

ORDINANCE 2022-04 C

ORDINANCE OF THE BOROUGH OF SHIP BOTTOM, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING TITLE 5, WHICH PERTAINS TO BUSINESS LICENSES AND REGULATIONS, AND A NEW CHAPTER 5.66, WHICH PERTAINS TO INSURANCE REQUIREMENTS FOR BUSINESSES AND RENTAL UNITS, AND CHAPTER 5.04, WHICH PERTAINS TO BUSINESS LICENSES.

WHEREAS, the State recently mandated that certain businesses and rental units maintain certain minimum liability insurance coverages; and

WHEREAS, the State mandate requires such owners to annually file with the municipality in which the business is located certificates of insurance evidencing the required coverages; and

WHEREAS, in accordance with the State's mandate, the Mayor and Council have adopted the regulations set forth herein.

NOW THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Ship Bottom, Ocean County, State of New Jersey, in accordance with the aforesaid Recitals, which are incorporated herein by reference, as follows.

STATEMENT OF PURPOSE

The purpose of the ordinance is to add Chapter 5.66 to comply with the State of New Jersey mandatory insurance requirements for certain businesses and rental units and the municipal obligations relating thereto and to amend Chapter 5.04 to require proof of compliance with the State insurance requirements as a condition of a mercantile license.

SECTION I

Chapter 5.66 Business and Rental Insurance Requirements

§5.66.010 Purpose.

It is the purpose of this Chapter to comply with the requirements imposed upon the Borough by P.L. 2022, c. 92, which provides for the annual registration of certificates of insurance by business owners and the owners of rental units located in the Borough.

§5.66.020 Insurance Requirements.

- A. As required by N.J.S.A. 40A:10A-1 and except as provided in subsection B of this section, 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.
- B. The owner of a multifamily home which contains 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.

§5.66.030 Registration Requirements.

- A. The owner of a business, the owner of a rental unit or units, and the owner of a multifamily home of four or fewer units, one of which is owner occupied, shall annually file a copy of a certificate of insurance demonstrating compliance with P.L. 2022, c. 92, with the Borough Clerk.

- B. The copy of the certificate of insurance shall be filed with the Borough Clerk no later than thirty days after the issuance or renewal of the policy or policies of insurance required to be maintained by said owner.
- C. Upon filing of an insurance certificate, 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.

§5.66.040 Repealer.

Should P.L. 2002, c.92, be repealed or invalidated by competent authority, this Chapter shall have no further force or effect.

SECTION II

§5.04.030B6 is hereby added as follows.

6. Proof of compliance with the requirements of Chapter 5.66.

SECTION III

All ordinances, or parts of ordinances, inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

SECTION IV

If any word, phrase, clause, section, or provision of this ordinance shall be found by any Court of competent jurisdiction to be unenforceable, illegal, or unconstitutional, such word, phrase, clause, section, or provision shall be severable from the balance of the ordinance and the remainder of the ordinance shall remain in full force and effect.

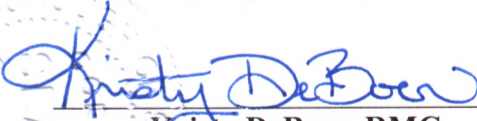
Effective date.

This ordinance shall take effect after final adoption and publication as required by law.

NOTICE

Public Notice is hereby given that the foregoing Ordinance was introduced and passed on the first reading at a regular meeting of the Mayor and Council of the Borough of Ship Bottom, County of Ocean, State of New Jersey, held on Tuesday, January 24, 2023, at 6:30 p.m.

Further public notice is hereby given that said ordinance shall be considered for final passage and adoption at a regular meeting of the Mayor and Council to be held on February 28, 2023, at 6:30 p.m. at the Municipal Building, 1621 Long Beach Boulevard, Ship Bottom, New Jersey 08008.



Kristy DeBoer, RMC
Municipal Clerk