

**TOWNSHIP OF FAIRFIELD
ORDINANCE #2009-28**

**AN ORDINANCE AMENDING CHAPTER 45 ZONING
OF THE TOWNSHIP OF FAIRFIELD, COUNTY OF ESSEX
RELATING TO CERTIFICATE OF RE-OCCUPANCY**

WHEREAS, it has been determined by the Mayor and Council of the Township of Fairfield that it is necessary to amend Chapter 45 as it relates to Zoning.

NOW, THEREFORE BE IT ORDAINED, by the Mayor and Council of the Township of Fairfield, County of Essex, State of New Jersey as follows:

1. The following shall be an amendment to the Municipal Code of the Township of Fairfield, relating to Zoning:

Section 45-69.2 shall be eliminated in its entirety and replaced with the following:

Chapter 45-69.2 Zoning Permit Required Before Changes in Use.

Chapter 45-69.2 Certificate of Re-occupancy. Before the occupancy or possession of any building or structure may pass from one person to another, the owner of the building or structure shall apply for and obtain a Certificate of Re-occupancy from the Township Official.

The owner shall permit the building to be inspected by the following officials when necessary: Tax Assessor; Board of Health; Fire Prevention; Zoning Officer; Property Maintenance Officer; or Engineer. Inspections by these officials shall be made in order to determine whether the condition of the premises in question complies with applicable Ordinances and Township Codes. The Township Official is authorized to withhold a Certificate of Re-occupancy when such compliance is not obtained.

The Applicant shall pay to the Township a fee in the amount of \$125.00 for residential structure, and \$200.00 for a commercial structure.

The Zoning Officer may inspect the premises to determine if the property complies substantially with the requirements of the Zoning Ordinance.

The Construction Official, or his agent, may inspect the premises to determine whether or not there are any apparent Construction Code violations.

The issuance of the Certificate of Re-occupancy shall not constitute any representations as to the strength, durability, and quality or life of any equipment or component in the structure.

In the event that violations are found, they shall be noted on the Certificate of Re-occupancy and the Township Official will notify the person requesting said Certificate as well as the owner of the premises.

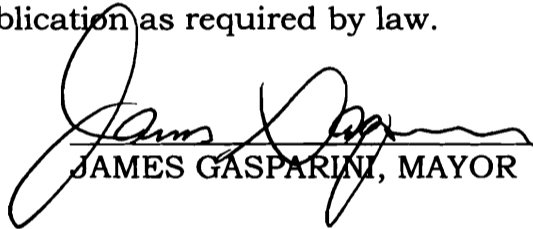
The penalty for a violation of this Ordinance shall be \$500.00.

Once issued, a Certificate of Re-occupancy shall be valid for one (1) year.

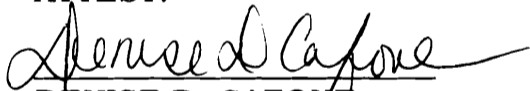
The Township Official shall inspect and issue the Certificate of Re-occupancy within ten (10) days of receipt.

This Ordinance amendment shall take effect immediately upon passage and publication according to law.

2. All Ordinances of the Township of Fairfield which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.
3. 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.
4. This Ordinance shall take effect immediately upon final passage, approval and publication as required by law.


JAMES GASPARINI, MAYOR

ATTEST:


DENISE D. CAFONE
MUNICIPAL CLERK

NOTICE

Notice is hereby given that the foregoing Ordinance was submitted in writing at a meeting of the Mayor and Council of the Township of Fairfield, County of Essex, State of New Jersey, held on **July 27, 2009**, introduced and read by title and passed first reading, and that said Governing Body will further consider the same for second reading and final passage thereof at a meeting to be held on **August 10, 2009 at 7:00 p.m.**, at the Municipal Building, 230 Fairfield Road, Fairfield New Jersey, at which time and place a public hearing will be held thereon by the Governing Body and all persons and citizens of interest shall have an opportunity to be heard concerning same.

Denise D. Cafone
Municipal Clerk

INTRODUCTION OF ORDINANCE July 27, 2009

**ORDINANCE #2009-28, AN ORDINANCE AMENDING CHAPTER 4
ZONING OF THE TOWNSHIP OF FAIRFIELD, COUNTY OF ESSEX
RELATING TO CERTIFICATE OF RE-OCCUPANCY**

**INTRODUCED BY: COUNCILMAN LAFORGIA
SECONDED BY: COUNCIL PRESIDENT MCGLYNN
PUBLISHED: JULY 30, 2009**

ROLL CALL VOTE

GOVERNING BODY	AYES	NAYS	ABSTAIN	ABSENT	NO VOTE
COUNCIL PRESIDENT MICHAEL MCGLYNN	X				
COUNCILMAN JOHN LAFORGIA	X				
COUNCILMAN WILLIAM CONNINGTON, III		X			
COUNCILMAN THOMAS MORGAN		X			
MAYOR JAMES GASPARINI	X				

2ND READING AND PUBLIC HEARING AUGUST 10, 2009

**INTRODUCED BY: COUNCIL PRESIDENT MCGLYNN
SECONDED BY: COUNCILMAN LAFORGIA
PUBLISHED: AUGUST 13, 2009**

ROLL CALL VOTE

GOVERNING BODY	AYES	NAYS	ABSTAIN	ABSENT	NO VOTE
COUNCIL PRESIDENT MICHAEL MCGLYNN	X				
COUNCILMAN JOHN LAFORGIA	X				
COUNCILMAN WILLIAM CONNINGTON, III		X			
COUNCILMAN THOMAS MORGAN		X			
MAYOR JAMES GASPARINI	X				