



Township of Little Egg Harbor

665 Radio Road

Little Egg Harbor, New Jersey 08087

Telephone: 609-294-9071 / Facsimile: 609-294-9065

As of July 17, 2024 Little Egg Harbor Township will be requiring Lead Based Paint Inspections on a rental homes built prior to 1978 as per Ordinance 2023-06 Chapter 279.

When applying for a Rental Certificate of Occupancy on homes built prior to 1978 the requirements are as follows:

- Lead Inspection Application and fee (if the township is performing the inspection \$200.00)
- Copy of Lead safe or Lead free certificate (if inspection was done by a licensed private contractor \$50.00 filing fee)
- Lead Hazard Control Assistance Fund fee (state fee \$20.00)
- Rental certificate of occupancy application and fee (\$50.00)

A rental inspection may not be scheduled until the Lead inspection has passed or a Lead safe/Lead free certificate was submitted.

All fees are in the form of check or money order and payable to Little Egg Harbor Township.



Township of Little Egg Harbor

665 Radio Road

Little Egg Harbor, New Jersey 08087

Telephone: 609-294-9071 / Facsimile: 609-294-9065

LEAD INSPECTION APPLICATION

PROPERTY INFORMATION: All fields are required to be completed and written clearly

RENTAL PROPERTY ADDRESS: _____

BLOCK: _____ LOT: _____

OWNERS NAME: _____

OWNERS MAILING ADDRESS: _____

PHONE NUMBER: _____ EMAIL: _____

Previous Lead Certificate Issued? YES exp date ___/___/___ (provide copy of certificate) NO

Has a Rental CO application been filed? YES NO (if no refer customer to complete an application)

FEES: Application Fee (payable by check or money order to Little Egg Harbor Township) is to be submitted along with the completed application. A visual inspection can be performed by a contractor certified by the state of NJ for lead testing. If you'd like the Little Egg Harbor Township staff to perform the inspection at an additional cost. The fees are as follows:

- \$200.00 If Little Egg Harbor Township Staff will be performing the lead-based paint inspection
- \$50.00 Filing fee (if submitting a lead-safe or lead free certification from a private contractor)
- \$20.00 Lead Hazard Control Assistance Fund (or provide proof this fee has been paid to the Department of Community Affairs Lead Hazard Control Assistance Fund)
- \$200.00 Re-inspection fee

STATEMENT OF UNDERSTANDING- I have read and agree to the following:

- Rental properties built prior to 1978 REQUIRE a lead paint hazard inspection
- All copies of lead-safe certifications will be emailed to the address provided on this form
- All rentals shall be required to obtain an inspection for lead-based hazards every (3) years, or prior to a new tenant whichever is earlier, however this inspection will not be required if the owner has a lead-safe certificate which are valid for two years
- If a lead Evaluation contractor is used, this contractor must be from a list of Certified Lead Abatement Contractors
- Lead inspections shall be scheduled on Wednesdays ONLY
- An exact time of the inspection cannot be provided

Print owner name

Owners signature

Date

*Township of Little Egg Harbor, NJ
Wednesday, June 26, 2024*

Chapter 279. Rental Property

Article III. Lead-based Paint Inspections

§ 279-19. Definitions.

As used in this article, the following terms shall have the meanings indicated:

DUST WIPE SAMPLING

A sample collected by wiping a representative surface and tested in accordance with a method approved by the United States Department of Housing and Urban Development.

LEAD ABATEMENT

Measures designed to permanently eliminate lead-based paint hazards in accordance with standards established by the Commissioner, state, Department of Community Affairs in compliance with standards promulgated by the appropriate federal agencies.

LEAD EVALUATION CONTRACTOR

A person certified by the New Jersey Department of Community Affairs to perform lead inspection and risk assessment work pursuant to N.J.A.C. 5:17-1.1 et seq.

LEAD-BASED PAINT HAZARD

Any condition that causes exposure to lead from lead-contaminated dust or soil or lead-contaminated paint that is deteriorated or present in surfaces that would result in adverse human health effects.

TENANT TURNOVER

The time at which all existing occupants vacate a dwelling unit and all new tenants move into the dwelling unit.

TOWNSHIP INSPECTOR

The Township Code Enforcement Officer or other employee or agent of the Township that is licensed as an individual lead inspector and risk assessor by the New Jersey Department of Health.

VISUAL ASSESSMENT

A visual examination for deteriorated paint or visible surface dust, debris, or residue.

§ 279-20. Inspections; remediation; certification.

- A. Initial inspection. Every single-family, two-family, or multiple-rental dwelling unit offered for rental must be inspected for lead-based paint by July 24, 2024, or upon tenant turnover, whichever is earlier.
- (1) Either a Township Inspector or, a lead evaluation contractor retained by the Township, shall inspect every single-family, two-family, or multiple-rental dwelling located in the Township of Little Egg Harbor for lead-based paint hazards through visual assessment and dust wipe sampling in accordance with N.J.S.A. 52:27D-437.1 et seq.

- (2) In lieu of having the dwelling inspected by the Township's lead evaluator, 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 perform the lead-based paint inspection in accordance with N.J.S.A. 52:27D-437.1 et seq.
- B. Periodic inspection procedure. Every single-family, two-family, or multiple-rental 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, except that an inspection upon tenant turnover shall not be required if the owner has a valid lead-safe certification, which are valid for two years.
- (1) If the lead-safe certification has expired, and there is tenant turnover, a reinspection will be required prior to the expiration of the three-year period from the last inspection.
- C. Exceptions. 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:
- (1) Has been certified to be free of lead-based paint;
- (2) Was constructed during or after 1978;
- (3) 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 violations from the most recent cyclical inspection performed on the multiple dwelling under the "Hotel and Multiple Dwelling Law," N.J.S.A. 55:13A-1 et seq.;
- (4) 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; or
- (5) Has a valid lead-safe certification.
- D. Lead-safe certification. If no lead-based paint hazards are identified, then the Township's lead evaluator or Township Inspector shall certify the dwelling as lead-safe on a form prescribed by the Department of Community Affairs, which shall be valid for two years.
- E. Remediation of hazard. If lead-based paint hazards are identified, then the owner, landlord, and/or agent of the nonexempt dwelling shall remediate the lead-based paint hazard using lead abatement or lead-based control methods in accordance with N.J.S.A. 52:27D-437.16d. Upon the remediation of the lead-based paint hazard, the Township Inspector or Township's lead evaluation contractor shall conduct an additional inspection of the unit to certify that the hazard no longer exists.

§ 279-21. Requirements of property owner.

- A. Pursuant to N.J.S.A. 52:27D-437.16e, property owners on nonexempt dwelling units shall:
- (1) Provide evidence of valid lead-safe certification and the most recent tenant turnover at the time of the cyclical inspection;
- (2) Provide evidence of a valid lead-safe certification to new tenants of the property at the time of tenant turnover, unless not required to have had an inspection by a lead evaluation contractor or permanent local agency pursuant to this article;
- (3) Maintain records of lead-safe certification, which shall include name(s) of the unit tenant(s), if inspection was conducted during a period of tenancy.

§ 279-22. Fees.

- A. Notwithstanding any other fees due pursuant to this chapter, a 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 article 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 this article, in which case no additional lead-based paint inspection fee shall be paid.

- B. The fee for the filing of a lead-safe certification or lead-free certification shall be \$50.
- C. In a common interest community, any inspection fee charged shall be the responsibility of the unit owner and not the homeowners' association, unless the association is the owner of the unit.
- D. In accordance with N.J.S.A. 52:27D-437.16h, an additional fee of \$20 per dwelling unit inspected by the Township's lead evaluation contractor, Township Inspector or the owner's private lead evaluation contractor shall be addressed for the purpose of the Lead Hazard Control Assistance Act, unless the owner demonstrates that the Department of Community Affairs has already assessed an additional inspection fee of \$20. The fees collected pursuant to this subsection shall be deposited into the Lead Hazard Control Assistance Fund.

§ 279-23. Recordkeeping.

The Township shall:

- A. Retain a copy of any lead-safe certifications for a property in the Township.
- B. Maintain an inspection schedule of properties, any lead-based paint hazards in a nonexempt dwelling, and any remediation initiated.

§ 279-24. Violations and penalties.

In accordance with N.J.S.A. 52:27D-437.19, the penalties for a violation of this article shall be as follows:

- A. If a property owner has failed to conduct the required inspection or initiate any remediation efforts, the owner shall be given 30 days to cure the violation.
- B. If the property owner has not cured the violation after 30 days, the property owner shall be subject to a penalty not to exceed \$1,000 per week until the required inspection has been conducted or remediation efforts have been initiated.