and \$1,000 for a third or subsequent offense.

Article II- Landlord Responsibilities for Rental Unit Information.

§262-5 Information Required.

All landlords, including residential and commercial, shall be required to keep the following information on all tenants, including tenants commonly known as "boarders" who rent by the day, week and/or month, for a period of one year beyond the tenant's vacation of said premises:

- A. Name.
- B. Address.
- C. Forwarding address.
- D. Driver's license number, if available.

§262-6. Maintenance of information; duration; cooperation with law enforcement.

- A. Said information shall be maintained in written form for all tenants during the term of the tenancy and for one year after the vacation of the rental unit, and said information shall be supplied to local law enforcement organizations upon request with respect to any ongoing investigations of said individuals.
- B. The landlord shall not be responsible for updating said information if information provided by the tenant shall later become invalid due to the tenant's mobility/move from the forwarding address.

§262-7 Violation and penalties.

Any person or entity who violates any provision of this article shall, upon conviction thereof, be punished as provided in Chapter 1, Article I, General Penalty.

SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 3. This ordinance shall take effect after second reading and publication as required by law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed on first reading at a regular meeting of the Borough Council of the Borough of South River, in the County of Middlesex, State of New Jersey, held on November 10th, 2025, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the 15th day of December, 2025, at 7:00 p.m., or as soon thereafter as this matter can be reached, at the Council Chamber of the Criminal Justice Building located at 61 Main Street, South River, New Jersey, and/or virtually via Zoom meeting code 826 6082 9597: password: 000000 at which time all persons interested shall be given an opportunity to be heard concerning this ordinance.

Introduced 11-10-25

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Balazs</i>		X	X			
<i>Councilman DeSantis</i>						X
<i>Councilman Dziemian</i>			X			
<i>Councilman Giannakopoulos</i>			X			
<i>Councilman Gurchensky</i>			X			
<i>Council President Ciulla</i>	X		X			

Alyssa Hager, RMC
Municipal Clerk
Borough of South River