

ORDINANCE DIRECTING THE INSPECTION OF RESIDENTIAL PROPERTY PRIOR TO CONVEYANCE OF TITLE AND REQUIRING THE ISSUANCE OF A CONTINUED CERTIFICATE OF OCCUPANCY TO ASSURE CONFORMANCE WITH HOUSING STANDARDS

WHEREAS, many residential properties in the City of Vineland are being sold to new owners where said properties do not meet standards necessary for safe occupancy; and

WHEREAS, it is also determined that many residential properties have undergone extensive renovations wherein the use of the premises has been illegally changed without compliance with zoning regulations, such as the conversion of a single-family home into a multi family home without land-use approvals or not in compliance with the Uniform Construction Code or International Property Maintenance Code, as adopted by the City of Vineland; and

WHEREAS, in order to assure the housing stock meets minimum living standards and all land-use regulations, City Council finds it to be in the best interest of the City to mandate that no person or entity shall convey title to any residential property in the City of Vineland without first obtaining a continued certification of occupancy (CCO), certifying that the premises conforms to all land-use and property maintenance standards.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Vineland that Chapter 537, Section 537-10 be amended as follows:

537-10 Occupancy or Rental for Occupancy of Nonconforming Dwelling Unit; Continued Certification of Occupancy or Transfer of Title Upon Sale of Premises

- A. No person shall occupy as owner/occupant or rent to another for occupancy, any dwelling or dwelling unit, for the purpose of living therein, which does not conform to the provisions of the Property Maintenance Code, referred to in Section 537-1, established hereby as the standard to be used in determining whether a dwelling is safe, sanitary, and fit for human habitation.
- B. No person shall convey title to any residential property in the City of Vineland, consisting of one or more dwelling units without first obtaining a Continued Certification of Occupancy in the manner herein provided, certifying that said premises conforms to the provisions of this Chapter; Chapter 372 Section 10, Certificate of Smoke Detector Installation; Chapter 425, City of Vineland Land Use; Chapter 485, Rental Property.

(1) Issuance of Certificates

- (a) Continued Certification of Occupancy. Prior to conveying title to any premises described in the preceding subsection, an owner shall apply to the Department of Licenses and Inspections for a Continued Certification of Occupancy. Said application shall be on a form approved by the Director of Licenses and Inspections, and shall be submitted not earlier than 10 business days before scheduled closing, without incurring additional costs as specified herein. The Construction Official and Fire Official or their representatives, shall inspect the premises within 5 days of said application and, upon determining that all provisions of the Code of the City of Vineland have been complied with, shall issue a Continued Certification of Occupancy permitting occupancy of said premises. Such Continued Certification of Occupancy shall indicate that compliance has been met. If, upon inspection, the dwelling unit is not found to be in compliance, the Construction Official and/or Fire Official or their representatives, shall notify the owner in writing of such noncompliance, specifically setting forth those violations requiring correction. Upon correction of the violation(s), the owner shall notify the Construction Official and/or Fire Official who shall, within five days, reinspect the required correction(s). This procedure shall be followed until all violations have been corrected, at which time a Continued Certification of Occupancy shall issue as above provided. Such Continued Certification of Occupancy shall be valid for a period of ninety days from the date of its issuance, after which ninety day period, it shall expire. Such expiration date shall be stated on the certificate.

CITY OF VINELAND

- (b) Issuance of Certificate of Transfer. Notwithstanding the provisions of subsection B(1)(a) of this section, an owner conveying title to any residential premises to a contract purchaser who intends and does utilize the premises for a residential use, may make application for a certificate known as a "Certificate of Transfer of Title," where substantial renovations to the residential premises are to be made upon conveyance of the premises. The application shall be signed by both the owner and the contract purchaser, and shall have a copy of the contract for sale attached thereto. The application for the issuance of a Certificate of Transfer of Title shall be made not later than twenty days prior to the intended settlement date, as set forth in the contract of sale. The Construction Official or his representatives shall inspect the premises with the owner and contract purchaser within ten days of said application and, upon determining that substantial renovations to the premises are intended to be made by the contract purchaser, shall issue a Certificate of Transfer of Title permitting the transfer of ownership of the property. Such Certificate of Transfer of Title shall be valid for a period of ninety days from the date of settlement on the property between owner and contract purchaser. The purchaser/owner of the premises may apply to extend the ninety day period to complete the renovations, but such application shall be filed prior to the expiration of the initial ninety day period. The Construction Official may grant the extension, in his/her sole discretion, for a period not to exceed ninety days provided the purchaser/owner has commenced and is actively renovating the premises.
 - (c) Upon notification to the Construction Official and Fire Official that renovations had been completed, the Construction Official and/or Fire Official or their representatives, shall inspect the premises within ten days of said notice. Upon finding that all renovations have been completed and compliance with this section has occurred, the Construction Official shall Then take appropriate action for the issuance of a Continued Certification of Occupancy in accordance with subsection B(1)(a) of this section.
 - (d) Should the property be deemed abandoned, vacant and/or a nuisance as defined in Section 530-1 no Certificate of Transfer of Title shall be issued to any purchaser/owner unless the owner is in compliance with section 530-1 et seq. of the Code of the City of Vineland.
- C. The owner making application for a Continued Certification of Occupancy shall be charged a fee of \$125.00 per unit and an owner making application for a Certificate of Transfer of Title shall be charged a fee of \$150.00 per unit for the initial inspection for the cost of the inspection by the Construction Official. A fee of \$50.00 per unit will be charged for all reinspections by the Construction Official. The owner shall pay an additional cost as is set forth in Section 372-10 for the certificate of smoke detector fee for the cost of the inspection by the Fire Official. In addition to the above fees and, in addition to the fees set forth in Section 372-10, should an application be made for the issuance of a Continued Certification of Occupancy or Certificate of Transfer of Title less than ten days before closing, the fee for the inspection shall be \$200.00 and \$100.00 for each reinspection. No inspection shall take place if less than 3 business days notice is given.
- D. Certification Expiration. Certifications of Transfer of Title, are valid for ninety days. Transfers may be extended at the discretion of the Construction Official for an additional thirty days. In the event that a Certificate of Transfer of Title will be expires, the owner/applicant is subject to violations and penalties as set forth herein.

CITY OF VINELAND

BE IT FURTHER ORDAINED that any Ordinance or portion thereof that is inconsistent with the terms of this Ordinance shall be repealed to the extent of such inconsistency.

BE IT FURTHER ORDAINED that should any portion of this Ordinance be deemed void by a Court of Competent Jurisdiction, the balance hereof shall remain in full force and effect.

Passed first reading:

Passed final reading:

President of Council

Approved by the Mayor:

Mayor

ATTEST:

City Clerk