

**TOWN OF WEST NEW YORK  
COUNTY OF HUDSON, STATE OF NEW JERSEY**

**ORDINANCE # 14/18**

**AN ORDINANCE AMENDING CHAPTER 148 OF THE CODE OF THE  
TOWN OF WEST NEW YORK ENTITLED “CERTIFICATES OF  
OCCUPANCY”**

**WHEREAS**, pursuant to N.J.S.A. 40:48-2, a municipality may make, amend, repeal and enforce ordinances not contrary to the laws of this State or of the United States, as it may deem necessary and proper for order and protection of persons and property, and for the preservation of the public health, safety and welfare of the municipality and its inhabitants; and

**WHEREAS**, the Town of West New York (“Town”) requires property owners/sellers obtain certain certificates from the Building Department prior to the transfer of real property; and

**WHEREAS**, in an effort to protect the public and ensure properties are Code compliant, the Town requires the performance of inspections by Building Department personnel; and

**WHEREAS**, the Town is aware that numerous properties are being sold without first obtaining Certificate of Occupancies; and

**WHEREAS**, the Board of Commissioners now seek to amend Chapter 148 with respect to the fine for failure to obtain an ownership certificate, business certificate, residential tenant certificate or vacant land certificate.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Board of Commissioners of the Town of West New York, that Chapter 148 entitled “Certificates of Occupancy” shall be amended as follows:

**Section One**

Chapter 148-8 shall be deleted and replaced as follows:

Failure to obtain any ownership certificate, business certificate, residential tenant certificate or vacant land certificate shall result in a fine of \$1,000.00.

## Section Two

**Severability.** The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remaining in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

## Section Three

**Repealer.** All ordinances or portions thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only however, or the extent of such conflict or inconsistency, it being legislative intent that all ordinances or portions of ordinances now existing or in effect shall remain in effect unless the they are in conflict or inconsistent with any provision of this Ordinance.

## Section Four

**When Effective.** This ordinance shall take effect upon passage and publication as required by law.

## SUMMARY OF ORDINANCE

This Ordinance amends Chapter 148-8 by changing the minimum \$100.00 fine to a set fine of \$1,000.00.

**Introduced: 8/22/18**

## Notice

The foregoing Ordinance was adopted for first reading by the Mayor and Board of Commissioners of the Town of West New York, New Jersey, on **August 22, 2018** and ordered published, and will be further considered before final passage at a public hearing on **September 19, 2018 at 6:30 p.m.** at the Commission Chambers, Municipal Building, West New York, NJ. A copy of this Ordinance has been posted on the bulletin board upon which public notices are customarily posted on in the Town Hall of the Town of West New York, and a copy (at no charge) is available up to and including the time of such meeting to the members of the public of the Town who shall request such copies, at the Office of the Town Clerk in said Town Hall in West New York, N.J.

Carmela Riccio, RMC  
Town Clerk