

ORDINANCE 2024-08

AN ORDINANCE AMENDING AN ORDINANCE ENTITLED "REVISED GENERAL ORDINANCES OF THE BOROUGH OF SURF CITY, COUNTY OF OCEAN, STATE OF NEW JERSEY, 2000" AS THE SAME IN CHAPTER 30 PERTAINS TO "ZONING".

The Mayor and Borough Council of the Borough of Surf City do ordain:

SECTION I

Chapter 30 Section 30-15.6 entitled "Certificate of Zoning Occupancy Required for Transfer of Title to Existing Structures," the title shall be amended as follows:

Resale Certificate Required for Transfer of Title to Existing Structures.

Chapter 30 Section 30-15.6 (a)(b)(c)(d) language should be amended as follows:

- a. Certificate Required Before Transfer. No title transfers by an owner to any real property within the Borough shall take place unless and until the new Resale Certificate has been received from the office of the Zoning Officer for any existing structure located thereon and used for commercial or residential purposes. It shall be the obligation of the record owner of such real property to first obtain a new Resale Certificate before the transfer of title. No person, agents, servants, or representatives of any foregoing shall suffer or allow anyone to occupy any structure used for commercial or residential purposes within the Borough without obtaining a Resale Certificate.
- b. Application; Inspection. Before the transfer of title of any existing commercial or residential structure, the record owner shall apply for a new Resale Certificate in writing to the Zoning Officer or any other person designated by him. The applicant shall permit the Zoning Officer, or any other person designated by him, to enter upon and examine the structure or structures subject to the Resale Certificate application so that the Zoning Officer, or any other person designated by him, may determine if the structure conforms with the Zoning Ordinances of the Borough as a permitted use or, if not a permitted use, then determine if such structure exists as a valid nonconforming use. No Resale Certificate shall be issued until such inspection shall have been made and a certification filed with the Zoning Officer or the Deputy Zoning Officer, that the use for such building or buildings complies with the Zoning Ordinance of the Borough or is a valid pre-existing nonconforming use.
- c. Filing; Fee. The applicant must complete an application to be filed with the Zoning Officer and submit a fee of \$75 per unit, a current plot plan, and a flood elevation certificate to be in the purchaser's name. A fee of \$25 shall be submitted for each reinspection.
- d. Exemption. The transfer of title to properties requiring certificates of zoning occupancy as outlined in Subsections a and b shall be exempt from the provisions of this subsection if the transfer is between existing record owners together or if property passes by intestate succession or as the result of a Last Will and Testament.

SECTION II

All ordinances or parts of ordinances inconsistent herewith are repealed to the extent of such inconsistency.

SECTION III

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.

SECTION IV

This ordinance shall take effect after notice of adoption.

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 Surf City, County of Ocean, State of New Jersey, on Wednesday, May 8, 2024, at 7:30 PM at 813 Long Beach Boulevard, Surf City, New Jersey. This ordinance removes the term certificate of occupancy and replaces it with the term resale certificate, as State Law requires.

Further notice is given that said Ordinance will be considered for final passage and adoption after a public hearing to be held at a regular meeting of the Mayor and Council on Wednesday, June 12, 2024, at 7:30 P.M. in the Municipal Building, 813 Long Beach Blvd., Surf City, New Jersey, at which time and place, any person desiring to be heard upon the same will be allowed to be so heard. Full copies of this ordinance are available for public inspection in the office of the Municipal Clerk during regular business hours.

CHRISTINE HANNEMANN, RMC/CMR/QPA

Municipal Clerk/Administrator

	<u>Approved</u>			Denied	Carried		
	Roll Call						
Council Member	Moved	Second	Ayes	Nays	Abstain	Absent	Note
DeBenedetto			X				
Hartney			X				
Wm. Hodgson			X				
Little	X		X				
McMenamin			X				
Siciliano		X	X				