

Mayor Nolan offered the following Ordinance pass third and final reading and moved on its adoption and authorized its publication:

**BOROUGH OF HIGHLANDS**

**ORDINANCE NO. O-13-3**

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 10-5.3 "APPLICATION FOR CERTIFICATE OF OCCUPANCY" OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHLANDS TO PERMIT CERTIFICATES OF OCCUPANCY TO BE ISSUED WITHOUT REQUIRING THE NAME OF THE OCCUPANTS OF A RESIDENTIAL UNIT AT THE TIME OF APPLICATION**

**WHEREAS**, the Borough of Highlands, desires to amend and supplement Chapter 10 of the Revised General Ordinances of the Borough of Highlands, specifically Section 10-5.3, entitled: "Application for Certificate of Occupancy;" and

**WHEREAS**, the Borough Planning Board has reviewed and recommended that the Certificate of Occupancy Ordinance be amended to permit Certificate of Occupancies to be issued without requiring the name of the occupants of a residential unit at the time of application; and

**WHEREAS**, the Governing Body has determined that amending Section 10-5.3 of the Revised General Ordinances of the Borough of Highlands is in the best interest of the Borough;

**NOW, THEREFORE, BE IT ORDAINED** by the Governing Body of the Borough of Highlands as follows:

**Section 1.** Section 10-5.3(a) shall be amended to include subsection (5), which shall provide as follows:

In the event that the premises has been damaged between the dates of October 29, 2012 and October 31, 2012, such that the premises was deemed uninhabitable by an appropriate government official, the applicant, provided the occupant(s) is the same individual(s) who occupied the premises on October 29, 2012, need not provide the names and ages of all persons who are to occupy the premises at the time the application for the Certificate of Occupancy is made to the inspector. Rather, the applicant need only provide the inspector with the names and ages of all persons who are to occupy the premises within thirty (30) days after issuance of the Certificate of Occupancy. This subsection shall only apply to the initial application for a Certificate of Occupancy made after the premises has been deemed uninhabitable; this subsection shall not apply to any subsequent application for a Certificate of Occupancy.

**Section 2.**     **SEVERABILITY.** If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance, which shall otherwise remain in full force and effect.

**Section 3.**     **REPEALER.** All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

**Section 4.**     **EFFECTIVE DATE.** This Ordinance shall take effect after final passage as provided by law.

Seconded by Ms. Ryan and adopted on the following roll call vote:

**ROLL CALL:**

**AYES:**           **Ms. Ryan, Mr. Redmond, Mr. Francy, Ms. Kane, Mayor Nolan**

**NAYES:**         **None**

**ABSENT:**       **None**

**ABSTAIN:**      **None**

**DATE:**           **March 20, 2013**

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**Carolyn Cummins, Borough Clerk**

Introduced:     March 20, 2013

Publication:    March 29, 2013, Two River Times

Public Hearing: April 17, 2013

Adoption:       April 17, 2013

Publication:    April 26, 2013, Two River Times