

40:48-2.12m

LEGISLATIVE HISTORY CHECKLIST

WJA 40:48-2.12m (Apartment re-rents--inspect)

LAWS OF 1979 CHAPTER 476

Bill No. A3461

Sponsor(s) Baer and others

Date Introduced June 18, 1979

Committee: Assembly Commerce, Industry and Professions

Senate County and Municipal Government

Amended during passage Yes

Date of Passage: Assembly July 16, 1979

Senate Jan 5, 1980

Date of approval Feb 27, 1980

Following statements are attached if available:

Sponsor statement Yes No (Below)

Committee Statement: Assembly Yes No

Senate Yes No

Fiscal Note Yes No

Veto message Yes No

Message on signing Yes No

Following were printed:

Reports Yes No

Hearings Yes No

Sponsor's statement:

This bill would allow a municipality to adopt ordinances requiring certificates of inspection or occupancy before the rental of apartments to assure they meet the standards provided by law.

A number of municipalities presently have such ordinances and the public has benefited from them. However, some recent court decisions have created some confusion as to whether municipalities have the authority for such ordinances.

8/1/79

EJ

CHAPTER 476 LAWS OF N. J. 1979  
APPROVED 2-22-80

ASSEMBLY, No. 3461

**STATE OF NEW JERSEY**

INTRODUCED JUNE 18, 1979

By Assemblymen BAER, THOMPSON, BURNS and CONTILLO

Referred to Committee on Commerce, Industry and Professions

AN ACT concerning municipalities in relation to the maintenance and condition of residential rental property in certain circumstances and supplementing Title 40 of the Revised Statutes.

1 BE IT ENACTED *by the Senate and General Assembly of the State*  
2 *of New Jersey:*

1 1. The governing body of a municipality may adopt ordinances  
2 regulating the maintenance and condition of any unit of dwelling  
3 space, upon the termination of occupancy, in any residential rental  
4 property for the purpose of the safety, healthfulness, and upkeep  
5 of the structure and the adherence to such other standards of  
6 maintenance and condition as are required in the interest of public  
7 safety, health and welfare. Such ordinances shall require the  
8 owner of any residential rental property, prior to rental or lease  
9 involving a new occupancy of any unit of dwelling space in such  
10 property, to obtain a certificate of inspection or occupancy for the  
11 unit of dwelling space. Such certificate of inspection or occupancy  
12 shall be issued by the municipality upon the inspection of the unit  
13 of dwelling space by a municipal inspector and his findings that  
14 such unit meets the standards provided by law. The municipality  
15 may charge a fee to fund the costs of the inspections and the issu-  
16 ance of the certificates. For purposes of this act "owner" means  
17 the person who owns, purports to own, or exercises control of any  
18 residential rental property.

1 2. This act shall take effect immediately.

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STATEMENT

This bill would allow a municipality to adopt ordinances requiring certificates of inspection or occupancy before the rental of apartments to assure they meet the standards provided by law.

A number of municipalities presently have such ordinances and the public has benefited from them. However, some recent court decisions have created some confusion as to whether municipalities have the authority for such ordinances.

ASSEMBLY COMMERCE, INDUSTRY AND PROFESSIONS  
COMMITTEE

STATEMENT TO  
ASSEMBLY, No. 3461

STATE OF NEW JERSEY

DATED: JUNE 28, 1979

This bill allows a municipality to adopt an ordinance requiring a landlord to obtain a certificate of occupancy or inspection before re-renting an apartment to a new occupant. After an apartment is inspected by a municipal inspector, the municipality would issue a certificate if the apartment meets the standards required by law.

Although many municipalities have such ordinances in effect, some recent court decisions have created some confusion as to whether municipalities have authority for such ordinances.

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FEBRUARY 27, 1980

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A-3461, sponsored by former Assemblyman Byron Baer (D-Bergen), which will permit municipalities to adopt ordinances requiring certificates of inspection or occupancy before the rental of apartments to assure standards of maintenance are met, as required in the interest of public safety, health and welfare.

This certificate would be issued upon inspection of the unit by a municipal inspector and his finding that such unit met the standards provided by law. A municipality could charge a fee to fund the cost of the inspections and the issuance of the certificates.