BOROUGH OF PENNS GROVE
COUNTY OF SALEM
STATE OF NEW JERSEY

ORDINANCE NO. 2026-10

AN ORDINANCE OF THE BOROUGH OF PENNS GROVE REQUIRING A CERTIFICATE OF PROPERTY COMPLIANCE UPON THE SALE, TRANSFER, RENTAL, LEASE, OR OCCUPANCY OF CERTAIN RESIDENTIAL PROPERTY WITHIN THE BOROUGH OF PENNS GROVE

WHEREAS, the Borough of Penns Grove has a substantial interest in protecting the health, safety and welfare of its residents; and

WHEREAS, the Borough Council finds that requiring inspection and certification of residential properties upon sale, transfer, rental, lease, and occupancy will assist in ensuring that dwelling units and residential premises comply with applicable property maintenance, housing, zoning, safety, and occupancy standards; and

WHEREAS, the Borough Council further finds that such requirements will promote safe and habitable housing, reduce blight, and ensure compliance with the Borough Code and applicable State law.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Penns Grove, County of Salem, State of New Jersey, as follows:

SECTION 1. Certificate of Inspection/Certificate of Property Compliance Required Upon Sale or Transfer of Property.

A. No owner, or agent thereof, shall hereafter sell, convey, or otherwise transfer legal or equitable title to any dwelling, dwelling unit, or residential premises within the Borough of Penns Grove, except vacant land, unless prior to such sale, conveyance, or transfer a Certificate of Inspection and/or Certificate of Property Compliance has been obtained from the Borough Code Enforcement Officer or other authorized Borough official.

B. The owner, buyer, or agent shall request an inspection prior to the date of sale, conveyance, or transfer and shall ensure that the dwelling, dwelling unit, or premises is accessible for inspection.

C. Failure of the owner, buyer, or agent to obtain a Certificate of Inspection and/or Certificate of Property Compliance prior to the date of sale or transfer shall not relieve the owner, buyer, subsequent owner, or agent from the obligation to obtain all required certificates before occupancy, rental, lease, or use of the dwelling, dwelling unit, or premises.

D. If, at the time of inspection, the property meets all applicable requirements, including but not limited to the Borough Property Maintenance Code and all applicable health, safety, housing, occupancy, and zoning requirements, a Certificate of Property Compliance shall be issued.

E. If, at the time of inspection, the property does not meet all requirements necessary to obtain a Certificate of Property Compliance, and the dwelling unit is unoccupied, the Borough may issue a Certificate of Inspection in lieu of a Certificate of Property Compliance, subject to such conditions,

limitations, correction schedules, or other requirements as may be established by the Code Enforcement Officer or other authorized Borough official.

SECTION 2. Certificate of Property Compliance Required Upon Occupancy, Rental, or Lease.

A. After the sale, conveyance, or transfer of legal title and/or equitable title to property, no owner or agent thereof shall occupy or cause to be occupied any dwelling, dwelling unit, or residential premises without first obtaining a Certificate of Property Compliance from the Borough Code Enforcement Office verifying that the dwelling, dwelling unit, or premises satisfies all applicable requirements.

B. No owner or agent thereof shall rent, lease, let, or otherwise permit occupancy by any person or persons, whether or not for consideration, of any dwelling, dwelling unit, premises, facility, or structure for residential occupancy without first obtaining a Certificate of Property Compliance from the Borough Code Enforcement Office indicating that the dwelling, unit, premises, facility, or structure is fit for human habitation and compliant with the applicable provisions of the Borough Property Maintenance Code and all applicable laws and ordinances.

C. No tenant or occupant shall sublease, sublet, assign, permit, or otherwise allow the use or occupancy of a dwelling, lodging unit, structure, building, or premises by another person without first obtaining a Certificate of Property Compliance as required herein.

D. A Certificate of Property Compliance shall be required upon each change in occupancy, tenancy, rental, lease, or ownership, unless otherwise exempted by law or by written determination of the Code Enforcement Officer.

SECTION 3. Agents, Brokers, and Representatives.

A. Any real estate broker, real estate agent, property manager, attorney-in-fact, representative, or other person rendering services to an owner with respect to the transfer, sale, conveyance, rental, leasing, or occupancy of property pursuant to this Ordinance shall be deemed an agent of the owner for purposes of this Ordinance.

B. In the event that an agent is charged with a violation for failing to obtain a Certificate of Inspection and/or Certificate of Property Compliance prior to the transfer, sale, conveyance, rental, leasing, or occupancy of property, it shall be an affirmative defense that the agent provided written notice to the owner advising the owner of the obligation to obtain such certificate prior to the transfer, sale, conveyance, rental, leasing, or occupancy of the property.

C. Such notice shall be sufficient only if sent by certified mail, return receipt requested, or if the owner has acknowledged receipt by affixing the owner's signature to the notice.

SECTION 4. Fees.

A. All applicants for the issuance of a Certificate of Property Compliance shall pay a fee of One Hundred Dollars ($100.00) per dwelling unit for the inspection and certificate.

B. A fee of Fifty Dollars ($50.00) shall be charged for each additional reinspection necessary.

C. All fees shall be payable to the Borough of Penns Grove and shall be paid prior to the issuance of any certificate.

D. The Borough may withhold issuance of any certificate until all applicable fees, fines, penalties, taxes, municipal charges, or other amounts due to the Borough relating to the property have been paid, to the extent permitted by law.

SECTION 5. Inspection Standards.

A. The inspection shall be conducted by the Borough Code Enforcement Officer or other authorized Borough official.

B. The inspection may include, but shall not be limited to, review for compliance with:

1. The Borough Property Maintenance Code;
2. Applicable housing, health, safety, and occupancy standards;
3. Applicable zoning requirements;
4. Smoke detector, carbon monoxide detector, and fire extinguisher requirements;
5. Any applicable State or local building, fire, safety, and property maintenance requirements; and
6. Any other applicable provision of the Borough Code or State law.

C. The issuance of a Certificate of Property Compliance shall not constitute a warranty or guarantee by the Borough as to the condition of the property. The certificate shall indicate only that, based upon the inspection performed, the property was found to be in compliance with the applicable requirements reviewed by the Borough at the time of inspection.

SECTION 6. Violations and Penalties.

A. Any person, group of persons, association, partnership, corporation, limited liability company, or any combination thereof who or which violates any provision of this Ordinance shall, upon conviction in the Municipal Court or other court of competent jurisdiction, be subject to a fine of not less than One Hundred Dollars ($100.00) and not more than Two Thousand Dollars ($2,000.00), or imprisonment for a term not exceeding ninety (90) days, or both.

B. Each sale, transfer, rental, lease, occupancy, or continued occupancy in violation of this Ordinance shall constitute a separate offense.

C. Each day that a violation continues may constitute a separate and distinct offense.

SECTION 7. Enforcement.

This Ordinance shall be enforced by the Borough Code Enforcement Officer, Construction Official, Zoning Officer, Property Maintenance Official, Police Department, or any other official designated by the Borough Administrator, Mayor and Council, or Borough Code.

SECTION 9. Severability.

If any section, subsection, paragraph, sentence, clause, phrase, or provision of this Ordinance is declared invalid, unconstitutional, or unenforceable by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

SECTION 10. Effective Date.

This Ordinance shall take effect immediately upon final passage, approval, and publication according to law.

ATTEST:

Sharon R. Williams, Municipal Clerk

LaDaena D. Londo, Mayor

INTRO: June 16, 2026

COUNCIL	MOVED	SECONDED	Y	N	ABSTAIN	ABSENT
Scott, Pres. A			x			
Carter			x			
Lopez		x	x			
Marinaro			x			
Scott, D	x		x			
Worley			x			

Notice: The above ordinance was introduced and passed on the first reading at the meeting of the Mayor and Council of the Borough of Penns Grove in the County of Salem held on the 16th day of June 2026 and will be considered for final passage at a meeting to be held by the Mayor and Council at Borough Hall, 1 State Street, Penns Grove, New Jersey at 6:30 p.m. on 18th August at which time any interested person will be given an opportunity to be heard.

Sharon R. Williams, Municipal Clerk

FINAL:

COUNCIL	MOVED	SECONDED	Y	N	ABSTAIN	ABSENT
Scott, Pres. A	X		X			
Carter			X			
Lopez			X			
Marinaro			X			
Scott, D			X			
Worley		X	X			

Notice: The above ordinance was introduced and passed on the first reading at the meeting of the Mayor and Council of the Borough of Penns Grove in the County of Salem held on the 16th day of June 2026 and was considered for final passage and adopted, after a public hearing was held by the Mayor and Council at Borough Hall, 1 State Street, Penns Grove, New Jersey at 6:30 p.m. on August 18, 2026.

Sharon R. Williams

Sharon R. Williams, Municipal Clerk