

Ordinance

of the

City of Newark, N. J.No. **6FD** APR 17 2002
1st Reading

No. Public Hearing

No. **6S&FD** MAY 01 2002
2nd Rdg. and Final Passage

No. Reconsidered

Approved as to Form and Legality on Basis of Facts Set Forth

Date to Mayor MAY 02 2002

Date Returned MAY 31 2002

Date Resubmitted
to CouncilDate Advertised 4/23/02
1st Reading

Final Reading 5/20/02

Factual contents certified to by

Mamie Bridgford - West Ward
Title

Corporation Counsel

Councilman *Mamie Bridgford* presents the following Ordinance:

1 AN ORDINANCE AMENDING TITLE 16,
2 HEALTH, SANITATION AND AIR
3 POLLUTION, CHAPTER 3, CHILDHOOD
4 LEAD POISONING OF THE REVISED
5 ORDINANCES OF THE CITY OF
6 NEWARK, NEW JERSEY, 2000, BY
7 AMENDING DEFINITIONS AND ADDING
8 THERETO ARTICLE 7, REQUIRING
9 RENTAL DWELLING LEAD SAFE
10 CERTIFICATIONS.
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14 NOW, THEREFORE, BE IT ORDAINED BY THE MUNICIPAL
15 COUNCIL OF THE CITY OF NEWARK, NEW JERSEY, THAT Title 16,
16 Health, Sanitation and Air Pollution, Chapter 3, Childhood Lead
17 Poisoning, of the Revised Ordinances of the City of Newark, New Jersey,
18 2000, Section 1, Definitions be and is hereby amended by adding thereto
19 the following:
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Section 1. 16:3-1 Definitions

* * * * *

25 (Lead Safe) shall mean any
26 condition that does not allow access
27 or exposure to lead, in any form, to
28 the extent that adverse human
29 health effects are possible.
30

* * * * *

34 Title 16, Health, Sanitation and Air Pollution, Chapter 3, Childhood
35 Lead Poisoning, of the City of Newark, New Jersey, 2000, be amended
36 by adding thereto Article 7, Rental Dwelling Lead Safe Certification to
37 read as follows:
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Article 7. Rental Dwelling Lead Safe Certification**16:3-20 Lead Safe Certification Required for Rental Units**

47 **Section 2.** It shall be the responsibility of the owner of any
48 rental dwelling unit(s) within the city to cause an inspection of said unit(s)
49 by a state certified lead inspector declaring said rental unit to be lead safe
50 prior to being rented to the general public. Upon each occasion that the
51 dwelling unit becomes vacant, the owner shall be required to re-certify
52 said unit as being lead safe prior to it being re-occupied. For each
53 succeeding tenant who leases the dwelling unit, the owner must disclose
54 the lead inspection report and provide the tenant with a copy of a Lead
55 Safe Certificate.
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The owner of any rental dwelling unit(s) shall also be required to file copies of all lead inspection reports and certifications with the name, address, telephone number and license number of the lead inspection firm/individual, as well as address and apartment number of the inspected unit with the city departments of Neighborhood and Recreational Services and Health and Human Services. The city's aforementioned agencies shall establish and maintain a database of all rental units city-wide.

Section 3. This provision shall not apply to hotels, motels, group homes, boarding homes, commercial and non-commercial shelters, public housing units and single room occupancies or dwelling units which have been newly constructed or substantially rehabilitated since 1978.

Section 4. There shall be a penalty and fine of up to One Thousand Dollars (\$1,000.00) a day for each violation of this section.

Section 5. All ordinances or parts of prior ordinances which are inconsistent herewith are hereby repealed.

Section 6. This ordinance shall take effect upon final passage and publication in accordance with the Laws of the State of New Jersey.

Statement

This ordinance requires all rented dwelling units to be certified as lead safe.

DO NOT USE SPACE BELOW THIS LINE

RECORD OF COUNCIL VOTE ON FINAL PASSAGE									RECORD OF COUNCIL VOTE FOR RECONSIDERATION										
Council Member	AYE	NAY	NV	AB	Council Member	AYE	NAY	NV	AB	Council Member	AYE	NAY	NV	AB	Council Member	AYE	NAY	NV	AB
AMADOR				✓	QUINTANA	✓				AMADOR					QUINTANA				
BOOKER	✓				TUCKER	✓				BOOKER					TUCKER				
BRIDGEFORTH M	✓				WALKER S	✓				BRIDGEFORTH					WALKER				
CARRINO	✓				BRADLEY	✓				CARRINO					BRADLEY				
CHANEYFIELD-JENKINS	✓				President					CHANEYFIELD-JENKINS					President				
✓ - Indicates Vote					AB - Absent					NV - Not Voting									

Adopted on first reading at a meeting of the Council of the City of Newark, N.J., on APR 17 2002

Adopted on second and final reading after hearing on MAY 01 2002

Approved _____
Rejected By _____

Donald Bradley Council President Mayor Robert G. Chavaro City Clerk

This Ordinance when adopted must remain in the custody of the City Clerk. Certified copies are available.