



Borough of Emerson

Building Department and Fire Prevention Bureau

1 Municipal Place, Emerson, NJ 07630

(201) 262-6086 x1214

Application for Lead-Based Paint Hazard Inspection

*****Complete this form ONLY if the YEAR BUILT for the premises is prior to 1978. *****

PROPERTY ADDRESS: _____

1. Has the property/dwelling been previously certified to be free of lead-based paint pursuant to N.J.A.C. 5:17-3.6(b) either after an abatement was completed or an evaluation confirmed there is no lead-based paint in the dwelling?

YES _____ NO _____

If YES, please submit a certification form from a certified lead evaluation firm.

2. **FOR MULTIPLE DWELLINGS ONLY (3 or more dwelling units):** Has the property been registered with the Department of Community Affairs for at least 10 years with no outstanding paint violations from the most recent cyclical inspection performed pursuant to N.J.S.A. 55:13A-1?

YES _____ NO _____

If YES, please provide certification from the DCA.

3. Has the property/dwelling been issued a valid lead-safe certificate issued pursuant to P.L. 2021, c.182? Lead-safe certificates are valid for two years from date of issuance.

YES _____ NO _____

If YES, please submit the valid lead-safe certificate.

*If you have answered NO to all of the questions above or are unable to provide valid documentation, a Lead-Based Paint Hazard (LPH) inspection must be performed.

The Borough of Emerson is able to provide the service of a lead evaluation inspector to conduct the LPH inspection; however, in accordance with P.L. 2021, c.182, the owner/landlord may directly hire an NJ certified lead evaluation contractor.

CHOOSE ONE OF THE FOLLOWING:

_____ I opt to have the required LPH inspection performed by the Borough of Emerson.

_____ I opt to directly hire an NJ certified lead evaluation contractor and will provide a lead-safe certificate to the Borough of Emerson.

Fees (separate check made out to the Borough of Emerson)

*\$200 check to the Borough of Emerson required If inspection is performed by the Emerson Inspector (includes one inspection, administration fee and \$20 fee to the State of NJ)

Or

*\$65 check to the Borough of Emerson required if homeowner hires a NJ Certified lead evaluation contractor (\$45 administration fee plus \$20 fee to the State of NJ, (test results must be submitted prior to Residential Rental Inspection.

I understand that this certification is only good for a 2-year period and reinspection will be required.

Signature of Property Owner: _____

Date _____

§ 290-44.1 Certificates of Continued Occupancy

D. Lead-based paint inspections. [Added 11-22-2022 by Ord. No. 1660-22^[2]]

(1) Inspections for lead-based paint in rental dwelling units shall be governed by the standards set forth in N.J.S.A. 52:27D-437.1 et seq. and 55:13A-1 et seq. A dwelling unit in a single-family, two-family, or multiple rental dwelling shall not be subject to inspection and evaluation for the presence of lead-based paint hazards if the unit:

(a) Has been certified to be free of lead-based paint;

(b) Was constructed after 1978;

(c) Is in a multiple dwelling that has been registered with the Department of Community Affairs as a multiple dwelling for at least 10 years, either under the current or a previous owner, and has no outstanding lead violation from the most recent cyclical inspection performed on the multiple dwelling under the "Hotel and Multiple Dwelling Law," P.L. 1967, c. 76 (N.J.S.A. 55:13A-1 et seq.);

(d) Is a single-family or two-family seasonal rental dwelling which is rented for less than six months' duration each year by tenants that do not have consecutive lease renewals;

(e) Has a valid lead-safe certification.

(2) Required inspections:

(a) General inspection. The owner, landlord and/or agent of every rental dwelling unit offered for rental shall be required to have an inspection of the facility done by the rental inspection officer prior to the rental thereof. The rental inspection officer shall inspect every rental dwelling unit prior to any occupancy or reoccupancy of the dwelling.

(b) Lead-based paint inspection. The owner, landlord and/or agent of every single-family, two-family, and/or multiple dwelling unit offered for rental shall be required to obtain an inspection of the unit for lead-based paint hazards every three years, or at tenant turnover, whichever is earlier.

(3) Notice. Whenever any rental dwelling unit is scheduled for a change in occupancy, the then-current owner shall provide written notice to the rental inspection officer that an inspection is needed at least 20 days prior to the scheduled change.

(4) Time for inspections. All inspections and reinspections shall take place within 10 working days of the requested inspection. Inspection fees shall be paid prior to the inspection. No inspections or reinspections shall take place unless all fees are paid. Scheduled inspections or reinspections may be canceled by the Borough unless the completed application and required fees have been received by the Borough at least 24 hours prior to the scheduled inspection or on the last working day prior to the scheduled inspection. Every inspection where the landlord, tenant, owner or agent has failed to provide access for inspection shall be deemed a failed inspection.

(5) Fees for inspections. Lead-based paint inspection: In addition to the general inspection fees due pursuant to this section, an additional fee in the amount of \$200 shall be paid for each lead-based paint inspection. Said fee shall be dedicated to meeting the costs of implementing and enforcing this subsection; \$20 of said fee shall be sent to the Lead Hazard Control Assistance Fund and shall not be used for any other purpose. Alternatively, a dwelling owner or landlord may directly hire a private lead evaluation contractor who is certified to provide lead paint inspection services by the Department of Community Affairs to satisfy the requirements of Section 22-346(c)(1)(b), in which case no additional lead-based paint inspection fee shall be paid. In this case, an administrative fee of \$40 shall be collected along with a fee of \$20 to be collected and sent to the Lead Hazard Control Assistance Fund.

[2] *Editor's Note: This ordinance also redesignated former Subsections D through F as Subsections E through G, respectively.*

E. Certificates on file. A record of all certificates shall be kept on file at the office of the Construction Code Official and copies shall be furnished upon request to any person having an interest in the building upon payment of a fee of \$50.

[Amended 4-20-2021 by Ord. No. 1627-21]

F. Fees. At the time an application for a certificate of continued occupancy is submitted, the applicant shall pay to the Construction Code Official or other designated municipal official a fee as provided in § **150-7** for inspection of smoke detectors and carbon monoxide detectors.

[Amended 5-20-2003 by Ord. No. 1228; 3-2-2004 by Ord. No. 1256; 4-20-2021 by Ord. No. 1627-21]

G. Notice. The Tax Collector is hereby directed to indicate on every search and in every tax bill the following: "Ordinance No. 991 requires a certificate of continued occupancy upon the sale, lease, rental or other transfer of said property."

[\[1\]](#) *Editor's Note: For information regarding the minimum fine for violation, see the Schedule of Minimum Fines, which is located in Ch. [1](#), General Provisions, Art. [II](#), General Penalty.*

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