### BOROUGH OF AVALON CAPE MAY COUNTY NEW JERSEY

#### **ORDINANCE NO. 623-2009**

AN ORDINANCE AMENDING CHAPTER 22 (RENTAL PROPERTIES) OF THE CODE OF REVISED GENERAL ORDINANCES, 2000 REGARDING TENANT REGISTER

WHEREAS, Tenant Register, as provided in Chapter 22 (Rental Properties), Section 22:1-17 of the Code of Revised General Ordinances, 2000 is maintained for various reasons so that the names of the registered tenants are maintained at all times for availability of the Director of Public Safety, or his designee and officers of the Police Department, as well as representatives of the Licensing and Inspection Departments; and

WHEREAS, the wording of the Ordinance presently would require that the landlord maintain such a register but does not technically require the tenant to produce that register to one of those persons who are entitled to inspection of the register.

BE IT ORDAINED by the Borough Council, in the Borough of Avalon, County of Cape

May and State of New Jersey, as follows:

**SECTION 1:** Chapter 22 (Rental Properties), Section 22:1-17.3 be and hereby is amended as follows:

#### 22:1-17.3 RESPONSIBILITY OF TENANT.

It shall be the responsibility of each tenant to register in accordance with this Section of the Borough of Avalon Ordinance 22:1-17. It shall further be the responsibility of the tenant to immediately produce the Register upon request of the Director of Public Safety, or his designee, and the officers of the Police Department, and by any representative of the licensing and inspection departments at all times.

SECTION 2: REPEALER: All Ordinances or parts of Ordinances which are in conflict or inconsistent herewith are hereby repealed to the extent of such inconsistency or conflict only.

SECTION 3: SEVERABILITY: If any section, paragraph, subdivision, subsection, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, subsection, clause or provision declared invalid and the remainder of this Ordinance shall remain in full force and effect and shall be enforceable.

**SECTION 4: EFFECTIVE DATE:** This Ordinance shall take effect immediately upon final adoption and publication and in the manner prescribed by law.

Motion: Council President

Covington

Charles P. Covington, Council President

Seconded: Councilwoman Hudanich

Dated: December 9, 2009

Richard E. Dean, Council Vice President

Amy W Klenskens

Borough Clerk

David B. Ellenberg, Councilman

Nancy M. Hudanich, Councilwoman

Joseph V. Tipping, Councillan

**ROLL CALL VOTE:** 

AYES----- Dean, Ellenberg, Hudanich, Tipping, Covington

NAYES----- None

ABSTAINING----- None

ABSENT----- None

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### NOTICE OF PENDING ORDINANCE

The Ordinance published herewith was introduced and passed on first reading of the Municipal Council of the Borough of Avalon on November 24, 2009. It will be further considered for final passage after public hearing thereon, at a meeting of said Municipal Council to be held in the Municipal Building in said Borough on December 9, 2009 at 7:15 o'clock P.M., and during the week prior to and up to and including the date of such meeting, copies of said Ordinance will be made available at the Clerk's Office in said Municipal Building to the members of the general public who shall request the same.

AMY W. KLEUSKENS Borough Clerk

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Seconded: Councilwoman Hudanich	
	Richard E. Dean, Council Vice President
Dated: December 9, 2009	Richard E. Dean, Council Vice President
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Amy W. Kyeuskens	S.
Borough Glerk	Nancy M. Hydanich, Councilwoman
	Joseph V. Tipping, Councilman
	Joseph V. VI Ipping, Council (
ROLL CALL VOTE:	
AYES Dean, Ellenberg	,Hudanich,Tipping,Covington
NAYES None	

#### NOTICE OF ADOPTION

ABSTAINING----- None ABSENT----- None

The aforementioned ordinance was duly passed by the Borough Council of the Borough of Avalon, Avalon, New Jersey, on first reading at a meeting of said Council held on the 24<sup>th</sup> day of November, 2009 and was taken up for second reading, final passage and was adopted at a meeting of said Council held on the 9<sup>th</sup> day of December, 2009 in the Meeting Room of the Municipal Building, Avalon, New Jersey at 7:15 p.m. Said ordinance was approved by the Mayor on December 9, 2009.

AMY W. KLEUSKENS Borough Clerk