

**TOWNSHIP OF DENNIS**

**COUNTY OF CAPE MAY  
STATE OF NEW JERSEY**

**ORDINANCE NO. 2018-10**

**AN ORDINANCE OF THE TOWNSHIP OF DENNIS, COUNTY OF CAPE MAY AND STATE  
OF NEW JERSEY IMPLEMENTING STANDARDS OF CONDUCT  
RELATIVE TO RENTAL UNITS**

**WHEREAS**, in the opinion of the TOWNSHIP COMMITTEE, the governing body of the Township of Dennis, there is a need to implement standards with regard to the conduct of tenants in rental units within the Township;

**NOW THEREFORE, BE IT ORDAINED** by the TOWNSHIP COMMITTEE, the governing body of the Township of Dennis, County of Cape May, that the following Ordinance shall be and is hereby adopted:

**SECTION 1:**

**DEFINITIONS.** As used in this article, the following terms shall have the meanings indicated:

**A. AGENT or MANAGING AGENT**

An individual or entity designated by the owner and authorized to perform any duty imposed upon the owner by this article. Such term may include a licensed real estate broker or salesman of the State of New Jersey if such person is designated by the owner as such an agent.

**B. HEARING OFFICER**

The Township Manager or qualified designee of the Committee.

**C. LANDLORD or OWNER**

The person, persons or entity which owns or purports to own a rental unit. In the case of a mobile home park, "landlord... shall mean the owner of an individual dwelling unit within the mobile home park.

**D. QUALITY OF LIFE VIOLATIONS**

Any conduct which is otherwise prohibited by state statute, or the Township Code, or to knowingly allow or permit in, upon or in proximity to any rental unit, any conduct which substantially impairs the public safety, health or welfare, including, but not limited to, loud and abusive noise; loud gatherings; boisterous activity; loud, unruly and profane language; consumption or possession of alcoholic beverages by persons under the legal **age**; overcrowding upon or in proximity to the rental unit; use of fireworks; public urination; excessive noise of such a character, intensity or duration as to be detrimental to the life, health and welfare or which unreasonably endangers the comfort, peace and repose of neighboring resident. The placement or disposal of bottles cups, containers, or other debris on or about the exterior of the rental unit or any other property in the vicinity and the failure to remove same by 9:00 a.m. of following day. The occurrence of any other disorderly acts which unreasonably disturb the peace and good order of the neighborhood and community.

**E. RENTAL UNIT**

Any home, apartment, dwelling, building or dwelling unit of any kind which is rented or offered for rent as housing space for living or dwelling purposes under either a written or oral lease.

**F. SUBSTANTIATED COMPLAINT**

A complaint for violations of this article or any provision Title 2C of the New Jersey Statutes or any Township ordinance governing disorderly conduct, upon or in proximity to any rental unit, and attributable to the acts or incitements of any of the tenants of those premises which has been substantiated by prosecution and conviction in any court of competent jurisdiction.

**SECTION 2: QUALITY OF LIFE VIOLATIONS.**

On each occasion when the Township is notified of a tenant in a rental unit or such tenant's guest, visitor or invitee committing a quality of life violation, a notice of such violation shall be sent by certified and regular mail to the owner and, if applicable, agent.

It is the obligation of the landlord and the landlord's agent to take all reasonable and appropriate action to abate further quality of life violations at the rental unit and to make a good faith effort to abate the conditions or circumstances giving rise to such quality of life violations. In the event that the landlord or the landlord's agent fails to take such reasonable and appropriate action to abate further quality of life violations or to make a good faith effort to abate the conditions or circumstances giving rise to such quality of life violations, the landlord and the landlord's agent shall be subject to the fines and penalties set forth below.

Enhanced penalties will be imposed for repeated violations as set forth below.

**SECTION 3: FINES AND PENALTIES.**

A. Any person violating any provision of this article shall, upon conviction, be subject to the following fines and penalties. Such fines and penalties shall be in addition to any charges issued by the police or signed by private citizens.

1. For a first offense, a fine of not less than \$100.00;
2. For a second offense, occurring within twelve months of a prior offense \$ 500.00;
3. For a third offense, occurring within twelve months of **two separate prior offenses**, a minimum fine of \$1000.00 and not more than \$2,000 for each violation.
4. Each separate act or conduct constituting a quality of life violation is a separate violation, and, if the act or conduct is continuing, each day shall be a separate violation.

B. In addition to the fines set forth above, the Court may impose a sentence of imprisonment in the County Jail for any term not exceeding 90 days or a period of community service not exceeding 90 days.

**SECTION 4:** This Ordinance shall become effective immediately upon final passage and publication, according to law.

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Zeth Matalucci, Mayor

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Julie Fry-DeRose, Deputy Mayor

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Nicholas Elisano, Committee Member

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Scott Turner, Committee Member

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Thomas Van Artsdalen, III, Committee Member

**ORDINANCE NO. 2018-10**  
**PAGE 4**

The foregoing Ordinance was introduced at a meeting of the Township Committee of the Township of Dennis on October 09, 2018. Publication will be held on October 17, 2018 and a Public Hearing will be held at a meeting of the said Township Committee to be held on November 13, 2018 at 6:30 p.m. in the Municipal Building located at 571 Petersburg Road in Dennisville.

**ATTEST** \_\_\_\_\_  
**Jacqueline B. Justice, RMC/Clerk**