

ORDINANCE 23-03-OA ³

AN ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING THE MUNICIPAL CODE OF THE TOWNSHIP OF BERKELEY, SO AS TO CREATE SECTION 5-31, WHICH SHALL BE ENTITLED "LIABILITY INSURANCE REGISTRY"

January 23, 2023

BE IT ORDAINED by the Mayor and Township Council of the Township of Berkeley, County of Ocean, and State of New Jersey, as follows:

SECTION 1. The Township Code of the Township of Berkeley is hereby amended and supplemented so as to create Section 5-31, which shall be entitled "Liability Insurance Registry," and which shall read as follows:

§ 5-31.1. Definitions.

CERTIFICATE OF INSURANCE. A document issued by an insurance company licensed to do business in the State of New Jersey including the policy holder's name, the address of the covered property, the policy effective and expiration dates, the type of coverage, the policy limits, the policy carrier and the names of any additionally insured parties.

§ 5-31.2. Registration required. The owner of a business, a rental unit, or rental units located in the Township shall be required to register a certificate of insurance annually by January 1 of each year with the Municipal Clerk as follows:

- A. The owner of any business located in the Township shall file a certificate of insurance in an amount no less than \$500,000 for combined property damage and bodily injury to or death of one or more persons in any accident or occurrence.
- B. The owner of a rental unit or units, with the exception of multifamily homes containing four or fewer units one of which is owner occupied, located in the Township shall file a certificate of insurance in an amount no less than \$500,000 for combined property damage and bodily injury to or death of one or more persons in any accident or occurrence.
- C. The owner of multifamily home containing four or fewer units one of which is owner-occupied located in the Township shall file a certificate of insurance in an amount no less than \$300,000 for combined property damage and bodily injury to or death of one or more persons in any accident or occurrence.

§ 5-31.3. Registration Fee. Registration of a certificate of insurance is subject to a mandatory administrative fee of \$25.00 annually.

DASTI & ASSOCIATES

ATTORNEYS AT LAW

310 Lacey Road
P.O. Box 779
Forked River, N.J. 08731

§ 5-31.4. Violations and penalties.

- A. Any person violating or failing to comply with any other provision of this article shall, upon conviction thereof, be punishable by a fine of no less than \$500 and no more than \$5,000, as determined in the discretion of the Municipal Court Judge.
- B. The violation of any provision of this chapter shall be subject to abatement summarily by a restraining order or injunction issued by a court of competent jurisdiction.

SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 4. This ordinance shall take effect after second reading and publication as required by law.



CARMEN F. AMATO, JR., Mayor



JOHN A. BACCHIONE, Council President
KEITH BUSCIO, Council Vice President

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed on first reading at a regular meeting of the Township Council of the Township of Berkeley, in the County of Ocean, State of New Jersey, held on , 2023 and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the day of 2023, at 6:00 p.m., or as soon thereafter as this matter can be reached, at the meeting room of the Municipal Building located at 627 Pinewald-Keswick Road, Bayville, New Jersey, at which time all persons interested shall be given an opportunity to be heard concerning this ordinance.



BEVERLY M. CARLE, RMC
Township Clerk, Township of Berkeley

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