

BOROUGH OF NORWOOD

ORDINANCE NO. 17:15

An Ordinance Amending Chapter 233 the Code of the Borough of Norwood titled “Zoning,” to Authorize the Zoning Officer to Issue Certificates of Zoning Compliance.

WHEREAS, the Mayor and Council of the Borough of Norwood is authorized to create and from time to time modify land use regulations consistent with the Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.) (“MLUL”), and the purpose of this ordinance is authorize the zoning officer to conduct inspections and issue certificates of zoning compliance, to better enforce the provisions of the Norwood land use ordinances, as authorized by the MLUL, and to advance the public health, safety, and welfare of Norwood’s residents and property owners.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Norwood as follows:

Section 1: A new Section 233-134.1 is added to the Code of the Borough of Norwood (“Code”), stating as follows:

§233-134.1. Certificate of Zoning Compliance.

- A. When Required. A certificate of zoning compliance is required to be issued by the zoning officer before a change in occupancy of any premises in the Borough:
1. Whenever a certificate of occupancy is required;
 2. Upon the change of tenancy or change of ownership and occupancy of any residential property, whether or not the property is designated as a one- or two- or multi-family dwelling in the Borough’s tax collection records or the Borough’s tax assessment records; and
 3. Upon a change of tenancy or change of ownership and occupancy of any commercial or business premises in the Borough, whether or

not so designated in the Borough's tax collection records or tax assessment records.

- B. On Site Inspection. The zoning officer or his/her designated subordinate may issue or deny a certificate of zoning compliance only after completing an on-site inspection.
- C. Fee. The fee for a certificate of zoning compliance on-site inspection is \$50, and the fee for re-inspection, if necessary, is \$25.
- D. Standards. The zoning officer will issue a certificate of zoning compliance if he/she finds that: (1) the uses and structures on the property are permitted by this Code; or (2) any uses or structures that are not permitted by this Code are either: (i) existing legal nonconforming uses or structures, (ii) existing uses or structures that are permitted by variances, or (iii) uses or structures that are otherwise permitted by law.
- E. Issuance of Certificate. The zoning officer, upon issuing a certificate of zoning compliance, will provide the applicant with a copy of the certificate, and upon denying a certificate of zoning compliance, will provide the applicant with a statement of reasons for the denial. The zoning officer also will provide copies of all certificates or denials to the office of the tax assessor, and will file the original certificates and denials with the construction code official for retention in the permanent construction office file relating to the subject premises. Additional copies of certificates of zoning compliance will be made available for a fee of \$10 each.

Section 2: All ordinances or parts of ordinances that are inconsistent with the provisions of this ordinance are hereby repealed, but only to the extent of any inconsistencies.

Section 3: The provisions of this ordinance are severable. If any part of this ordinance is declared to be unconstitutional or invalid by any court, the remaining parts of this ordinance will remain in full force and effect.

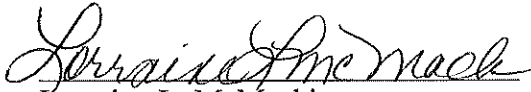
Section 4: This ordinance will take effect upon passage and publication in accordance with N.J.S.A. 40:49-2(d), and copies will be served on the County Planning Board and the Borough's tax assessor within thirty days of adoption.

Introduced and passed first reading: November 8, 2017

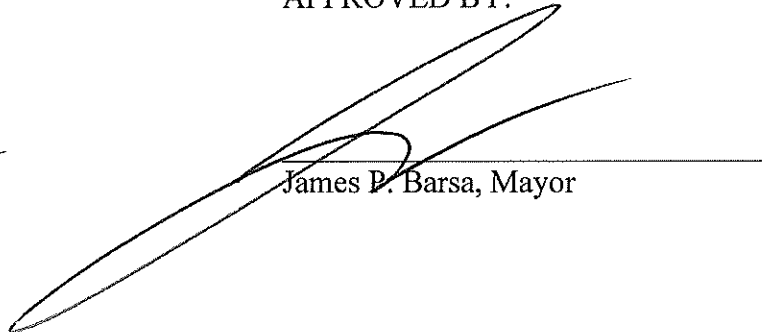
Passed second reading: December 13, 2017

ATTEST:

APPROVED BY:



Lorraine L. McMackin,
Borough Clerk



James P. Barsa, Mayor

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