

**TOWNSHIP OF WYCKOFF
340 FRANKLIN AVENUE
WYCKOFF, NEW JERSEY**

ORDINANCE #2075

**AN ORDINANCE TO AMEND AND SUPPLEMENT THE CODE OF THE TOWNSHIP
OF WYCKOFF BY ADDING A NEW CHAPTER 102, ENTITLED
“BUSINESS AND INSURANCE REGISTRY”**

WHEREAS, the State of New Jersey has enacted P.L. 2022, c.92, codified at *N.J.S.A. 40A:10A-1 et seq.*, which requires certain business owners and owners of rental units and certain owner-occupied multifamily dwellings to maintain minimum liability insurance coverage and to register proof thereof with the municipality; and

WHEREAS, the Township Committee of the Township of Wyckoff finds it necessary and appropriate to establish a local registration process, including initial registration deadlines and requirements for updated filings when insurance coverage changes during the year, in order to implement said law and to provide for the annual collection of proof of insurance compliance within the Township;

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Wyckoff, in the County of Bergen, State of New Jersey, as follows:

SECTION 1. The Code of the Township of Wyckoff is hereby amended and supplemented by adding a new Chapter 102, entitled “Business and Insurance Registry,” to read as follows:

**Chapter 102
Business and Insurance Registry**

§ 102-1. Purpose.

N.J.S.A. 40A:10A-1 et seq. requires all business owners, owners of rental units, and owners of a multifamily home of four or fewer units, one of which is owner-occupied, to maintain certain levels of liability insurance. Said law further requires municipalities to establish a registry of all such individuals and entities and to annually collect proof of compliance with the provisions of the law. The purpose of this chapter is to implement the requirements of *N.J.S.A. 40A:10A-1 et seq.* within the Township of Wyckoff.

§ 102-2. Insurance required.

A. Except as provided in § 102-2B herein, the owner of a business or the owner of a rental unit or units located in the Township of Wyckoff shall maintain liability insurance for negligent acts and omissions in an amount of not less than \$500,000 for combined property damage and bodily injury to, or death of, one or more persons in any one accident or occurrence.

B. The owner of a multifamily home of four or fewer units, one of which is owner-occupied, located in the Township of Wyckoff shall maintain liability insurance for negligent acts and omissions in an amount of not less than \$300,000 for combined property damage and bodily injury to, or death of, one or more persons in any one accident or occurrence.

§ 102-3. Business insurance registration.

Owners of businesses or rental units subject to the minimum liability insurance requirements set forth in this chapter, and owners of multifamily homes of four or fewer units, one of which is owner-occupied, shall annually register with the Township of Wyckoff and provide a compliant certificate of insurance issued by the owner's insurance company demonstrating compliance with this chapter and *N.J.S.A. 40A:10A-1 et seq.* To complete the annual registration, the owner shall file with the Municipal Clerk a completed registration, together with a copy of the required insurance certificate and an administrative fee of \$50. The registration shall be in such form and shall include such information as may be required by the Municipal Clerk. Annual registrations shall be due by January 31 of each calendar year, or within 30 days of registering the business or obtaining ownership of the rental unit or units or multifamily home subject to this chapter.

For the first year this chapter is in effect, the registration shall be due within 60 days after the effective date of this chapter. Thereafter, annual registrations shall be due by January 31 of each calendar year. For any business, rental unit, or multifamily home becoming subject to this chapter after the effective date hereof, the registration shall be due within 30 days of registering the business or obtaining ownership of the rental unit or units or multifamily home subject to this chapter.

If the required insurance policy is renewed, replaced, canceled, non-renewed, expires, or is otherwise materially changed during the calendar year, the owner shall file an updated certificate of insurance with the Municipal Clerk within 10 days of such renewal, replacement, cancellation, non-renewal, expiration, or material change.

§ 102-4. Certification of registration.

Upon satisfaction of the registration requirements set forth in § 102-3 hereof, the Municipal Clerk shall issue a certificate of registration to the owner in a form approved by the Municipal Clerk. Such certificate of registration shall act as proof of compliance with this chapter. A certificate of registration shall be valid for the calendar year in which it is issued.

§ 102-5. Violations and penalties.

If an owner fails to maintain the required level of insurance, or fails to file an annual registration as required by this chapter, or fails to file an updated certificate of insurance as required by this chapter, the owner shall be subject to a penalty of \$500 for a first offense, \$1,000 for a second offense, and \$2,000 for a third or subsequent offense. Such penalty may be collected through a summary proceeding pursuant to the Penalty Enforcement Law of 1999, *N.J.S.A. 2A:58-10*

et seq. Each year that an owner fails to register or fails to maintain adequate insurance shall be deemed a separate offense.

SECTION 2. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be unconstitutional or invalid by any court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

SECTION 3. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 4. This Ordinance shall take effect upon final passage and publication according to law.