§ 213. Residence or business within municipality.

(a) In an action described in § 202, either a plaintiff or a defendant must:

1. be a resident of the municipality; or

2. have a regular employment within the municipality; or

3. have a place for the regular transaction of business within the municipality.

(b) A corporation, association or partnership shall, for the purposes of this section, be deemed a resident of the municipality if it has an office or agency or regularly transacts business in the municipality.

(c) The requirements of subdivision (a) shall not apply to a counterclaim, cross-claim, third-party claim, or claim asserted by or against a party who has intervened in the action.

(d) The requirements of this section shall not be deemed jurisdictional; they shall be deemed waived by the plaintiff upon his commencing an action in this court, and they shall be deemed waived by the defendant unless he raises the objection by motion or in his responsive pleading as prescribed in § 1002 of this act. Notwithstanding waiver by the parties, the court may, on its own initiative at any time, dismiss an action which does not satisfy the requirements of this section. Any dismissal under this section shall entitle the parties to the benefit of CPLR § 205, relating to an extension of time to commence a new action.