



**BOROUGH OF FLORHAM PARK
COUNTY OF MORRIS, STATE OF NEW JERSEY
ORDINANCE #23-07**

AN ORDINANCE OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF FLORHAM PARK, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, AMENDING THE CODE OF THE BOROUGH OF FLORHAM PARK TO REQUIRE REGISTRATION OF BUSINESSES AND RENTAL UNITS

WHEREAS, the Legislature recently enacted P.L. 2022, C. 92, which amends N.J.S.A. C.40A:10A, et. seq. to impose a requirement on all New Jersey businesses and all New Jersey owners of certain rental units to obtain liability insurance and to register with the municipality in which the business or rental units are located, to demonstrate proof of such insurance; and

WHEREAS, the Legislature has imposed upon New Jersey municipalities the obligation to maintain a municipal record of such registrations, and allows municipalities to charge a reasonable administrative fee to maintain such a registry.

IT IS HEREBY ORDAINED by the Borough Council of the Borough of Florham Park, County of Morris, State of New Jersey, that a new Chapter be added to “Part II, General Legislation of the Code of the Borough of Florham Park,” to read as follows:

Section 1. Business Insurance and Rental Unit registration requirements.

- A. The owner of a business located within Florham Park Borough shall maintain liability insurance for negligent acts or omissions in an amount of no less than \$500,000 for combined property damage and bodily injury to or death of one (1) or more persons in any one accident or occurrence.
- B. The owner of a rental unit or units located within Florham Park Borough shall maintain liability insurance for negligent acts or omissions in an amount of no less than \$500,000 for combined property damage and bodily injury to or death of one (1) or more persons in any one (1) accident or occurrence.
- C. The owner of a multi-family home of four (4) or fewer units, one of which is owner occupied, located within Florham Park Borough shall maintain liability insurance for negligent acts and 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 (1) accident or occurrence.
- D. Each person set forth in Sections A through C of this Article shall file with the Borough a certificate of insurance as evidence of the level of coverage as required by this Ordinance, and shall at the same time submit a payment in the amount of \$10.00 per Certificate. Upon the filing of an insurance certificate and the requisite fee, the Borough Clerk shall issue a certificate of registration to the owner stating the amount of coverage and the policy period of the insurance policy or policies evidenced by the certificate of insurance.
- E. The obligation to file an insurance certificate for a business in Florham Park Borough applies within thirty (30) days after the effective date of this Ordinance. If the business is established after the effective date of this Ordinance, the obligation to file an insurance

certificate for a business in Florham Park Borough applies within thirty (30) days of the date that the business is established.

- F. The obligation to file an insurance certificate for rental units or for multi-family homes of four (4) or fewer units, one of which is owner-occupied, applies within thirty (30) days after the effective date of this Ordinance. If the rental units or the multi-family home are acquired after the effective date of this Ordinance, the obligation to file an insurance certificate applies within thirty (30) days after such acquisition.
- G. The requirement to file a certificate of insurance as set forth in this Ordinance applies on an annual basis, and the certificate shall be filed on or before January 15 of each year.

Section 2. Penalties for non-compliance.

If the owner of a business, or of a rental unit or units, or the owner of a multi-family home of four (4) or fewer units, one of which is owner occupied, fails to file the required certificate of insurance with Florham Park Borough and/or pay the corresponding fee as required in subsection D within ten (10) days of any applicable deadline, Florham Park Borough may bring an action to impose a fine of not less than \$500 but no more than \$5,000 pursuant to N.J.S.A. 2A:58-10 et seq. (the "Penalty Enforcement Law of 1999").

Section 3. All ordinances or parts of ordinances inconsistent herewith are hereby repealed as to such inconsistencies.

Section 4. If any article, section, subsection, paragraph, phrase, or sentence is for any reason held to be unconstitutional or invalid, said article, section, subsection, paragraph, phrase or sentence shall be deemed separable.

Section 5. This Ordinance shall take effect upon final passage and publication according to law.

I HEREBY CERTIFY this to be a true and correct Ordinance of the Mayor and Borough Council of the Borough of Florham Park introduced on March 16, 2023 and will be further considered for adoption after Public Hearing held on April 20, 2023 at 6:30 p.m. in the Municipal Building located at 111 Ridgedale Avenue, Florham Park, New Jersey.

INTRODUCED: March 16, 2023

ADOPTED: April 20, 2023

Mark Taylor, Mayor

ATTEST:

Danielle M. Lewis, Borough Clerk