

**ORDINANCE NO. 2496**

**AN ORDINANCE AMENDING CHAPTER II, ARTICLE III, SECTION 30  
OF THE CODE OF THE BOROUGH OF ROSELLE PARK  
ENTITLED, "DEPARTMENT OF CODE ENFORCEMENT"**

**BE IT ORDAINED** by the Mayor and Council of the Borough of Roselle Park, County of Union and State of New Jersey that Chapter II, Article III, Section 30 be and hereby is amended as follows:

**SECTION 1.** 2-30.1 Department Created.

There is hereby created the Department of Code Enforcement. The head of the Department shall be known as the "Director of Code Enforcement-" **who shall also serve as, and be responsible to administer the duties of, the Construction Official, Building Subcode Official, and Building Inspector pursuant to 13-1.18 of the Code of the Borough of Roselle Park.**

**SECTION 2.** 2-30.2 Appointment of Director; Positions Established Within the Department.

a. The Director of the Department of Code Enforcement shall be appointed by the Mayor with confirmation of the Council. **Such appointment shall be made concurrent with the appointment of the Construction Official, Building Subcode Official, and Building Inspector.**

b. *Positions Within the Department.*

1. Director of Code Enforcement;
2. Zoning Officer;
3. Deputy Code Enforcement Officer;
4. Construction Official ~~and Building Subcode Official~~;
5. Housing Inspector;
6. Administrative Officer for zoning matters in accordance with N.J.S.A. 40:55D-3.
7. **Building Subcode Official / Inspector**
8. **Control Person**

9. **Electrical Subcode Official / Inspector**
10. **Fire Subcode Official / Inspector**
11. **Plumbing Subcode Official / Inspector**
12. **Anti-Litter/Code Enforcement Officer**
13. **Apartment House Inspector**
14. **Building Inspector/Construction Official Trainee**
15. **Hotel and Multiple Dwelling Inspector**
16. **Multidwelling Administrator**
17. **Residential Tenancy Inspector**
18. **Clean Community Coordinator**

**SECTION 3.** 2-30.3 Duties of Department Head.

The Department Head shall:

- a. Exercise and discharge the functions, powers and duties of the Department.
- b. Prescribe the internal organization of the Department and the duties of his/her subordinates and assistants, which shall include, but may not be limited to, the Apartment House Inspector, Clean Community Coordinator and Multi-Dwelling Administrator-, **Zoning Officer, Deputy Code Enforcement Officer, Administrative Officer for zoning matters in accordance with N.J.S.A. 40:55D-3.7, Control Person, Electrical Subcode Official, Fire Subcode Official, Plumbing Subcode Official, Anti-Litter/Code Enforcement Officer, Building Inspector/Construction Official Trainee, Hotel and Multiple Dwelling Inspector, Residential Tenancy Inspector.**
- c. Administer the work of the Department. ~~and the divisions established by this section and such other units of administration as he/she may find necessary or desirable with respect to the Borough Maintenance Code, the issuance of certificates of occupancy and the responsibilities of the Apartment House Inspector.~~
- d. Delegate such of his/her powers as he/she may deem necessary for the efficient administration of the Department to be exercised under his/her direction. ~~and supervision by Division Heads.~~
- e. Report to the Mayor and Council of the activities, progress, problems and achievements of the Department on a monthly basis.

- f. Perform such other duties as may be delegated to the Director of the Mayor and Council.
- g. Comply with all County, State and Federal requirements.

**SECTION 4.** 2-30.4 Compensation.

The Director of Code Enforcement and others of the Department shall receive such compensation as shall be established in the Salary Ordinance. (1980 Code § 19-4)

**SECTION 5.** 2-30.5 Duties of Construction Official.

The Construction Official shall have, exercise and discharge functions, powers and duties of the Construction Official as provided by ordinance and the Uniform Construction Code Act (N.J.S.A. 52:27D-119 et seq.) and in accordance with the regulations for the New Jersey Uniform Construction Code (N.J.A.C. 5:23-1 and 5:23A-1 et seq.). ~~There should be appointed within the Division of Code Enforcement those subcode officials provided for in Ordinance No. 983 and amendments thereto.~~

The Construction Official shall ~~make perform and/or delegate~~ all of the required inspections **to applicable subcode officials or inspectors.**, ~~or shall accept reports of inspection by approved agencies or individuals.~~ All reports of such inspections shall be in writing and be certified by a responsible officer of such approved agency or by the responsible individual. The ~~Code~~**Construction** Official is authorized to engage such expert opinion as deemed necessary to report upon technical issues that arise for plot plan review such as but not limited to drainage, landscape, utility work and grading. Initial escrow should be posted in the amount of seven hundred fifty (\$750.00) dollars to cover the expert charges. (1980 Code § 19-5; Ord. No. 2352)

**SECTION 6.** 2-30.6 Duties of Housing Inspector.

The Housing Inspector shall be responsible for enforcement of the Property Maintenance Code of the Borough.\* (1980 Code § 19-6)

**SECTION 7.** 2-30.7 Duties of Zoning Officer.

a. The Zoning Officer shall review all applications for construction within the Borough to determine if a project conforms with Chapter XXXV, Land Use Regulations.

b. The Zoning Officer shall sign off on all construction applications certifying that the construction conforms with all the requirements of Chapter XXXV, Land Use Regulations, or shall indicate what sections of the Regulations are intended to be violated and shall inform the applicant of his options.

c. The Zoning Officer shall review all applications before the Planning Board or Board of Adjustment and shall submit a written report to the applicant and appropriate Board with respect to the compliance or lack of compliance with the Zoning Regulations.

(1980 Code § 19-7)

**SECTION 8.** 2-30.8 Deputy Code Enforcement Officer.

There is hereby created the position of Deputy Code Enforcement Officer who shall have the responsibility and the authority to enforce the following portion of the Borough Ordinances:

Chapter III –	Section 3-3 <b>Section 3-6</b> Section 3-7 Section 3-8 Section 3-9 Section 3-14
Chapter IV –	Section 4-3 Section 4-7
<b>Chapter VIII</b>	<b>Section 8-8</b>
Chapter XIII –	Section 13-1
Chapter XVII –	Section 17-1
Chapter XIX –	Section 19-1 Section 19-2 Section 19-4 <b>Section 19-5</b>
Chapter XX –	All Sections
Chapter XXIII –	Section 23-1.29 Section 23-2 Section 23-4 Section 23-5
Chapter XXVIII –	Section 28-1 Section 28-2 Section 28-3 Section 28-4 Section 28-5
Chapter XL –	All Sections

Specifically included in the responsibility and authority of the Deputy Code Enforcement Officer is to issue summonses or notices of violation for the following:

- a. Failure to obtain the requisite permits before initiating construction and/or alterations;
- b. Failure to receive a Certificate of Occupancy before occupying the property;
- c. Changing the use or converting the occupancy of any structure, in violation of the Land Use Ordinance as cited above;
- d. Overcrowding of dwelling units;
- e. Failure to adhere to the Borough's sanitation and litter ordinances; and
- f. Inspecting structures and issuing certificates for smoke detectors and carbon monoxide.

(1980 Code § 19-8; Ord. No. 2264 § 1)

**SECTION 9. 2-30.9 Subcode Officials**

**Subcode Officials, while subordinate to the Department Head for purposes of organization and efficient operation, shall be appointed and shall carry out all official duties in full compliance with the prevailing provisions of the Uniform Construction Code.**

**SECTION 10. Invalidity**

If any section or portion of a section of this Code shall be invalid for any reason, such invalidity shall not affect the validity of the remaining sections or portions of this Ordinance.

**SECTION 11. Inconsistent Ordinances Repealed.**

All ordinances or parts of ordinances, to the extent that they are inconsistent herewith, are hereby repealed.

**SECTION 12. Captions.**

Captions contained in this Ordinance have been included only for the purpose of facilitating reference to the various sections and are not intended and shall not be utilized to construe the intent and meaning of the text of any section.

**SECTION 13. Effective Date.**

This amendment to the Code of the Borough of Roselle Park shall become effective upon publication and in accordance with law.

Introduced: June 1, 2017

Adopted:

\_\_\_\_\_  
Mayor

Attest: \_\_\_\_\_  
Borough Clerk