



# BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



## ORDINANCE NO. 22-CODE-896

### AN ORDINANCE ESTABLISHING BUSINESS INSURANCE REGISTRY

---

**WHEREAS**, Governor Murphy signed P.L. 2022, c.92. on August 5, 2022, which requires business owners and rental unit owners to maintain certain liability insurance policies and to register the compliant certificate of insurance with the municipality annually in which the business or rental units are located; and

**NOW, THEREFORE, BE IT ORDAINED**, by the Mayor and Borough Council of the Borough of Oakland, in the County of Bergen, and State of New Jersey, as follows:

**SECTION 1.** Chapter 23 of the Code of the Borough of Oakland, entitled "Business Insurance Registration", is added as follows:

#### **SECTION 23 BUSINESS INSURANCE REGISTRATION**

**SECTION 23.1 Business insurance registration required.** It is unlawful for any owner of a business, owner of a rental unit or units, or the owner of a multi-family home of four or fewer units, one of which is owner occupied, to operate within the Borough without first registering its certificate of insurance demonstrating compliance with Section 1 of P.L. 2022, c. 92.

**SECTION 23.2 Entities covered by this Chapter.** The following entities are required to register their certificate of insurance under this Chapter:

- a. Businesses, which shall mean, any person intending to sell or dispose of or to offer to sell or dispose of any goods, wares, merchandise or render any services for fees within the Borough. This shall include businesses operating on a temporary basis within the Borough such as peddlers, solicitors, and transient vendors licensed pursuant to Borough Code Chapter 4 and temporary retail food establishments and mobile food units licensed pursuant to Borough Code Chapter 2-4.6.
- b. Owners of single rental dwelling units.
- c. Owners of multiple dwelling rental units.
- d. Owners of multi-family homes that include rental units, even where one unit is owner-occupied.

**SECTION 23.3 Registration official.** The Borough Clerk shall accept, approve, and file registration applications, and collect registration fees hereunder.

**SECTION 23.4 Registration Fees; Expiration; Renewal.** There shall be no registration fee. Registrations shall expire on December 31 of each year. Renewals must be submitted by December 1 of each year. After the effective date of this Section, entities covered under this Section shall be required to register by December 1, 2022 and such registration shall be valid for the 2023 calendar year.

## **SECTION 23.5 Application and Insurance Requirements.**

An application for a business insurance registration shall be filed with the Borough Clerk upon forms provided by the Borough Clerk. It shall contain the following information:

- a. Name and address of the applicant. If the applicant is a corporation, the name and address of its registered agent.
- b. The address of the rental dwelling units or business as applicable. If the registration applies to a transient business or a mobile food unit, a general description of the time frame for operation and area where the business will be operated
- c. A description of the nature of the business and the goods, property or services to be sold or supplied.
- d. A certificate of insurance reflecting the following amounts of insurance in compliance with P.L. 2022, c. 92.
  - a. Except as provided in subsection ii. of this section, the owner of a business or the owner of a rental unit or units shall maintain liability insurance for negligent acts and omissions in an amount of no less than \$500,000 for combined property damage and bodily injury to or death of one or more persons in any one accident or occurrence.
  - b. The owner of a multifamily home, which is four or fewer units, one of which is owner-occupied, shall maintain liability insurance for negligent acts and omissions in an amount of no less than \$300,000 for combined property damage and bodily injury to or death of one or more persons in any one accident or occurrence.

**SECTION 2.** All ordinances or parts of ordinances in conflict or inconsistent with any part of this Ordinance are hereby repealed to the extent that they are in conflict or inconsistent.

**SECTION 3.** If any section, provision, or part of provision of this Ordinance shall be held to be unenforceable or invalid by any court, such holding shall not affect the validity of this Ordinance, or any part thereof, other than the part so held unenforceable or invalid.

**SECTION 4.** This Ordinance shall take effect after passage and publication in the manner provided by law.

Adopted this \_\_\_\_ day of  
\_\_\_\_\_, 2022.

---

Linda H. Schwager, Mayor

---

Michael E. Carelli, Borough Clerk