

AN ORDINANCE BY THE TOWNSHIP OF PRINCETON, COUNTY OF MERCER, STATE OF NEW JERSEY CONCERNING FLOODING OF RENTAL DWELLINGS AND AMENDING THE "CODE OF THE TOWNSHIP OF PRINCETON, NEW JERSEY, 1968".

WHEREAS, flooding in areas of the Township of Princeton, particularly near and around Harry's Brook, has caused problems for many years; and

WHEREAS, the Township Committee recently received complaints from residents living in rental dwellings near and around Harry's Brook concerning flooding in this area; and

WHEREAS, pursuant to *N.J.S.A. 46:8-50*, the Township Committee wishes to amend the "Code of the Township of Princeton, New Jersey, 1968" (hereinafter "the Code") in order to require tenant notification of flood zone or flood area locations.

BE IT ORDAINED, therefore, by the Township Committee of the Township of Princeton as follows:

1. Article III of Chapter 10 of the Code is amended by including therein a NEW Section 10-33A, which shall read as follows:

Sec. 10-33A. Notice Concerning Flooding of Rental Dwellings.

Every landlord shall provide written notification to each of the landlord's tenants upon the event that a rental dwelling that is the subject of a lease has been determined to:

- (a) Be located in a flood zone or flood area pursuant to *N.J.S.A. 46:8-50*;
or
- (b) The rental dwelling that is the subject of the lease has sustained flood damage requiring repairs for which construction permits have been issued by the Township's Construction Official; or

- (c) Either the landlord or prior tenants have filed for and received flood damage payments through the National Flood Insurance Program (“NFIP”); or
- (d) The landlord has elected to have the rental dwelling participate in a Mitigation Grant Program through the New Jersey Office of Emergency Management (“NJOEM”) for Federal Emergency Management Administration (“FEMA”) grant funding for the sale of the rental dwelling property due to repetitive and severe flooding.

Each new tenant shall receive written notification prior to the signing of the Lease for the rental property. For the purposes of this section, “Landlord” shall mean any person who rents or leases, for a term of at least one (1) month, commercial space or residential dwelling units other than dwelling units in a premise containing not more than two (2) such units, or in an owner-occupied premise for not more than three (3) dwelling units, or in hotels, motels or guest houses servicing transient or seasonal guests.

- 2. This Ordinance shall take effect upon its passage and publication as provided for by law.

The foregoing ordinance was introduced at a meeting of the Princeton Township Committee held on October 26, 2009 and will be further considered for final passage after a public hearing thereon at a meeting of said Township Committee to be held at the Princeton Township Municipal Complex, 400 Witherspoon Street, on November 9, 2009 which begins at 7:00 p.m.



Kathy Brzezynski
Deputy Clerk