



BOROUGH OF BERNARDSVILLE

CONSTRUCTION / ZONING OFFICE
1 ANDERSON HILL ROAD, SUITE 103
BERNARDSVILLE, NEW JERSEY 07924
(908) 766-3000 EXT. 158
Fax: (908) 766-1315

CONSTRUCTION / ZONING RECORDS CLEARANCE CERTIFICATE

Seller's Name _____

Mailing Address _____

City _____ State _____ Zip Code _____

Phone (____) _____ Email _____

Property Address _____

Block _____ Lot _____ Single Family Two Family Condominium 3+ Family

Contact Person (Agent) _____ Phone (____) _____

Email _____ Closing Date _____ (required)

I hereby certify that I am the (agent) owner of record and I am authorized to make this application.

Signature

Date

FOR BOROUGH USE ONLY

Zoning Review

- Permitted Use Yes No
- Open Zoning Permits Yes No
- Open Zoning Violations Yes No

Conditional Approval:

Construction Review:

- Open Permits Yes No If Yes, Permit # _____

Approval Issue Date: _____ Initials: _____

Certificate# _____

Cash/Check# _____

Date Submitted ___/___/___

APPLICATION FEE:

- [] \$35.00 Requests received more than 10 calendar days from change of occupancy/closing.
- [] \$75.00 Requests received within 10 calendar days of change of occupancy/closing.

12-4 CONSTRUCTION RECORDS CLEARANCE CERTIFICATE.

12-4.1 When Required.

A. No building or structure shall be occupied in whole or in part prior to the issuance of a certificate of construction records clearance (CRC). A CRC shall be required prior to the sale of any residential or commercial structure and prior to the rental of any tenant space in a commercial structure within the Borough.

B. Exceptions. The following transactions are exempt from obtaining a CRC as long as no change in physical occupancy occurs:

1. Transfer of title to correct a previously recorded deed.
2. Title eligible to be recorded as an ancient deed pursuant to N.J.S.A. 46:16-7.
3. Transfer of title between husband and wife, whether or not relating to divorce, or between former spouses if the transfer is incident to an order or judgment from any court of competent jurisdiction.
4. Transfer of title relating to new construction for which a Certificate of Occupancy is required.
5. Transfer of title by or to an executor, administrator or court order which affects a distribution of a descendant's estate in accordance with the provisions of the descendant's will or the intestate laws of the state.
6. Transfer of title due to refinancing, home equity loans, second mortgages.
7. Transfer of title by or to a receiver, trustee in bankruptcy or liquidation, or assignee for the benefit of creditors.

§ 12-4.2 Responsibility.

No owner shall permit the sale of a residential or commercial premises or rental of a residential or commercial premises covered under this section unless the requisite CRC has been issued. No purchaser or tenant shall occupy any premises covered under this section until the requisite CRC has been issued. Owners, tenants and occupants shall be jointly and separately responsible for failure to obtain the requisite CRC required hereunder. The owner or his authorized agent shall submit a written application and payment of fees at least 10 business days prior to the change of ownership and/or occupancy on the form provided by the Borough.

§ 12-4.3 Preoccupancy Records Inspection.

Prior to the issuance of any such certificate for any transaction, the enforcing agency shall conduct a records inspection to ensure that there are no open construction permits on subject premises. Should there be open permits on subject premises, all final inspections and prior approvals shall be obtained and appropriate Uniform Construction Code certificates shall be issued prior to issuance of the CRC. In addition, no CRC shall be issued until the enforcing agency has obtained a certification from the zoning officer that the premises are in compliance with all Borough land use ordinances and that all conditions of any prior land development approvals have been satisfied.

§ 12-4.4 Fees.

Regular Fee: The applicant shall submit a \$35 fee with the application to cover the administrative cost. Expedited Application Review Fee: If an application is filed less than 10 days before the Construction Records Clearance Certificate is needed, the fee for an expedited review shall be \$75.

§ 12-4.5 Violations and Penalties.

A. Any person, firm or corporation violating any provisions of this section shall, upon conviction, be punishable by a fine not exceeding \$1,000, imprisonment for a period not exceeding 90 days and/or a period of community service no exceeding 90 days.

B. The issuance of a CRC shall not preclude the imposition of penalties upon subsequent discovery of violations.