

**TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY**

ORDINANCE NO. 07-2025

**ORDINANCE OF THE TOWNSHIP OF LEBANON, COUNTY OF HUNTERDON,
STATE OF NEW JERSEY, AMENDING THE CODE OF THE TOWNSHIP OF
LEBANON BY CREATING A NEW CHAPTER 150, ENTITLED
“LEAD-BASED PAINT INSPECTIONS”**

WHEREAS, P.L. 2021, c. 182 (N.J.S.A. 52:27D-437.1 *et seq.*) (the "Law") requires a municipality to be responsible for inspecting every single-family, two-family, and multiple rental dwelling within that municipality for lead-based paint hazards; and

WHEREAS, the Law requires a municipality to designate a permanent local agency or lead evaluation contractor to perform the inspections mandated thereby; and

WHEREAS, a municipality must assess a fee against the owner of a rental dwelling at the time of inspection that is insufficient to cover the cost of inspecting the rental dwelling at the time of inspection for purposes of the Lead Hazard Control Assistance Act, P.L. 2002, c. 311; and

WHEREAS, the Township Committee of the Township of Lebanon seeks to be compliant with the Law.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Lebanon, in the County of Hunterdon, State of New Jersey, that it does hereby amend the Code of Lebanon Township by establishing a new Chapter 150, entitled “Lead-Based Paint Inspections” as follows:

SECTION 1. Chapter 150 Lead-Based Paint Inspections

§ 150-1 Definitions.

§ 150-2 Inspections.

§ 150-3 Exceptions.

§ 150-4 Remediation.

§ 150-5 Lead-Safe Certification.

§ 150-6 Production of Lead-Safe Certification.

§ 150-7 Notification to Commissioner of Department of Community Affairs.

§ 150-8 Inspection of Two- or Three-Dwelling Units.

§ 150-9 Fees.

§ 150-10 Inspections as a Result of Testing of Children of Six Years of Age or Younger.

§ 150-11 Penalties.

§ 150-1 Definitions. The following term shall have the meanings indicated below pursuant to N.J.S.A. 52:27D-437.16 as may be amended and which is incorporated by reference.

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.

TENANT TURNOVER

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

TOWNSHIP

For purposes of this Chapter, the Township of Lebanon, its designee, including a certified lead evaluation contractor hired by the Township of Lebanon to perform inspections under this Chapter

VISUAL ASSESSMENT

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

§ 150-2 Inspections.

A. Inspections Performed by Township.

The Township shall cause to be inspected every single-family, two-family, and multiple rental dwelling located within the Township at tenant turnover for lead-based paint hazards or by July 22, 2025, whichever is earlier. Thereafter, all such units shall be inspected for lead-based paint hazards at the earlier of every three years or upon tenant turnover, except that an inspection upon tenant turnover shall not be required if the owner has a valid lead-safe certification. The owner of any such rental dwelling shall not permit any tenant turnover without first complying with this section. The Township shall charge the dwelling owner or landlord, and the dwelling owner or landlord shall pay the Township in advance of any inspection, a fee as set forth in §150-9 herein, for each unit inspected to cover the cost of the inspection, which shall be dedicated to meeting the costs of implementing and enforcing this section.

B. Option for Owner/Landlord to Hire Lead Evaluation Contractor.

The dwelling owner or landlord may directly hire a lead evaluation contractor who is certified to provide lead paint inspection services by the Department of Community Affairs to satisfy the requirements of Chapter, instead of the Township conducting the inspection. In the event that a dwelling owner or landlord directly hires such a lead evaluation contractor, the term “Township” or “Township inspector” shall also mean and include such lead evaluation contractor for purposes of this section, except for the purposes of § 150-11.

C. Consultation with Local Health Board.

The party with the duty to inspect single-family, two-family, and multiple rental dwellings pursuant to this Chapter may consult with the local health board, the New Jersey Department of Health, or the Department of Community Affairs concerning the criteria for the inspection and identification of areas and conditions involving a high risk of lead poisoning in dwellings, methods of detection of lead in dwellings, and standards for the repair of dwellings containing lead paint.

§ 150-3 Exceptions for Inspections.

Notwithstanding any language in § 150-2 to the contrary, 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 that 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 issued in accordance with this section.

§ 150-4 Remediation.

If the Township inspector finds that a lead-based paint hazard exists in a dwelling unit upon conducting an inspection pursuant to § 150-2, then the owner of the dwelling unit shall

remediate the lead-based paint hazard by using abatement or lead-based paint hazard control methods, approved in accordance with the provisions of the Lead Hazard Control Assistance Act (N.J.S.A. 52:27D-437.1 et al.). Upon the remediation of the lead-based paint hazard, the Township inspector shall conduct an additional inspection of the unit to certify that the hazard no longer exists. The Township shall charge an additional fee as set forth in §150-9 below for such inspection.

§ 150-5 Lead-Safe Certification.

If the Township inspector finds that no lead-based paint hazards exist in a dwelling unit upon conducting an inspection pursuant to § 150-2, or following remediation of a lead-based paint hazard pursuant to § 150-4, then the Township inspector shall certify the dwelling unit as lead-safe on a form prescribed by the Department of Community Affairs as provided for in regulations or guidance promulgated pursuant to N.J.S.A. 52:27D-437.20. The lead-safe certification provided to the property owner by the Township inspector pursuant to this section shall be valid for two years.

§ 150-6 Production of Lead-Safe Certification.

Beginning on July 22, 2025, property owners shall:

- (1) Provide evidence of a valid lead-safe certification obtained pursuant to this section as well as evidence of the most recent tenant turnover at the time of the cyclical inspection carried out under the Hotel and Multiple Dwelling Law (N.J.S.A. 55:13A1, et seq.), unless not required to have had an inspection by the Township inspector pursuant to paragraph (1), (2), or (3) of § 150-3;
- (2) Provide evidence of a valid lead-safe certification obtained pursuant to this section to new tenants of the property at the time of tenant turnover unless not required to have had an inspection by the Township inspector pursuant to paragraphs (1), (2), (3), and (4) of § 150-3, and shall affix a copy of such certification as an exhibit to the tenant's or tenants' lease; and
- (3) Maintain a record of the lead-safe certification which shall include the name or names of the unit's tenant or tenants, if the inspection was conducted during a period of tenancy, unless not required to have had an inspection by the Township inspector pursuant to paragraphs (1), (2), (3), and (4) of § 150-3.

§ 150-7 Notification to Commissioner of Department of Community Affairs.

If the Township inspector finds that a lead-based paint hazard exists in a dwelling unit upon conducting an inspection pursuant to this section, then the Township inspector shall notify the Commissioner of Community Affairs, who shall review the findings in accordance with the Lead Hazard Control Assistance Act (N.J.S.A. 52:27D- 437.8).

§ 150-8 Inspection of Two or Three Dwelling Units.

If a lead hazard is identified in an inspection of one of the dwelling units in a building consisting of two or three dwelling units, then the Township inspector shall inspect the remainder of the building's dwelling units for lead hazards, with the exception of dwelling units that have been certified to be free of lead-based paint. The Township inspector may charge an additional fee as set forth in §150-8 of this chapter for each additional inspection.

§ 150-9 Fees.

- | | | |
|----|--|--|
| A. | Initial lead-based paint inspection per unit | \$75.00 if performed by a Township official, or if Township hires a certified lead evaluation contractor, then at the rate established by the Township's lead evaluation contractor |
| | Post-remediation lead-based paint inspection | \$50.00 if performed by a Township per unit official, or if the Township hires a certified lead evaluation contractor, then at the rate established by the Township's lead evaluation contractor |
| | Lead-based paint inspection for each additional two or three dwelling unit | \$50.00 if performed by a Township official, or if Township hires a certified lead evaluation contractor, then at the rate established by the Township's lead evaluation contractor |
- B. In addition to the fees charged for the inspections set forth in subparagraph A, and the fee charged for a certificate of continued occupancy for rental housing required by Chapter 161 the Code, the Township shall assess an additional fee of \$20.00 per unit inspected by the Township inspector for the purposes of, and as required by the Lead Hazard Control Assistance Act (N.J.S.A.52:27D437.1, et seq., as may be amended from time to time) concerning lead hazard control work, unless the unit owner demonstrates that the Department of Community Affairs already has assessed an additional inspection fee of \$20.00 pursuant to the provisions of N.J.S.A. 52:27D-437.10. In a common association unless any inspection fee charged pursuant to this section shall be the responsibility of the unit owner and not the homeowners' association, unless the association is the owner of the unit. The fees collected pursuant to this section shall be deposited into the "Lead Hazard Control Assistance Fund" established pursuant to N.J.S.A. 52:27D-437.4, as required by law.

§ 150-10 Inspections as a Result of Testing of Children of Six Years of Age or Younger.

- A. If less than three percent (3%) of children tested in the Township, six years of age or younger, have a blood lead level greater than or equal to five ug/dL, according to the central lead screening database maintained by the New Jersey Department of Health pursuant to N.J.S.A. 26:2-137.6, or according to other data deemed appropriate by the commissioner (as such term is used in and for the purposes of N.J.S.A. 52:27D- 437.16), then the Township inspector may inspect a dwelling located therein for lead-based paint hazards through visual assessment.
- B. If at least three percent (3%) of children tested, six years of age or younger, have a blood lead level greater than or equal to five ug/dL, according to the central lead screening database maintained by the New Jersey Department of Health pursuant to section 5 of P.L.1995, c.328 (C.26:2-137.6), or according to other data deemed appropriate by the commissioner, then the Township inspector shall inspect a dwelling located therein through dust wipe sampling.

§ 150-11 Penalties.

The Township and the Township inspector shall be authorized to conduct investigations and issue penalties to enforce a property owner's failure to comply with N.J.S.A. 52:27D-437.16 or this section. If the Township or Township inspector determines that a property owner has failed to comply with a provision of N.J.S.A. 52:27D-437.16 et seq. or this section regarding a rental dwelling unit owned by the property owner, the property owner shall first be given thirty (30) days to cure any violation by conducting the required inspection or initiate any required remediation efforts. If the property owner has not cured the violation after thirty (30) days, the property owner shall be subject to a penalty not to exceed \$1,000.00 per week until the required inspection has been conducted or remediation efforts have been initiated.

SECTION 2. Ordinances, resolutions, regulations or parts of ordinances, resolutions, and regulations inconsistent herewith are hereby repealed to the extent of such inconsistencies.

SECTION 3. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid by a court of competent jurisdiction, such a decision shall not affect the remaining portions of this Ordinance.

SECTION 4. This Ordinance shall take effect immediately upon final passage and publication in the manner according to law.

Introduced:	July 9, 2025
Public Hearing:	August 20, 2025
Adopted:	August 20, 2025

ATTEST

Carolynn Budd, RMC
Township Clerk

Brain Wunder
Mayor

CERTIFICATION

I, Carolynn Budd, Township Clerk of the Township of Lebanon, County of Hunterdon, State of New Jersey, do hereby certify that the foregoing is a true and correct copy of an Ordinance introduced by the Lebanon Township Committee at a meeting held July 9, 2025, and adopted by the Township Committee on August 20, 2025.

Carolynn Budd, RMC
Township Clerk

**TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY**

ORDINANCE NO. 08-2025

**ORDINANCE OF THE TOWNSHIP OF LEBANON, COUNTY OF HUNTERDON,
STATE OF NEW JERSEY, AMENDING THE CODE OF THE TOWNSHIP OF
LEBANON BY CREATING A NEW CHAPTER 215, ENTITLED “FIRE ZONES”**

WHEREAS, pursuant to N.J.S.A. 40:48-2, the Township of Lebanon has the authority to make and enforce such ordinances, not contrary to the laws of this state or of the United States, as it may deem necessary and proper for the order and protection of person and property, and for the preservation of the public health, safety and welfare of the municipality and its inhabitants, and as may be necessary to carry into effect the powers and duties conferred and imposed by N.J.S.A. 40:48-2, or by any law; and

WHEREAS, the Township’s Fire Official has requested and recommended that the Township Committee enact an ordinance that would authorize the creation of fire zones on private and public property to ensure that the Township’s Fire Department, Police, EMS have immediate access to water sources needed for fire protection; and

WHEREAS, the Township Committee of the Township of Lebanon has determined that for the order and protection of person and property, and the preservation of the public health, safety and welfare of the municipality and its inhabitants, to accept the Fire Officials recommendation and to enact an ordinance that would authorize the establishment of fire zones within the Township of Lebanon.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Lebanon, in the County of Hunterdon, State of New Jersey, that it does hereby amend the Code of Lebanon Township by establishing a new Chapter 215 entitled, “Fire Zones” as follows:

SECTION 1. Chapter 215 Fire Zones

§ 215-1 **Parking prohibited; exceptions.**

§ 215-2 **Map designations.**

§ 215-3 **Erection of signs.**

§ 215-4 **Designation of zones.**

§ 215-5 **Notification of owner.**

§ 215-6 **Violations and penalties.**

§ 215-7 Enforcement.

§ 215-1 Parking prohibited; exceptions.

- A. No person shall park a vehicle at any time upon any portion of any street, parking yard, parking place, or parking lot, whether publicly or privately owned, which has been designated as a fire zone except as specifically permitted herein. Fire Department, rescue squad and police vehicles are exempted when performing official duties. Armored cars are exempt when engaged in the actual delivery or pickup of money and other valuables only for the period of time necessary to complete the transaction.
- B. No person shall use a fire zone for dropping off or picking up passengers, packages or deliveries.

§ 215-2 Map designations.

Map designations of designated fire zones in the Township of Lebanon, Hunterdon County, New Jersey, shall be kept on file in the office of the Municipal Clerk and shall be available for inspection during normal business hours.

§ 215-3 Erection of signs.

The owner of any property on which a fire zone is designated is hereby required to have proper signs and/or painted markings calling attention to the provisions of this chapter erected and/or placed upon the designated fire zones.

§ 215-4 Designation of zones.

- A. The Township Committee, in consultation with the Fire Official, the Chief of Police and Subcode Official, shall designate fire zones on public property or on private property to which the public is invited if it is necessary to provide safety to the public or to provide proper access for fire department operations.
- B. The Planning Board or Zoning Board of Adjustment, as applicable, may require fire zones after consultation with the Fire Official for any commercial applicant seeking site plan review and approval for a commercial property with 50 or more parking places. The Planning Board or Zoning Board of Adjustment, as applicable, may adjust the number of parking spaces required of the applicant if the public need for the fire zone prevents the applicant from complying with the number of parking places required.

§ 215-5 Notification of owner.

After designating an area as a fire zone, the Municipal Clerk, in conjunction with the Township Fire Official, shall notify the owner of the property, in writing, by certified mail or personal service, and specifically describe the area to be designated as a fire zone and the reason for making the designation. Within 30 days of receiving the notice of the designation of a fire zone, the owner shall mark the fire zone in accordance with appropriate directives from the Fire Official and/or Chief of Police. Any person aggrieved by the Township Committee determination of designating a fire zone on their property shall have the right to appeal to the Township Committee, upon written notice to the Municipal Clerk, within 30 days of receiving the notice designating an area as stated herein above.

§ 215-6 Violations and penalties.

Any person who violates any provisions of this chapter shall, upon conviction, be fined a sum not less than \$20 nor more than \$100. For purposes of this chapter, each day a violation continues shall be deemed a separate violation.

§ 215-7 Enforcement.

Members of the Township Police Department and the Township Fire Official of are authorized to issue summonses for violations of this chapter.

SECTION 2. Ordinances, resolutions, regulations or parts of ordinances, resolutions, and regulations inconsistent herewith are hereby repealed to the extent of such inconsistencies.

SECTION 3. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid by a court of competent jurisdiction, such a decision shall not affect the remaining portions of this Ordinance.

SECTION 4. This Ordinance shall take effect immediately upon final passage and publication in the manner according to law

Introduced: July 9, 2025
Public Hearing: August 20, 2025
Adopted: August 20, 2025

ATTEST

Carolynn Budd, RMC
Township Clerk

Brain Wunder
Mayor

CERTIFICATION

I, Carolynn Budd, Township Clerk of the Township of Lebanon, County of Hunterdon, State of New Jersey, do hereby certify that the foregoing is a true and correct copy of an Ordinance introduced by the Lebanon Township Committee at a meeting held July 9, 2025, and adopted by the Township Committee on August 20, 2025.

Carolynn Budd, RMC
Township Clerk

**TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY**

ORDINANCE NO. 09-2025

**ORDINANCE OF THE TOWNSHIP OF LEBANON, COUNTY OF HUNTERDON,
STATE OF NEW JERSEY AMENDING CHAPTER 77 OF THE CODE OF THE
TOWNSHIP OF BE ENTITLED “POLICE DEPARTMENT” BY CREATING A
NEW § 77-7 ENTITLED “EXTRA-DUTY ASSIGNMENTS”**

SECTION 1. PURPOSE

The purpose of this ordinance is to amend Chapter 77 of the Code of the Township of Lebanon, by creating a new § 77-7 entitled “Extra-duty assignments.”

SECTION 2. ORDINANCE

BE IT ORDAINED that Chapter 77 of the Code of the Township of Lebanon, be and is hereby amended to include a new §77-7 entitled “Extra-duty assignment” as follows:

§ 77-7 Extra-duty assignments.

- A. The Chief of Police or his/her designee shall approve officers to be hired by citizens, organizations, companies, or third-party contractors to perform police related duties. The extra-duty employment fees shall be reimbursed to Lebanon Township by any party requesting services and officers will be paid through Lebanon Township at the designated rates of pay as set forth herein. Additionally, any citizens, organizations, company or third-party contractor shall be required to provide appropriate insurance at their cost and expense that the Township determines is required for the particular request, which shall include the Township determining the appropriate coverage limits and naming the Township as Certificate Hold and Additional Insured.
- B. Any and all work being performed by a contractor or citizen that interferes or intrudes onto any state, county or local roadway within the boundaries of Lebanon Township will require an officer to be present to ensure the safety of citizens traveling within the work area.
- C. When capital improvement projects are contracted by Lebanon Township that involves or intrudes onto any local roadway, the Township’s Engineer and Chief of Police shall meet to determine which Township roads will require police presence for public safety. Police officers shall be hired and scheduled in the manner prescribed by this section.

- D. Citizens, organizations, companies, or third-party contractors may request the utilization of officers for extra-duty employment for security purposes. Requests for such services will be reviewed by the Chief of Police or his/her designee and shall be approved at the discretion and approval of the Chief of Police or his/her designee.
- E. (i) Citizens, organizations, companies, or third-party contractors shall be required to execute an extra-duty work agreement with the Township and that is approved by the governing body prior to work commencing.
- (ii) Citizens, organizations, companies, or third-party contractors shall be required to pay the Township compensation for said services at the rates set forth herein. Such sums are to reimburse the Township for the cost of compensating the officers and to reimburse the Township for the cost of administering the service, including the use of Township police vehicles, as follows:
- (1) Citizens, organizations, or companies requesting officers to work off-duty traffic and security jobs shall pay the following rates:
- (a) Rate of \$125.00 per hour. The portion of the rate to be paid to the officer rendering the service is \$100 per hour. The portion of the rate paid to the Township for administering the service is \$25.00 per hour, a portion of which is for utilization of police vehicles
- (b) Rate of \$95.50 per hour for any citizen, organization, company or third-party contractor that can demonstrate that it is a lawfully existing not-for-profit organization by providing sufficient and appropriate written documentation. The rate shall be paid to the officer rendering the service and the not-for-profit organization shall not be required to pay any administrative fee to the Township.
- (c) The adjustment of any fee set forth and required pursuant to this §77-7, may be done by resolution of the Township Committee as such times as the Township Committee deems it is necessary and advisable to adjust such fees.
- (iii) The Chief of Police shall estimate the number of hours anticipated to be worked and payment for the estimated work shall be paid by the Citizens, organizations, companies, or third-party contractors to the Township prior to commencement of the work and placed in a dedicated by rider trust fund. All officers shall be paid a minimum of four (4) hours when work commences. A party requesting the extra-duty assignment shall be billed a minimum of four hours at the rate of \$125.00 if work is cancelled with less than three (3) hours' notice.

- F. Lebanon Township reserves the right to utilize a third-party company to administer the Township's Extra-duty assignment program. In the event the Township contracts with a third-party for this program, the selected provider may charge an additional administrative fee above and beyond those fees set forth in §77-7 E (1) (a)-(b) above, or any other fee established in the Code for the Lebanon Township Police Department. The administrative service by the third-party contractor may include scheduling, billing, collections, or any other services previously performed by the Lebanon Township Police Department.

SECTION 3. INCONSISTENT ORDINANCES

All ordinances or parts of ordinances inconsistent with or in conflict with this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 4. PARTIAL INVALIDITY

If any section, paragraph, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, clause or provision so adjudged and the remainder shall be deemed valid and effective.

SECTION 5. EFFECTIVE DATE

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

Introduced: July 9, 2025
Public Hearing: August 20, 2025
Adopted: August 20, 2025

ATTEST

Carolynn Budd, RMC
Township Clerk

Brain Wunder
Mayor

CERTIFICATION

I, Carolynn Budd, Township Clerk of the Township of Lebanon, County of Hunterdon, State of New Jersey, do hereby certify that the foregoing is a true and correct copy of an Ordinance introduced by the Lebanon Township Committee at a meeting held July 9, 2025, and adopted by the Township Committee on August 20, 2025.

Carolynn Budd, RMC
Township Clerk