

ORDINANCE NO. 04-2025

AN ORDINANCE OF THE TOWNSHIP OF EAST HANOVER IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING THE TOWNSHIP CODE CHAPTER 73 “COMMERCIAL ESTABLISHMENTS” TO AMEND THE CHAPTER TITLE TO “COMMERCIAL ESTABLISHMENTS/MULTI-FAMILY DEVELOPMENTS” AND TO INCLUDE A NEW ARTICLE II “SECURITY FOR MULTI-FAMILY DEVELOPMENTS”

WHEREAS, the Township of East Hanover believes it is in the best interest of the citizens of East Hanover to require security guard services for buildings and housing complexes of a certain size to provide for increased security for resident living in such multi-family developments.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Township of East Hanover, County of Morris, State of New Jersey as follows:

Section 1. The Title of the Township Code, Chapter 73 “Commercial Establishments” shall be amended and supplemented to read as “Commercial Establishments/Multi-family Developments.

Section 2. The Township Code, Chapter 73 “Commercial Establishments/Multi-family Developments” shall be amended and supplemented to include a new Article II – “Security for Multi-family Developments” to read as

§73-11. Security Guard Required. For all covered multi-family developments approved after January 1, 2025, the following requirements shall be required:

- a. Except as otherwise provided all owners/developers of public and private buildings operating a building unit in the Township of East Hanover which contains over 20 housing units (defined as 20 certificates of occupancy under one ownership entity within a one or two block radius) shall be required to have present on the premises an unarmed security guard twenty-four (24) hours of each day of the week. If no one building entrance has access to 20 housing units, then the security guard shall be required to patrol the entire complex and provide adequate proof of the regular patrol of the entire premises. The provisions of this section apply to any dwelling unit which is a condominium, townhome, mixed use property, development or any rental or condominium building with units each having an individual exterior entrance.

The determination of 20 or more housing units shall be made based on building plans and original certificates of occupancy issued by the Township of East Hanover. Any attempt to reduce the number of certificates of occupancy in a building having been determined to be a building with 20 housing units or more shall be considered a violation of this chapter punishable by a fine of up to \$500 per day for each day the owner/operator is found to be in violation of this chapter.

This subsection supersedes any prior ordinances pertaining to building security requirements.

- b. All public and private housing buildings in the Township of East Hanover which contain over 20 housing units, including age restricted developments, shall be required to have present on the premises an unarmed security guard for twenty-four (24) hours of each day of the week.

§ 73-12. Definitions.

As used in this Article:

UNARMED SECURITY GUARD

Shall mean an East Hanover Township Police Officer or a uniformed employee of a licensed security officer company who is not armed with a handgun.

§ 73-13 Compliance with Security Officer Registration Act, N.J.S.A. 45:19A-1 et seq.

All East Hanover Township Police Officers and employees of licensed security officer companies shall comply with the requirements as set forth in the Security Officer Registration Act, N.J.S.A. 45:19A-1 et seq. where applicable.

§ 73-14. Penalty.

Violations of this Article by any person or corporation shall be punishable by a fine of at least \$100 but not exceeding \$1,000 or by imprisonment for a term not exceeding 90 days or by a period of community service not to exceed 90 days. Each day's violation of this chapter shall constitute a separate offense.

§ 73-15. Court Discretion and Public Safety Director Recommendations.

Nothing within this Article shall be interpreted and/or considered to limit the Court's discretion to mandate enhanced safety measures or the Public Safety Director's recommendations to require enhanced safety measures, including, but not limited to requiring more security guards, armed or unarmed, at any public or private residential development, building, and/or complex, subject to the requirements within this Article, as a result of any history of safety concerns within a particular housing development, building, and/or complex.

Section 3. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance, which shall otherwise remain in full force and effect.

Section 4. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 5. This Ordinance shall take effect upon final publication as provided by law.

Attest:

TOWNSHIP OF EAST HANOVER



Nicolette J. Calabro, RMC, Township Clerk



Joseph Pannullo, Mayor

Introduced: February 3, 2025

Adopted: March 3, 2025

I, Nicolette J. Calabro, RMC, Township Clerk of the Township of East Hanover, County of Morris, do hereby certify the foregoing to be a true copy of an Ordinance adopted by the Township Council at a duly convened meeting held on March 3, 2025



Nicolette J. Calabro, RMC, Township Clerk