

**TOWNSHIP OF SADDLE BROOK
COUNTY OF BERGEN
ORDINANCE NO. 1780-25**

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 206 OF THE CODE OF THE TOWNSHIP OF SADDLE BROOK ENTITLED “ZONING” (RESALE/NEW TENANT CERTIFICATE)

BE IT ENACTED AND ORDAINED, by the Township Council of the Township of Saddle Brook those portions of the aforesaid set forth below are hereby amended as follows and that those portions of the Ordinance not set forth below shall remain unchanged.

Chapter 206 entitled “Zoning” be amended and supplemented as follows:

Article XVI. Permits and Certificates

Sec. 206-84 to be entitled Resale Certificates (or New Tenant Certificate).

A. It shall be unlawful to use or permit the use of any building, structure or premises, or part thereof, hereafter created, changed, converted, altered or enlarged, wholly or partly in its use or structure, or to change the use of any building or structure, until a Resale Certificate (or New Tenant Certificate) shall have been applied and issued therefor by the Construction Official. Such certificate shall show that such building, structure or premises or part thereof and the proposed use thereof are in conformity with the provisions of this chapter or a determination of the Board of Adjustment or of the governing body.

B. Before any Resale Certificate (or New Tenant Certificate) is issued by the Construction Official, a location survey of the premises for which such certificate is requested showing the dimensions of the various setbacks, yards and other areas and such other information as may be necessary for the enforcement of the provisions of this chapter regarding setbacks, yards and other such areas shall be filed in the office of the Construction Official. Such location survey shall be made and certified to by a land surveyor licensed by the State of New Jersey; provided, however, that when the building for which an occupancy permit is applied, is an accessory building not exceeding 400 square feet in area, or when, by reason of conditions peculiar to the particular case, a survey would not be essential to the issuance of a Resale Certificate (or New Tenant Certificate), the Construction Official may waive the filing of a location survey.

C. Under such rules and regulations as may be established by the approving authority, a temporary Resale Certificate (or New Tenant Certificate) for a part of a building may be issued by the Construction Official.

D. Upon written request from the owner, the Construction Official shall issue a Resale Certificate (or New Tenant Certificate) for any building or premises existing at the time of the passage of this chapter, certifying after inspection, the use made of the building or premises and whether such use conforms to the provisions of this chapter.

E. It shall be the duty of the Construction Official to issue a Resale Certificate (or New Tenant Certificate) within 10 days after a request for the same shall be filed in his office by any owner, after having determined that the building and the proposed use thereof conform to all the requirements herein set forth.

F. A new Resale Certificate (or New Tenant Certificate) shall be required to occupy or use any building, industrial or otherwise, business, dwelling unit, townhouse or any other residential building or structure after the sale or transfer of title of the same to a new owner. A new Resale Certificate (or “New Tenant Certificate) shall only be issued if the aforesaid building, industrial or otherwise, business, dwelling unit,

townhouse or residential building or structure is in conformance with the permitted use regulations of the Zoning Ordinance of the Township or is a lawful nonconforming use or a variance has been obtained. A new Resale Certificate shall be required prior to the sale, conveyance, rental/lease, change of use or occupancy/change of occupancy of any building or structure, or portion thereof.

Sec. 206-84.1. Addition of tenants and subtenants

A. Site plan approval by the Planning Board or Zoning Board of Adjustment shall be required for:

(1) the addition of any tenant, subtenant or operator to any building or structure in the Township.

B. In all cases where an amendment of an approved site plan is proposed, the applicant must secure approval of the proposed amendment by the Planning Board or Zoning Board of Adjustment. No building permit shall be issued for any structure within the purview of this section until an approved site plan or approved amendment of any such plan has been secured by the applicant. No Resale Certificate may be issued for any building, or part of any building or use of land within the purview of this section, unless the building is constructed and used, or the land is developed and used, in conformity with an approved site plan or an approved amendment of any such plan.

C. A Resale Certificate shall be required with respect to the addition of any tenant, subtenant or operator to any building or structure in the Township.

Severability All provisions of this Ordinance are severable. If for any reason, any provision of this Ordinance is held to be invalid, the validity of the remainder of the Ordinance shall not be affected.

Effective Date. This Ordinance shall become effective upon final approval and publication, pursuant to law, and upon completion of all outstanding cases.

Approved:

TOWNSHIP OF SADDLE BROOK

ATTEST:

Peter Lo Dico, RMC, CMC
Township Clerk

David Gierek, Council President

Robert D. White, Mayor

Introduced: May 15, 2025

Adopted: June 19, 2025