

ORDINANCE 2023:01

AN ORDINANCE TO ADD SECTION 4-21 ENTITLED “LIABILITY INSURANCE AND ANNUAL REGISTRATION REQUIREMENTS FOR BUSINESSES AND OWNERS OF A RENTAL UNIT OR UNITS” TO CHAPTER IV OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF NEW MILFORD ENTITLED “GENERAL LICENSING”

WHEREAS, Governor Murphy signed into law S-1368 requiring all business owners and owners of multifamily rental units to maintain certain levels of liability insurance; and

WHEREAS, S-1368 also requires all business owners and owners of multifamily rental units to annually register a certificate of insurance with the municipality where the business or rental unit is located; and

WHEREAS, S-1368 authorizes municipalities to charge a reasonable administrative fee for the certificate of registration and provides for the collection of a fine for the failure to file the certificate of insurance annually.

NOW THEREFORE BE IT ORDAINED, by the Mayor and Council of the Borough of New Milford, County of Bergen, State of New Jersey, the following section is added as follows:

4-21 LIABILITY INSURANCE AND ANNUAL REGISTRATION REQUIREMENTS FOR BUSINESSES AND OWNERS OF A RENTAL UNIT OR UNITS

4-21.1 Liability Insurance Requirements

- a. The owner of a business or the owner of a rental unit or units shall maintain liability insurance for negligent acts and/or omissions in an amount of no less than \$500,000 for combined property damage and bodily injury to or death of one or more persons in any one accident or occurrence.
- b. The owner of a multifamily home which is four or fewer units, one of which is owner occupied shall maintain liability insurance for negligent acts and/or omissions in an amount of no less than \$300,000 for combined property damage and bodily injury to or death of one or more persons in any one accident or occurrence.

4-21.2 Registration Required

The owner of a business, owner of a rental unit or units and the owner of a multifamily home of four or fewer units, one which is owner occupied, shall annually register a certificate of insurance with the Borough Clerk, on or before February 1st of each year or within thirty (30) days of obtaining ownership of the property.

4-21.3 Fee

There shall be an annual administrative fee in the amount of \$25.00.

4-21.4 Penalty

Failure to annually register a certificate of insurance on or before February 1st of each year shall result in a fine of \$500.00 which shall be collected through a summary proceeding pursuant to the “Penalty Enforcement Law of 1999”, P.L. 1999, c. 274 (C.2A-58-10, et seq.)

All provisions of this ordinance are severable. If for any reason, any provision of this ordinance is held to be invalid, the validity of the remainder of the ordinance shall not be affected.

This ordinance shall take effect upon final passage and publication thereof required by law.