

BOROUGH OF LEONIA
ORDINANCE NO. 2020-12

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 212
“PROPERTY MAINTENANCE” OF THE CODE OF THE BOROUGH OF LEONIA**

NOW THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Leonia, that Chapter 212 “Property Maintenance” of the Code of the Borough of Leonia is hereby amended and supplemented, as follows:

Section 1.

Chapter 212 “Property Maintenance” Article VIII “General Sanitation and Safety” Section 212-20 “Requirements for Multiple-Family, Mixed Occupancy and Nonresidential Buildings” of the Code of the Borough of Leonia is amended and supplemented, as follows:

§212-20. Requirements for single-family, multiple-family, mixed occupancy and nonresidential buildings.

All single-family, multiple-family, mixed occupancy and nonresidential buildings and their premises shall be kept free of nuisances or other conditions which may constitute health, safety or fire hazards for occupants, neighbors or the general public. The owner, operator or occupant of every such building and its premises shall, along with other responsibilities necessary to attain these objectives:

Items A. – F. of §212-20 remain unchanged.

Section 2.

Chapter 212 “Property Maintenance” Article X “Occupancy in One-Family and Multiple-Family Dwellings” Section 212-27 “Minimum Floor Area Per Occupant” of the Code of the Borough of Leonia is amended and supplemented, as follows:

§212-27. Minimum floor area per occupant.

Every dwelling unit having its own cooking facilities and shall contain bedrooms that can house two (2) individuals and any child under the age of four (4).

Section 3.

Chapter 212 “Property Maintenance” Article XI “Inspection Certificates” Section 212-32 “When Required” of the Code of the Borough of Leonia is amended and supplemented, in its entirety, as follows:

§212-32. When required.

A. Residential structures.

1. When required. No owner or operator of a single-family or a multiple-family dwelling shall permit the occupancy of a dwelling unit by a tenant not previously occupying said dwelling unit without first obtaining an inspection certificate from the Public Officer. All inspections required hereunder shall be made within 10 days after receipt of a written request from the owner or operator.
2. When not required. No inspection certificate shall be required:
 - (a) For 12 months after issuance of a certificate of occupancy for a new dwelling unit, unless the dwelling unit is sold within the 12 month period.
 - (b) When an existing tenant remains in the same dwelling unit under a new lease or as a holdover.
3. Resale only certificates may be issued provided that a notarized letter is received from a purchaser's attorney that the dwelling will not be occupied until an inspection certificate pursuant to this Chapter or a certificate of occupancy has been issued.

B. Commercial structures.

1. When required. No owner or operator of a commercial structure shall permit the occupancy of a commercial structure by a tenant not previously occupying said commercial structure without first obtaining an inspection certificate from the Public Officer. All inspections required hereunder shall be made within 10 days after receipt of a written request from the owner or operator.
2. When not required. No inspection certificate shall be required:
 - (a) For 12 months after issuance of a certificate of occupancy for a new commercial structure, unless the commercial structure is sold within the 12 month period.
 - (b) When an existing tenant remains in the same commercial structure under a new lease or as a holdover.

Section 4.

Chapter 212 “Property Maintenance” Article XVI “BOCA National Property Maintenance Code” of the Code of the Borough of Leonia is amended and supplemented, in its entirety, as follows:

Article XVI. International Property Maintenance Code

§212-51. Adoption.

The International Property Maintenance Code 2018 is hereby adopted as a supplement to Chapter 212 of the Borough of Leonia. Three copies of this Code will be kept on file in the Office of the Borough Clerk. The International Property Maintenance Code 2018, as may be further amended and supplemented, and Chapter 212 will control buildings and structures within the Borough of Leonia, and regulate and provide conditions and terms of property maintenance, and that Code as referred to herein is adopted and made a part of as if fully set forth in this article, with the amendments set forth herein. All references in the Code to “jurisdiction” shall mean the Borough of Leonia.

§212-52. Supplementary nature of International Property Maintenance Code.

The provisions of §212-1 et seq. be and same are supplemented by the adoption of this article and not replaced.

Section 5.

Should any section, part or provision of this ordinance be held unconstitutional or invalid, such decision shall not affect the validity of this ordinance as a whole, or any other part thereof.


Section 6.

All ordinances or parts of ordinances inconsistent herewith are hereby repealed.


Section 7.

This ordinance shall take effect immediately upon publication and final passage according to law.

	Motion	Second	Yes	No	Abstain	Absent
Fusco	✓		✓			
Davis			✓			
Flaim		✓	✓			
Grandelis			✓			
Terrell			✓			
Ziegler			✓			
Mayor Zeigler	---	---				

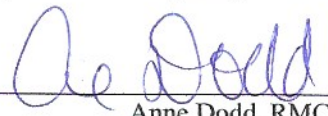


Judah Zeigler, Mayor

ATTEST:


Anne Dodd, RMC
Borough Clerk

I hereby certify the foregoing to be a true copy of an Ordinance No. 2020-12 adopted by the Governing Body of the Borough of Leonia on May 18, 2020.



Anne Dodd, RMC
Borough Clerk