

BOROUGH OF HO-HO-KUS
COUNTY OF BERGEN, NJ

ORDINANCE NO. 2022-73

**ORDINANCE OF THE BOROUGH OF HO-HO-KUS TO ESTABLISH A
REGISTRY FOR BUSINESS INSURANCE CERTIFICATES**

WHEREAS, the State of New Jersey has enacted a new statute which requires business owners and rental unit owners to maintain certain liability insurance policies and register certificates of insurance demonstrating compliance with such statute with the municipality; and

WHEREAS, the requirement to register a certificate of insurance shall be effective as of November 6, 2022, 90 days following enactment; and

WHEREAS, said law provides that the municipality may, by ordinance, establish a reasonable administrative fee for the certificate of registration;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Ho-Ho-Kus County of Bergen, State of New Jersey that Chapter 37 of the Code of the Borough of Ho-Ho-Kus is hereby created and enacted as follows:

Chapter 37 - Certificate of insurance, annually registration of business, rental units, multi-family home

§ 37-1 -Establishment of a certificate of insurance registry for annual registration of business, rental units, multi-family home

- a. As required by N.J.S.A. 40A:10A-2, the owner of a business, owner of a rental unit or units, and the owner of a multi-family home of four or fewer units, one of which is owner occupied, shall annually register the certificate of insurance demonstrating compliance with N.J.S.A. 40A:10A-1 as set forth below.
- b. All business owners and rental unit owners as set forth above shall comply with the insurance requirements pursuant to N.J.S.A. 40A:10A-1 and provide a certificate of insurance as required by statute to the office of the Borough Clerk on an annual basis, which office shall maintain a registry of certificates of insurance filed with it, and each registration shall be accompanied by payment of \$25.00 as an administrative fee for such registration.
- c. Penalty and Enforcement – Any business owner who does not comply with this section shall be subject to enforcement of the registration provisions of this section, through a summary proceeding pursuant to the “Penalty Enforcement Law of 1999,” P.L.1999, c.274 (C.2A:58-10 et seq.), of a fine of not less than \$500 but no more than \$5,000 against an owner who failed to comply with the provisions of this chapter.

§ 37-2 Severability.

If any portion of this chapter is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not affect or invalidate the remainder of this chapter, but shall be confined in its effect to the provision directly involved in the controversy in which such judgment shall have been rendered.

§ 37-3

When effective.

This chapter shall take effect after final passage and publication as required by law.

The Ordinance shall become effective immediately after publication in accordance with New Jersey law.

NOTICE OF PENDING ORDINANCE

This Ordinance published herewith was introduced and pass upon first reading at a meeting of the Municipal Council of the Borough of Ho-Ho-Kus, in the County of Bergen, New Jersey, held on September 27, 2022. It will be further considered for final passage after the public hearing thereon, at a meeting of said Municipal Council to be held at the Public Meeting on October 25, 2022, at 7:00 p.m. at which time and place all interested member of the public who desire will be given an opportunity to be heard in connection with said Ordinance, and during the week prior to and up to and including the date of such meeting, copies of said has been posted on the bulletin board upon which public notices are customarily posted in the Borough Hall and copies are available on the borough website www.ho-ho-kusboro.com for members of the general public who may request them.

THIS IS TO CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF AN ORDINANCE ADOPTED BY THE MUNICIPAL COUNCIL OF THE BOROUGH OF HO-HO-KUS AT THE PUBLIC MEETING ON **October 25, 2022.**

ATTEST: _____ Joan Herve, RMC, Borough Clerk

APPROVED: _____ Thomas W. Randall, Mayor