

**BOROUGH OF SAYREVILLE**  
**OFFICE OF CODE ENFORCEMENT**

49 Dolan Street  
Sayreville, New Jersey 08872  
(732) 390-7028  
Fax (732) 390-7458

**Residential Illegal Occupancy**  
**Reporting and Investigation Process**

**ILLEGAL OCCUPANCY REPORTING PROCESS**

1. An individual (reporter) contacts Sayreville Code Enforcement to report a possible illegal occupancy. Compliant form can be downloaded from [www.Sayreville.com](http://www.Sayreville.com) or picked up at the Sayreville Code Enforcement Office.
2. The individual completing the compliant form to report a possible illegal occupancy can either mail, fax, email or come in person to the Sayreville Code Enforcement.
3. The Borough employee receiving the report will document the report and the date received into the illegal occupancy log book.
4. If not previously reported, Code Enforcement employee will write (ORIGINAL REPORT) on top of the form and log it.
5. Sayreville Code Enforcement will contact the Sayreville Tax Office to determine occupancy, the owner of record's name, block and lot number, as well as, the number of dwelling units as noted in the tax records.
6. The complaint is now ready to be investigated either by:
  - A. Sayreville Construction Office
  - B. Sayreville Code Enforcement
  - C. Sayreville Fire Prevention Bureau
  - D. Middlesex County Health Department

Depending on which department receives the complaint, an inspection will be done to the reported property to determine if an illegal occupancy exists. All agencies must periodically check with each other to determine if a property was previously reported.

**“CARBON MONOXIDE AND SMOKE DETECTORS SAVE LIVES”**

## ILLEGAL OCCUPANCY INVESTIGATION PROCESS

1. A Borough Official either from the Construction, Code Enforcement, Fire Prevention, or Middlesex County Health Department will conduct investigations for suspected illegal occupancies as per Sayreville Ordinance.
2. Inspections will be done either from the complaint form or during the course of a regular inspection where an illegal occupancy is revealed.
3. When an inspection reveals no illegal occupancy all records and files will be documented and updated.
4. When the inspection reveals what appears to be an illegal occupancy the inspector shall issue the appropriate summons and violation to the owner of the structure either through certified mail or personally for abatement.
5. If the inspector conducting the inspection determines the building is an Imminent Hazard due to illegal occupancies, or structural violations, further resources may be required at the scene for safety reasons such as:
  - A. Sayreville Police Department - (732) 727-4444
  - B. American Red Cross for relocation of tenants (24 hr. number) 1-888-655-0626
  - C. Middlesex County Health Department - (732) 390-7014
  - D. Sayreville Construction Official - (732) 390-7077
  - E. Sayreville Fire Marshal - (732) 390-7009

A copy of the Sayreville Ordinance for illegal occupancies will be included with violations and given to the owner of the structure either by certified mail or in person.

Report No. \_\_\_\_\_

**REPORT OF ILLEGAL OCCUPANCY/APARTMENT**

Date: \_\_\_\_\_ Received By: \_\_\_\_\_ Initials \_\_\_\_\_

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To be completed by person submitting report:

Reported By: \_\_\_\_\_ (optional) Signature: \_\_\_\_\_

Reporter's Address: \_\_\_\_\_

Reporter's Phone #: \_\_\_\_\_

Address of Suspected Illegal Occupancy/Apartment: \_\_\_\_\_

Reporter's Comments: \_\_\_\_\_

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To be completed by Tax Office:

Property Owner: \_\_\_\_\_

Address Reported: \_\_\_\_\_

Block: \_\_\_\_\_ Lot: \_\_\_\_\_ No. Residential Units: \_\_\_\_\_

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To be completed by Code Enforcement unit:

Date Inspected: \_\_\_\_\_ Time: \_\_\_\_\_ Inspector: \_\_\_\_\_

No. Residential Units: \_\_\_\_\_ Owner Occupied: YES \_\_\_ NO \_\_\_

Inspector's Comments: \_\_\_\_\_

Summons Issued: YES \_\_\_ NO \_\_\_ Complaint No. \_\_\_\_\_

Inspectors Signature: \_\_\_\_\_ Date: \_\_\_\_\_

# SAYREVILLE CODE ENFORCEMENT ILLEGAL OCCUPANCY & APARTMENT GUIDE

There are many questions as to what an illegal occupancy or illegal apartments are in the Borough of Sayreville and the State of New Jersey. This guide will help explain answers to what an illegal occupancy is. Any further questions please contact our at (732) 390-7028 office between 8 AM - 4 PM Monday through Friday but always dial **911** for emergencies.

## **1. WHAT IS ILLEGAL OCCUPANCY OR APARTMENT?**

An illegal occupancy or apartment is the creation of one or more additional dwelling units within a home without first receiving the approval of permits from the Sayreville Building Department. Such additional often involve the alteration or modification of an existing one or two family home by adding an apartment in the basement or attic. Sometimes several dwelling units are added to a home to create an illegal rooming house.

## **2. WHY DOES THE LOCAL GOVERNMENT CARE WHAT I DO WITH MY PRIVATE HOME?**

Illegal occupancies and apartments are frequently done in violation of existing fire and building codes, and is a danger to tenants and other individuals living in the buildings. In addition fires that begin in homes with illegal apartments can easily spread to neighboring homes. Illegal occupancies and apartments also reduce the quality of life in our neighborhoods by crowding more people into an area that was originally intended. This frequently results in school overcrowding, reduced parking, increased sewer and sanitation problems, and a strain on all emergency services. (Police, Fire, EMS)

## **3. IS EVERY APARTMENT ADDED TO A HOME ILLEGAL?**

No. Depending upon the circumstances, it is sometimes permissible to add an apartment to a home.

- A. First, the building must be in an area which is zoned to allow additional dwelling units.
- B. Second, the property lot and building size must meet the zoning requirements.
- C. Third, you must obtain a building permit from the Sayreville Building Department.

## **4. WHAT IS ZONING?**

Zoning is a tool that regulated the use, density and type of structure that can be built on a property within the Borough of Sayreville. Every block and lot within the Borough limits is zoned for either residential, commercial, and industrial use.

**5. IF I ALREADY HAVE AN ADDITIONAL DWELLING UNIT IN MY HOME, HOW DO I KNOW IF IT IS LEGAL?**

If you have added an apartment to your home without first getting a permit from the Sayreville Building Department, it is illegal, and you must either remove the apartment or seek to have it legalized. If the apartment already existed when you bought the home, you should check the Certificate of Occupancy for the building. You can check the Certificate of Occupancy by contacting the Building Department.

**6. HOW DO I REPORT AN ILLEGAL OCCUPANCY OR APARTMENT?**

The Borough of Sayreville is responsible for investigating complaints of illegal apartments. You can contact the Sayreville Code Enforcement at 49 Dolan St., Monday thru Friday between 7:30 AM - 4 PM or call 732-390-7028 to file a report for an illegal occupancy or apartment.

**7. WHAT HAPPENS AFTER A COMPLAINT IS FILED?**

Whenever an illegal apartment complaint is received from a private citizen, community group or elected official, an inspector from the Construction, Code Enforcement, Fire Prevention Bureau or Middlesex County Health will inspect the dwelling. If the Inspector finds an illegal occupancy or apartment, a violation notice will be issued to the owner. The owner will be notified either by certified mail or personally. Depending on the severity of the violation the owner will have a certain amount of time to abate the violations.

**8. WHAT ARE THE FINES FOR EACH VIOLATION**

The fines can range up to \$500.00 dollars per day until abated for each violation for the first offense. In repeat cases the fines can go up to \$10,000 dollars and jail time.

If you have any additional questions about illegal occupancies please contact the Sayreville Code Enforcement at (732)-390-7028