

ORDINANCE NO. 296

AN ORDINANCE ESTABLISHING THE MINIMUM REGULATIONS GOVERNING THE CONDITIONS AND MAINTENANCE OF ALL PROPERTY, BUILDINGS AND STRUCTURES; BY PROVIDING THE STANDARDS FOR SUPPLIED UTILITIES AND FACILITIES AND OTHER PHYSICAL THINGS AND CONDITIONS ESSENTIAL TO ENSURE THAT STRUCTURES ARE SAFE, SANITARY AND FIT FOR OCCUPATION AND USE; AND THE CONDEMNATION OF BUILDINGS AND STRUCTURES UNFIT FOR HUMAN OCCUPANCY AND USE AND THE DEMOLITION OF SUCH STRUCTURES; KNOWN AS THE PROPERTY MAINTENANCE CODE AND REPEALING ORDINANCES NO. 229 AND 255 OF THE VILLAGE OF LOCH ARBOUR, MONMOUTH COUNTY, NEW JERSEY

BE IT ORDAINED by the Board of Trustees of the Village of Loch Arbour, in the County of Monmouth and State of New Jersey, as follows:

Section 1. Adoption of the Property Maintenance Code

That a certain document, three (3) copies of which are on file in the Village Clerk's Office of the Village of Loch Arbour, being marked and designated as the 2000 International Property Maintenance Code as published by the International Code Council, Inc., be and the same is hereby adopted as the Property Maintenance Code of the Village of Loch Arbour, County of Monmouth, State of New Jersey; for the control of buildings and structures as herein provided; and each and all of the regulations, provisions, penalties, conditions and terms of said 2000 International Property Maintenance Code are hereby referred to, adopted and made of part hereof, as if fully set out in this Ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this Ordinance.

Section 2. Additions, Insertions and Changes.

That the International Property Maintenance Code is amended and revised in the following respects:

A. Section 101.1 Title: These regulations shall be known as the Property Maintenance Code of the Village of Loch Arbour, hereinafter referred to as "this code".

B. Section 103.6 Fees: The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be as indicated in the following schedule:

Certificate of Occupancy Inspection	
a. Rental of property	\$60.00
b. Sale of property	\$75.00
Smoke Detector Inspection	\$20.00

C. Section 109.6 Hearing: Any person ordered to take emergency measures shall comply with such order forthwith. Any affected person shall thereafter, upon petition to the Board of Trustees of the Village of Loch Arbour, be afforded a hearing as described in this code.

D. Section 111.1 Application for appeal: Any person directly affected by a decision of the code official or a notice or order issued under this code shall have the right to appeal to the Board of Trustees of the Village of Loch Arbour, provided that a written application for appeal is filed within 20 days after the day the decision, notice or order was served with the Village Clerk. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or the requirements of this code are adequately satisfied by other means, or that the strict application of any requirement of this code would cause undue hardship.

E. Section 111.2 Membership of the board: shall be deleted in its entirety.

F. Section 111.3 Notice of hearing. The board shall meet upon notice from the Village Clerk within 20 days of the filing of an appeal.

G. Section 303.14 Insect screens. During the period from May 1 to October 1, every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored, shall be supplied with approved tightly fitting screens of

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not less than 16 mesh per inch (16 mesh per 25 mm) and every swinging door shall have a self-closing device in good working condition.

Exception: Screen doors shall not be required where other approved means, such as air curtains or insect repellent fans, are employed.

H. Section 602.3 Heat supply: Every owner and operator of any building who rents, leases or lets one or more dwelling unit, rooming unit, dormitory or guestroom on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply during the period October 15 to May 15 to maintain a temperature of not less than 65°F (18°C) in all habitable rooms, bathroom and toilet rooms.

Exception: When the outdoor temperature is below the winter outdoor design temperature for the locality, maintenance of the minimum room temperature shall not be required provided that the heating system is operating at its full design capacity. The winter outdoor design temperature shall be as indicated in the latest plumbing standards as adopted by the Department of Community Affairs, State of New Jersey.

I. Section 602.4 Occupiable work spaces: Indoor occupiable work spaces shall be supplied with heat during the period from October 15 to May 15 to maintain a temperature of not less than 65°F (18°C) during the period the spaces are occupied.

Exceptions:

1. Processing, storage and operation areas that require cooling or special temperature conditions.
2. Areas in which persons are primarily engaged in vigorous physical activities.

J. Chapter 8. Referenced Standards: standards specified shall be replaced by the latest applicable standards for Electrical, Building, Fire, Fuel Gas, Mechanical and Plumbing as adopted by the Department of Community Affairs, State of New Jersey; Zoning Codes as adopted by the Village of Loch Arbour pursuant to Ordinance No. 156 and its amendments.

Section 3. Inconsistent Ordinances Repealed.

That Ordinance No. 229 of the Village of Loch Arbour entitled "AN ORDINANCE ESTABLISHING THE MINIMUM REGULATIONS GOVERNING THE CONDITIONS AND MAINTENANCE OF ALL PROPERTY, BUILDINGS AND STRUCTURES; BY PROVIDING THE STANDARDS FOR SUPPLIED UTILITIES AND FACILITIES AND OTHER PHYSICAL THINGS AND CONDITIONS ESSENTIAL TO ENSURE THAT STRUCTURES ARE SAFE, SANITARY AND FIT FOR OCCUPATION AND USE; AND THE CONDEMNATION OF BUILDINGS AND STRUCTURES UNFIT FOR HUMAN OCCUPANCY AND USE AND THE DEMOLITION OF SUCH STRUCTURES; KNOWN AS THE PROPERTY MAINTENANCE CODE" and Ordinance No. 255 of the Village of Loch Arbour entitled "AN ORDINANCE TO AMEND ORDINANCE NO. 229 entitled "AN ORDINANCE ESTABLISHING THE MINIMUM REGULATIONS GOVERNING THE CONDITIONS AND MAINTENANCE OF ALL PROPERTY, BUILDINGS AND STRUCTURES; BY PROVIDING THE STANDARDS FOR SUPPLIED UTILITIES AND FACILITIES AND OTHER PHYSICAL THINGS AND CONDITIONS ESSENTIAL TO ENSURE THAT STRUCTURES ARE SAFE, SANITARY AND FIT FOR OCCUPATION AND USE; AND THE CONDEMNATION OF BUILDINGS AND STRUCTURES UNFIT FOR HUMAN OCCUPANCY AND USE AND THE DEMOLITION OF SUCH STRUCTURES; KNOWN AS THE PROPERTY MAINTENANCE CODE" and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. Saving Clause: That nothing in this ordinance or in the *Property Maintenance Code* hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause of causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 3 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

Section 5. Date of Effect: That the Village Clerk of the Village of Loch Arbour shall certify to the adoption of this ordinance, and cause the same to be published as required by law; and this ordinance shall take effect and be in force and after its approval as required by law.

CERTIFICATION

I, LORRAINE CARAFA, CLERK OF THE VILLAGE OF LOCH ARBOUR, do hereby certify
the above to be a true copy of the Ordinance adopted
by the Board of Trustees after a public hearing
thereon on the 5th day of June, 2002.

LORRAINE CARAFA, R.M.C.
Village Clerk

Introduction: May 1, 2002
First publication: May 9, 2002
Public Hearing/Adoption: June 5, 2002
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