

**AN ORDINANCE AMENDING CHAPTER 210 OF THE CODE OF THE BOROUGH OF  
MAGNOLIA ENTITLED "RENTAL PROPERTIES"**

**WHEREAS**, the Mayor and Council of the Borough of Magnolia is authorized pursuant to N.J.S.A. 40:48-2 to enact and amend ordinances, and to amend the Code of the Borough of Magnolia as deemed necessary for the preservation of the public health, safety and welfare of the Borough and its residents; and

**WHEREAS**, the Mayor and Council of the Borough of Magnolia is authorized to enact an ordinance requiring registration of commercial and residential properties within the municipality by owners of said property who do not reside in nor operate a business at their properties pursuant to N.J.S.A. 40:48-2.53; and

**WHEREAS**, it is in the best interests of the Borough to maintain a registration system to identify, monitor and enforce the maintenance of rental properties; and

**WHEREAS**, it is in the best interest of the Borough to ensure that all rental properties within the Borough of Magnolia are properly registered and maintained.

**NOW, THEREFORE, NOW, THEREFORE, BE IT ORDAINED AND ENACTED**, by the Mayor and Council of the Borough of Magnolia that the following provisions of the Code of the Borough of Magnolia are amended as follows:

**SECTION 1:** Chapter 210-15- Revocation of certificate; procedure, Section A-Grounds is hereby amended to add the following language:

- (6) Refusal to designate a resident agent for acceptance of service of process or service of notice of violation of the Code where the Owner is not a resident of the County.
- (7) Allowing the rental unit to be occupied in a manner which constitutes a public nuisance to the surrounding properties and property owners.
- (8) Refusal to comply with a notice of violation and an emergency order of the public officer to correct a violation of the Code involving public health or safety violations.

- (9) Refusal to take all reasonable and necessary steps to evict a tenant who has been found guilty of three (3) or more violations of the New Jersey Criminal Statutes within a twelve (12) month period.
- (10) Where the owner or resident agent fails to comply with an order to correct a violation of the property maintenance code entered by the Municipal Court or any court of competent jurisdiction.
- (11) Failure to pay the inspection, re-inspection and/or registration fees, including any late fees.
- (12) Failure to notify the Borough that there has been a change in occupancy.
- (13) Three (3) or more violations or convictions of a violation under the New Jersey State Housing Code.
- (14) Continuous violations or conviction of a violation under the Uniform Fire Safety Act, N.J.A.C. 52:27D-192 et seq.
- (15) Three (3) or more Conviction under the Borough's Property Maintenance Code.
- (16) Three (3) or more violations or convictions of a violation under the Uniform Construction Code, N.J.A.C. 52:27D-119 et seq.
- (17) Three (3) or more violations or convictions of a violation of the Code of the Borough of Magnolia.
- (18) Three (3) or more violations or conviction of a violation under the New Jersey Building Code.
- (19) Continuously renting the unit or units to a tenant or tenants who are convicted of local ordinance violations, disorderly persons offenses or other crimes.

**SECTION 3:** All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

**SECTION 4:** If the provisions of any section, subsection, paragraph, subdivision, or clause of this Ordinance shall be judged invalid by a Court of competent jurisdiction,

such Order of Judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this Ordinance.

**SECTION 5:** This Ordinance shall take effect immediately upon final passage and publication in accordance with law.

Introduced: October 7, 2020

BOROUGH OF MAGNOLIA

Adopted on: \_\_\_\_\_

\_\_\_\_\_  
Betty Ann Cowling-Carson, Mayor  
Borough of Magnolia

ATTEST: \_\_\_\_\_  
Christine M. Pippet, Acting Borough Clerk  
Borough of Magnolia

This ordinance was introduced at a meeting on October 7, 2020 by the Governing Body. The Public Hearing and final adoption for this ordinance is set for November 4, 2020 to be held at Borough Hall, 438 W. Evesham Ave., Magnolia, NJ.

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Christine M. Pippet, Acting Borough Clerk  
Borough of Magnolia