

ORDINANCE NO. 1183-2023

AN ORDINANCE OF THE TOWNSHIP OF CLINTON IN HUNTERDON COUNTY, NEW JERSEY AMENDING THE “CODE OF THE TOWNSHIP OF CLINTON” TO ESTABLISH BUSINESS INSURANCE REGISTRATION REQUIREMENTS

WHEREAS, on August 5, 2022, Governor Murphy signed into law P.L. 2022, c. 92 (N.J.S.A. 40A:10A-1 *et seq.*), which requires business owners and rental unit owners to maintain certain liability insurance policies and to register compliant certificates of insurance annually with the municipality in which the business or rental units are located; and

WHEREAS, it is necessary for the Township of Clinton to amend its ordinances to establish a registration and certification process consistent with the new law;

NOW THEREFORE, BE IT ORDAINED by the Mayor and Council of the Township of Clinton, in Hunterdon County, New Jersey as follows:

SECTION 1. Business insurance registration requirements established. Part 2, “General Legislation” of the “Code of the Township of Clinton” (“Code” or “Township Code”) is hereby amended by adding thereto a new chapter entitled “Business Insurance Registration”, which shall read as follows:

Chapter ____

BUSINESS INSURANCE REGISTRATION

§ ____-1. Insurance and registration requirements.

A. In accordance with P.L. 2022, c. 92 (N.J.S.A. 40A:10A-1 *et seq.*), it shall be unlawful for the owner of a business; owner of a rental unit or units; or owner of a multifamily home containing four or fewer units, one of which is owner occupied, to operate within the Township of Clinton without first registering with the Township a certificate of insurance demonstrating compliance with the following liability insurance requirements:

- (1) Except as set forth in subsection (2) below, the owner of a business or the owner of a rental unit or units shall maintain liability insurance for negligent acts and omissions in an amount of not 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.

- (2) The owner of a multifamily home containing four or fewer units, one of which is owner-occupied, shall maintain liability insurance for negligent acts and omissions in an amount of not 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.

§ ____-2. Entities covered.

A. The registration requirements of this chapter shall apply to the following:

- (1) Businesses entities, including, but not limited to, any person intending to sell or dispose of or to offer to sell or dispose of any goods, wares, merchandise or render any services for fees within the Township of Clinton. This shall include, but not be limited to, businesses operating on a temporary basis within the Township, such as peddlers, solicitors, and transient vendors licensed pursuant to chapter 204 of this Code, and any retail food establishments licensed pursuant to chapter 138 of this Code.
- (2) Owners of single-family rental dwelling units.
- (3) Owners of multiple dwelling rental units.
- (4) Owners of multi-family homes that include rental units, even where one unit is owner-occupied.

§ ____-3. Initial application; fees; annual renewal.

- A. Business owners and property owners subject to the requirements of this chapter shall annually register with the Township of Clinton by filing with the Township Clerk a completed registration application, along with a copy of the required insurance certificate and an administrative fee of \$15.00. The application shall be in such form and shall include such information as is required by the Township Clerk.
- B. Initial registration applications for entities covered by this chapter shall be due no later than July 1, 2023 and such registration shall be valid for the 2023 calendar year. Thereafter, all annual registration applications shall be due by January 31 of each calendar year, or within thirty days of registering the business or obtaining ownership of rental units.

§ ____-4. Issuance of certificate of registration.

Upon satisfaction of the registration requirements set forth herein, the Township Clerk shall issue a certificate of registration to the owner, which shall act as proof of compliance with this chapter. Such certificate shall be valid for the calendar year in which it is issued.

§ ____-5. Violations, Penalties.

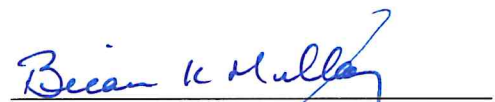
Any person or organization found to be in violation of the requirements of this chapter shall be subject to the penalties set forth in §1-17 of this Code. This penalty may be collected through a summary proceeding pursuant to N.J.S.A. 2A:58-110 *et seq.* Each year that an owner fails to register or fails to maintain adequate insurance shall be deemed a separate offense.

SECTION 2. Repealer. All ordinances and resolutions or parts thereof inconsistent with this ordinance are hereby repealed as to such inconsistencies only.

SECTION 3. Severability. If any paragraph, section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court or administrative agency of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision of such holding shall not affect the validity of the remaining paragraphs or sections hereof.

SECTION 4. Effective Date. This ordinance shall take effect 20 days after final passage, in accordance with N.J.S.A. 40:69A-181.


Carla Conner, RMC, Township Clerk


Brian Mullay, Mayor

Introduced: April 5, 2023

Adopted: May 10, 2023