

**BOROUGH OF PALISADES PARK
BERGEN COUNTY, NEW JERSEY**

ORDINANCE NO. 2024-15

**AN ORDINANCE CREATING CHAPTER 169 OF THE CODE OF THE
BOROUGH OF PALISADES PARK ENTITLED "LEAD BASED PAINT" TO REQUIRE LEAD
BASED PAINT TESTING**

BE IT ORDAINED, by the Mayor and Council of the Borough of Palisades Park, County of Bergen, State of New Jersey that Chapter 169: "Lead Based Paint" of the Code of the Borough of Palisades Park is hereby created as follows:

CHAPTER 169: LEAD BASED PAINT

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ARTICLE I: INSPECTION AND TESTING

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- A. Required initial inspection. The owner, landlord and/or agent of every single-family, two-family, and/or multiple dwelling unit offered for rental shall be required to obtain an inspection of the unit for lead-based paint hazards within two years of the effective date of the law, July 22, 2022, or upon tenant turnover, whichever is earlier.
- B. Required recurring inspection. After the initial inspection required by §169-7A, the owner, landlord and/or agent of such dwelling unit offered for rental shall be required to obtain an inspection of the unit for lead-based paint hazards every three years, or at tenant turnover, whichever is earlier, except that an inspection upon tenant turnover shall not be required if the owner has a valid lead-safe certification.
- C. Standards. Inspections for lead-based paint in rental dwelling units shall be governed by the standards set forth in N.J.S.A. 52:27D-437.1 et seq. and N.J.S.A. 55:13A-1 et seq.
- D. Exceptions. A dwelling unit in a single-family, two-family or multiple rental dwelling shall not be subject to inspection and evaluation for the presence of lead-based paint hazards or for the fees for such inspection or evaluation, if the unit:
 - (1) Has been certified to be free of lead-based paint;
 - (2) Was constructed during or after 1978;
 - (3) Is in a multiple dwelling that has been registered with the Department of Community Affairs as a multiple dwelling for at least 10 years either under the current or a previous owner, and has no outstanding lead violations from the most recent cyclical inspection performed on the multiple dwelling under the "Hotel and Multiple Dwelling Law, N.J.S.A. 55:13A-1 et seq ;
 - (4) Is a single-family or two-family seasonal rental dwelling which is rented for less than six months' duration each year by tenants that do not have consecutive lease renewals; or

(5) Has a valid lead-safe certification issued in accordance with N.J.S.A. 52:27D-437.16(d)(2).

E. Fees. Notwithstanding any other fees due pursuant to this chapter, the following fees shall be paid:

- (1) Inspection fee. A dwelling owner or landlord shall owe a fee in the amount of \$220, which shall be paid for each lead-based paint inspection conducted by the Borough. Said fee shall be dedicated to meeting the costs of implementing and enforcing this section and the required contribution to the New Jersey Lead Hazard Control Assistance Fund [N.J.S.A. 52:27D-437.16(h)] and shall not be used for any other purpose.
- (2) Administrative fee. Alternatively, a dwelling owner or landlord may directly hire a private lead evaluation contractor who is certified to provide lead paint inspection services by the Department of Community Affairs, in which case a \$50 administrative fee shall be paid. Said fee shall be dedicated to the costs of monitoring compliance with this section.

APPROVED:

ATTEST:

Chong Paul Kim, Mayor

Sophia H. Jang, Borough Clerk

First Reading: September 23, 2024
Second Reading: October 28, 2024

← Create New Ordinance
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2024-18