

TOWNSHIP OF VERNON
SUSSEX COUNTY, NEW JERSEY

ORDINANCE #24-14

ORDINANCE ADDRESSING CONSTRUCTION RECORDS CLEARANCE

WHEREAS, the Township of Vernon (Township) seeks to require the issuance of a Construction Records Clearance prior to the sale of any residential structure within the Township, with certain limited exceptions; and

WHEREAS, the Township seeks to establish application requirements, fees, and penalties relating to the Construction Records Clearance.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Township of Vernon, County of Sussex, State of New Jersey as follows:

SECTION 1. Part II, titled “General Legislation,” Chapter 205, titled “Construction Codes, Uniform” is hereby amended and supplemented as follows:

§ 205-8 Construction Records Clearance.

a. CRC Required. No building or structure shall be occupied in whole or in part prior to the issuance of a certificate of construction records clearance (CRC). A CRC shall be required prior to the sale of any residential structure within the Township.

b. Exceptions. The following transactions are exempt from obtaining a CRC as long as no change in physical occupancy occurs:

1. Transfer of title to correct a previously recorded deed.
2. Title eligible to be recorded as an ancient deed pursuant to N.J.S.A. 46:16-7.
3. Transfer of title between husband and wife, whether or not relating to divorce, or between former spouses if the transfer is incident to an order or judgment from any court of competent jurisdiction.
4. Transfer of title relating to new construction for which a certificate of occupancy is required.
5. Transfer of title by or to an executor, administrator or court order which affects a distribution of a descendant’s estate in accordance with the provisions of the descendant’s will or the applicable laws governing intestacy.
6. Transfer of title due to refinancing, home equity loans, and second mortgages.
7. Transfer of title by or to a receiver, trustee in bankruptcy or liquidation, or assignee for the benefit of creditors.
8. Residential rentals.

c. Responsibility. No owner shall permit the sale of a residential premises covered under this section unless the requisite CRC has been issued. No purchaser shall occupy any premises covered under this section until the requisite CRC has been issued. Owners and purchasers shall be jointly

~~Strikeouts~~ are deletions. Underlines are added material.

and separately responsible for failure to obtain the requisite CRC required hereunder. The owner or his authorized agent shall submit a written application and payment of fees at least 10 business days prior to the change of ownership on the form provided by the Township.

d. Preoccupancy records inspection. Prior to the issuance of any such certificate for any transaction, the enforcing agency shall conduct a records inspection to ensure that there are no open construction permits or zoning permits on the subject premises. Should there be open permits on the subject premises, all final inspections and prior approvals shall be obtained, and appropriate Uniform Construction Code certificates or zoning certificates shall be issued prior to the issuance of the CRC.

e. Fees. The applicant shall submit the following fees with the CRC application.

1. Requests more than 10 calendar days from change of occupancy or closing: \$40.
2. Requests within 10 calendar days from change of occupancy or closing: \$75.
3. Requests within 4 calendar days from change of occupancy or closing: \$125.

f. Violations and Penalties.

1. Any person, firm, or corporation violating any provisions of this section shall, upon conviction, shall be subject to a fine not exceeding \$1,000.00, imprisonment for a period not exceeding 90 days, and/or a period of community service not exceeding 90 days.
2. The issuance of a CRC shall not preclude the imposition of penalties.

SECTION 2. Severability.

The provisions of this Ordinance shall be severable. In the event that any portion of this Ordinance is found to be invalid for any reason by any Court of competent jurisdiction, such judgment shall be limited in its effect only to the portion of the Ordinance actually adjudged invalid and shall not be deemed to affect the operation of any other portion thereof, which shall remain in full force and effect.

SECTION 3. Repealer.

All ordinances and resolutions, and parts of ordinances and resolutions which are inconsistent with provisions of this ordinance shall be, and are hereby, repealed to the extent of any such inconsistency.

SECTION 4. Effective Date.

This ordinance shall take effect upon final adoption and publication in accordance with law.

CERTIFICATION

This is to certify that the above Ordinance was introduced and passed on first reading at the Meeting of the Township Council held on July 8, 2024, and the same came up for final passage and was adopted at the Meeting of the Township Council held on August 12, 2024 at which time all persons interested were given an opportunity to be heard. The above ordinance will be in full force and effect in the Township of Vernon according to law.



Marcy Gianattasio, Clerk
Township of Vernon

Anthony Rossi, Mayor

Township of Vernon

INTRODUCED: July 8, 2024

NAME	M	S	YES	NO	ABSTAIN	ABSENT
Buccieri, N.		X	X			
DeBenedetto, J.						X
Higgins, W.			X			
Sparta, B.	X		X			
Rizzuto, P.			X			

ADOPTED: August 12, 2024

NAME	M	S	YES	NO	ABSTAIN	ABSENT
Buccieri, N.						X
DeBenedetto, J.		X	X			
Higgins, W.			X			
Sparta, B.	X		X			
Rizzuto, P.			X			