**ORDINANCE 18-2015**

**OF THE GOVERNING BODY**

**OF THE BOROUGH OF BLOOMINGALE**

**AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC AND STATE OF NEW JERSEY, amending Chapter XI, “buildings and housing,” section 11-1.6, “certificate of continued occupancy for commercial, industrial and residential premises” of the code of the borough of bloomingdale**

**BE IT ORDAINED**, by the Mayor and Borough Council of the Borough of Bloomingdale, in the County of Passaic and State of New Jersey, as follows:

**SECTION 1**. Chapter XI, “Buildings and Housing,” Section 11-1.6, “Certificate of Continued Occupancy for Commercial, Industrial and Residential Premises,” of the Code of the Borough of Bloomingdale is hereby amended to read as follows:

**11-1.6 Certificate of Continued Occupancy for Commercial, Industrial and Residential Premises.**

1. No person shall occupy or use any portion of a commercial, industrial or residential building after such building or portion thereof has been vacated or sold, or which there has been a change of occupancy, until the owner/landlord shall have applied for and secured a Certificate of Occupancy therefor from the Construction Official or his designee of the Borough.
2. Upon receipt by the Construction Official of an application for a Certificate of Continued Occupancy and payment of the requisite fee, the Construction Official shall conduct an inspection of the premises in question to insure compliance with applicable building, health, safety and fire codes, regulations, ordinances and statutes of the Borough of Bloomingdale and the State of New Jersey.
3. The Construction Official shall issue a Certificate of Continued Occupancy upon his inspection and satisfaction that no violations of the aforementioned codes, regulations, ordinances and statutes exist.
4. If violations are found to exist, there shall be no new occupancy or use of the premises until compliance with this section has been obtained.
5. The Construction Official shall provide a form to be completed by each applicant. A fee of two hundred dollars ($200) shall be paid for residential single-family dwellings. A fee of one hundred dollars ($100) per unit shall be paid for commercial, industrial, multifamily or residential rental units.
6. The Construction Official may waive the inspection and the above fee if an inspection of the same premises has been made within sixty (60) days, and there has been no physical change to the property.
7. All payments for a Continued Certificate of Occupancy shall be made in cash or cashiers check to the Borough of Bloomingdale.

**SECTION 2.** All ordinances or parts of ordinances of the Borough of Bloomingdale inconsistent herewith are repealed to the extent of such inconsistency.

**SECTION 3**. If any section, subsection, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid by any court or competent jurisdiction, such decision shall not affect the remaining portion of this ordinance.

**SECTION 4**. This law shall take effect immediately upon final passage, approval and publication as required by law.

**NOTICE**

NOTICE IS HEREBY GIVEN, that the above Ordinance was introduced and passed on first reading at the Regular Meeting of the Governing Body of the Borough of Bloomingdale held in the Municipal Building on the 18th day of August 2015, and the same shall come up for final passage at an Official Meeting of the Governing Body to be held on the 22nd day of September 2015, at 7:00 P.M., at which time any persons interested shall be given the opportunity to be heard concerning said Ordinance.

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Jane McCarthy, RMC

Municipal Clerk