

TOWNSHIP OF VERONA
COUNTY OF ESSEX, STATE OF NEW JERSEY

ORDINANCE No. 2026-10

AMENDING CHAPTER 150 "ZONING" OF THE CODE OF THE TOWNSHIP
SPECIFICALLY ARTICLE XVI, "ADMINISTRATION AND ENFORCEMENT"
SECTIONS 16.1 - 16.8

BE IT ORDAINED by the Township Council of the Township of Verona, County of Essex, New Jersey, as follows:

SECTION 1: Chapter 150-16.1-16.8 of the Township Code is amended as follows: [Added text is **emboldened and underlined**, and text being eliminated is shown in *strikethrough italics*.]

§ 150-16.1. Enforcing officer.

The Zoning Officer shall enforce the provisions of this chapter. **The Zoning Officer** He may require any member of the Police, Fire or Health Department or other department to report to **them** ~~him~~, in writing, any violation of the provisions of this chapter.

§ 150-16.2. Building permit, certificate of occupancy and conditions of approval.

- A. Building permits. No person shall construct, erect, repair or make any alteration to or restoration of any structure or swimming pool until **they have** ~~he shall be~~ applied for and secured a building permit from the Construction Official **or their designee**.
- B. Certificates of Occupancy or **Non-UCC Certificates of Continued Occupancy**. No person shall occupy or use or change the occupation or use of, in whole or in part, any building or structure until **they have** ~~he shall~~ have applied for and secured a certificate of occupancy **or Non-UCC certificate or continued occupancy** therefor from the ~~Chief Building Inspector~~ **Construction Official or designee**.
- C. Conditions of approval. No person shall construct, erect, repair or make any alteration to or restoration of any structure that does not comply with any and all conditions required at the time of approval.

§ 150-16.3. Application requirements.

- A. Building permits.
 - (1) Unless otherwise provided by this chapter, applications for building permits shall be submitted to the **Construction Official or designee** ~~Chief Building Inspector~~ in the manner prescribed by the **Uniform Construction Code of New Jersey and Township of Verona Code** ~~Building Code of the Township of Verona~~, including the amendments and supplements thereto.
 - (2) For all apartment houses, all plans submitted for approval to the Department of Community Affairs shall contain on the plan a breakdown giving the number of apartments, number of bedrooms per apartment, percentage of land covered and the total square foot area of the lot.
- B. Certificates of occupancy and **Certificates of Continued Occupancy**. Applications for certificates of occupancy **and Non-UCC certificates of continued occupancy** shall be submitted to the **Construction Official or designee** ~~Chief Building Inspector~~ in the manner prescribed by the **Uniform Construction Code of New Jersey and Township of Verona Code** ~~Building Code of the Township of Verona~~, including the amendments and supplements thereto.

§ 150-16.4. Issuance of permits and certificates.

- A. Building permits, ~~and~~ certificates of occupancy, **and Non-UCC certificates of continued occupancy** shall be issued by the **Construction Official or designee** ~~Chief Building Inspector~~.
- B. Determination required as prerequisite to issuance.
 - (1) The **Construction Official or designee** ~~Chief Building Inspector~~ shall issue building permits, ~~or~~ certificates of occupancy, **or Non-UCC certificates of continued occupancy** only after **they** ~~he shall~~ have determined that the building, structure or use is one permitted under the provisions of this chapter and that any and all conditions required at the time of approval have been addressed.
 - (2) To assist the **Construction Official or designee** ~~Chief Building Inspector~~ in making

such a determination, ~~they~~ he may require any member of the Police ~~Department~~, Fire ~~Department~~, ~~or~~ Health Department, Bureau of Fire Prevention or other department to make an investigation of the premises in question and to report to ~~them~~ ~~him~~ the findings of such investigation.

- (3) When the building being occupied is not new construction or renovated the Construction Official or Designee shall instruct the Bureau of Fire Prevention to conduct an occupancy inspection prior to the building being occupied and must receive a commercial certificate of compliance

§ 150-16.5. Notice of denial to permit a certificate.

If the Construction Official or designee ~~Chief Building Inspector~~ shall determine that a building, structure or use is not permitted under any provision of this chapter, ~~they~~ he shall give written notice thereof to the applicant and Zoning Officer as follows:

- A. Such notice shall state in what respects the building, structure or use does not conform to such provision or provisions, and shall contain a brief description of the building, structure or use to which the notice refers in terms sufficient to identify it and its location.
- B. The notice may be served upon the applicant by registered or certified mail, return receipt requested, or where such resides in the Township of Verona, in person or by leaving it at the applicants ~~his~~ usual place of residence with a member of their ~~his~~ family above the age of 18 ~~14~~ years. Where lands are held by joint tenants, tenants in common or tenants by the entirety, service upon one of the owners shall be sufficient and deemed and taken as notice to all.

§ 150-16.6. Violations and penalties.

- A. Any owner, general agent, contractor or tenant of any building or premises or part thereof, in which the premises or part thereof is in violation of any provision of this chapter has been committed or shall exist, or any other person who commits, takes part or assists in such violation or who maintains any building or premises in which any such violation shall exist; or any person who constructs, alters, restores, repairs, reconstructs, converts or maintains, or permits the construction, alteration, restoration, conversion or maintenance of, any building or structure, or who uses, maintains or permits the use or maintenance of any land, building or structures, in violation of any provisions of this chapter, shall, upon conviction, be subject to a fine not to exceed \$1,250 or imprisonment for a term not to exceed 90 days, or both, at the discretion of the court.
- B. For every day that a use or structure in violation of any provision of this chapter is permitted to exist or is continued in any building or location, a distinct violation of this chapter shall be deemed to have been committed.
- C. Any owner, agent, or tenant of any building or premises or part thereof, in which premises or part thereof occupies or uses the structure, or any other person who commits, takes part or assists in such, in violation of any provisions of this chapter, shall, upon conviction, be subject to a fine, for the first offense, of \$1,250. For the second and subsequent violation, the fine shall be equal to the annual cost of the education of a student in the schools in the Township of Verona. Said fines shall be recovered in a civil action, in a summary proceeding, in the name of the municipality, pursuant to the Penalty Enforcement Law, N.J.S.A. 2a:58-10 et seq., said proceeding shall be commenced in the municipal court of the Township of Verona for the enforcement of the penalty provided for herein. [Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I)]
- D. Complaints of violations. Any person may file a complaint if there is any reason to believe a violation of this chapter exists. All such complaints must be in writing and shall be filed with the Zoning Officer, who shall properly record such complaint and immediately investigate.
- E. Procedures for abatement of violations.
- (1) In case any building or structure is erected, constructed, reconstructed, altered, repaired, converted or maintained or any building, structure of land is used in violation of this chapter or of any ordinance or regulation made under authority conferred hereby, the Zoning Officer or other proper official, in addition to other remedies, may institute any appropriate legal action or proceedings to prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance or use; to restrain, correct or abate such violation; to prevent the occupancy of said building, structure or land; or to prevent any illegal act, conduct business or use about such premises.
- (2) A violation of any of these terms of this chapter shall be abated within five days, or within as reasonable time as may be determined, after written notice has been served, either by mail or personal service.

§ 150-16.7. Amendments.

All amendments to this chapter and to the Zoning Map, which forms a part hereof, shall be adopted in accordance with the provisions of New Jersey law.

§ 150-16.8. Interpretation of provisions.

In the interpretation and the application of the provisions of this chapter, they shall be held to be the minimum requirements for the promotion of the health, safety, morals and general welfare. It is not intended to interfere with or abrogate or annul other rules, regulations or ordinances; provided, that, where this chapter imposes greater restrictions, the provisions of this chapter shall apply.

SECTION 2: REPEAL OF INCONSISTENT PROVISIONS

All ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only to the extent of such conflict or inconsistency, it being the legislative intent that all such ordinances or part of ordinances now existing or in effect unless the same are in conflict or inconsistent with any provision of this Ordinance shall remain in effect.

SECTION 3: SEVERABILITY

The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remaining in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 4: EFFECTIVE DATE

This Ordinance shall take effect immediately upon passage and publication as provided by law.

SECTION 5: CODIFICATION

The Municipal Clerk and the Township Attorney are authorized and directed to change any Chapter, Article and/or Section number of the Code of the Township of Verona in the event that the codification of this Ordinance reveals that there is a conflict between the numbers and the existing Code, and in order to avoid confusion and possible accidental repealers of existing provisions not intended to be repealed.

ATTEST:

JENNIFER KIERNAN
MUNICIPAL CLERK

I HEREBY CERTIFY THAT THE AFOREMENTIONED ORDINANCE WAS PUBLISHED IN THE STAR LEDGER, A NEWSPAPER PUBLISHED IN THE COUNTY OF ESSEX AND CIRCULATED IN THE TOWNSHIP OF VERONA, IN THE ISSUE OF XXX AND XXX.

**JENNIFER KIERNAN, CMC
MUNICIPAL CLERK**

INTRODUCTION: February 23, 2026 - *Referred to the Planning Board for consistency review*
PUBLIC HEARING:
EFFECTIVE DATE: