

BOROUGH OF EATONTOWN – NOTICE OF ORDINANCE ADOPTION

NOTICE is hereby given that **Ordinance 20-2024** - Ordinance of the Borough of Eatontown Entitled **“ORDINANCE AMENDING CHAPTER 198 OF THE BOROUGH CODE ENTILED “LICENSED APPLICATIONS” TO PROVIDE THE CODE ENFORCEMENT OFFICER, CONSTRUCTION OFFICIAL OR FIRE MARSHALL WITH AUTHORITY TO ENFORCE THIS CHAPTER AND TO REQUIRE PAYMENT OF ALL OUTSTANDING FEES TO OBTAIN A MERCANTILE LICENSE”** was passed after a public hearing at the regular meeting of **October 22, 2024** by the Governing Body of the Borough of Eatontown, at 47 Broad Street, Eatontown, NJ 07724.
Borough of Eatontown - Julie Martin, RMC, Borough Clerk

BOROUGH OF EATONTOWN

COUNTY OF MONMOUTH, STATE OF NEW JERSEY

ORDINANCE NO. 20-2024

ORDINANCE AMENDING CHAPTER 198 OF THE BOROUGH CODE ENTILED “LICENSED APPLICATIONS” TO PROVIDE THE CODE ENFORCEMENT OFFICER, CONSTRUCTION OFFICIAL OR FIRE MARSHALL WITH AUTHORITY TO ENFORCE THIS CHAPTER AND TO REQUIRE PAYMENT OF ALL OUTSTANDING FEES TO OBTAIN A MERCANTILE LICENSE

WHEREAS, the Director of Land Use recommends amending Chapter 198 of the Borough Code entitled “Licensed Applications”, Section 198-5, “Enforcement and Section 198-7 “Violations and Penalties” to broaden and clarify the enforcement responsibilities duties and to ensure payment of all outstanding fees to the Borough to obtain a mercantile license; and

WHEREAS, the Borough Council believes it is in the best interest of the Borough to modernize the Borough Code and to implement the recommendations of the Director of Land Use to protect the Borough’s residents.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Eatontown, County of Monmouth, State of New Jersey that it hereby amends Chapter 198 of the Borough Code entitled Licensed Applications, Sections 198-5 Enforcement and 198-7 “Violations and Penalties” as follows: [additions are underlined, and deletions are noted as strike-out]

§198-5 Enforcement.

The Zoning Officer, the Building Inspector or any other Borough officer designated by the Mayor and Council may be and is hereby authorized and directed to enforce this chapter. The Code Enforcement Officer, the Construction Official, Fire Marshall, or any other Borough officer designated by the Administrator may be and is hereby authorized and directed to enforce this chapter.

§ 198-7 Violations and penalties.

Any person, firm or corporation violating any provision of this chapter shall, upon conviction, be subject to a fine not exceeding \$1,250 \$2000, a term of imprisonment not exceeding 90 days or a period of community service not exceeding 90 days, or any combination thereof.

Any person, firm, or corporation applying for a mercantile license, or a renewal of a mercantile license, shall not have any outstanding fees owed to the Borough at the time of application to be eligible for a mercantile license. The obligation to pay outstanding fees owed to the Borough shall be the responsibility of the tenant and/or property owner. Failure of the property owner or tenant to pay all outstanding fees owed to the Borough shall result in the denial of the issuance of a mercantile license until such fees are paid in full.

IT IS FURTHER ORDAINED, that if any section, paragraph, subsection, clause, or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section,

paragraph, subsection, clause, or provision so adjudged, and the remainder of this Ordinance shall be deemed valid and effective.

IT IS FURTHER ORDAINED that any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

IT IS FURTHER ORDAINED that this Ordinance shall take effect upon passage and publication in accordance with applicable law.