



Township of Nutley Code Enforcement Department

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www.nutleynj.org

Commissioner Thomas J. Evans
Director of Revenue & Finance

David Berry
Construction Official

Important Information Update Series #1 **for Homeowners, Landlords and Tenants: Use and Occupancy**

Commissioner Thomas J. Evans and David Berry are pleased to release this first in a series that we hope will help all property owners to better understand the Municipal Code of the Township of Nutley.

ATTICS, BASEMENT/CELLAR AND GARAGE CONVERSION:

(E-CODE: [§700-3B](#) “ATTIC”, “BASEMENT”, “CELLAR”, “DWELLING UNIT” / [§700-9A](#))

- We have experienced an increasing trend where attics, basements/cellars and garages are being converted into a prohibited living space such as a bedroom or a dwelling unit. Many people seem to be confused about our municipal ordinance here.
- Generally, there are multiple zoning, construction code and life safety issues associated with converting these areas into a living space. As such, they are generally prohibited under our Code.
- If you are considering converting these areas into livable space, please contact the Code Enforcement Office in Town Hall before you attempt to make any alterations. This office would be more than happy to discuss your plans in detail.
- **A zoning/construction application and payment of fee along with an inspection is required.**

ROOMERS / BOARDERS: (E-CODE: [§700-3B](#) “FAMILY”)

- Our code does allow for up to 2 roomers/boarders, who pay rent, to live in a house together as a single housing unit. An individual who occupies completely separate space would be a tenant and the occupancy would be a dwelling unit subject to our zoning code requirement.
- If someone owns a piece of property where they do not occupy the space as their residence, the Code, as it relates to roomer/boarders, does not apply, as this would be considered a landlord/tenancy relationship and as such it would be subject to different zoning requirements.
- If you are considering a roomer/boarder arrangement within your home, we strongly encourage you to contact the Code Enforcement Office to be certain you are clear on what is acceptable.
- **A zoning/construction application and payment of fee along with an inspection is required.**

CHANGES IN OCCUPANCY OF COMMERCIAL/RESIDENTIAL RENTAL PROPERTY: (E-CODE: [§700-116B\(1\)\(d\)](#))

- Our Code requires the issuance of a new Certificate of Continued Occupancy (CCO) and an inspection of all properties that are being used for rental purposes. An inspection is conducted every time there is a change in the occupancy of the property. This is to ensure the safety of the occupants.
- A Certificate of Continued Occupancy application needs to be completed each time there is a change along with a filing fee of \$75 per dwelling unit up to a 3 family and \$35 per dwelling unit for a multi-family.
- **Final Water Reading** - Contact the Water Department at (973) 284-4962 to schedule a final water reading. You may also schedule online or email waterbilling@nutleynj.org. Please schedule at least 24 hours in advance.



View the Township of Nutley's Code Book Online!

<https://ecode360.com/NU0665>