

**TOWNSHIP OF SADDLE BROOK
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO. 1744-24**

AN ORDINANCE OF THE TOWNSHIP OF SADDLE BROOK IN THE COUNTY OF BERGEN AND STATE OF NEW JERSEY AMENDING CHAPTER 206, ARTICLE IV GENERAL PROVISIONS, SECTION 206-9 OF THE CODE OF THE TOWNSHIP, ENTITLED PERMITTED USES, TO BAN SHORT TERM RENTAL OF DWELLINGS FOR PERIODS OF TWENTY-EIGHT (28) DAYS IN ANY AND ALL ZONING DISTRICTS, AS AMENDED

BE IT ENACTED AND ORDAINED, by the Township Committee of the Township of Saddle Brook those portions of the aforesaid set forth below are hereby amended as follows and that those portions of the Ordinance not set forth below shall remain unchanged.

WHEREAS, The Mayor and Council of the Township of Saddle Brook has been made aware of and has expressed concerns regarding short period rental of dwelling premises located in the Township; and

WHEREAS, the Township Council of the Township of Saddle Brook, has reviewed, considered and has determined that there is a need for the overall safety, health and welfare of the citizens and residents of the Township to amend the requirements set forth at §206-9 of the Township's Zoning Code so as to restrict and ban the short term rental of dwellings for periods less than twenty eight (28) days in any and all zoning district in the Township of Saddle Brook; and

WHEREAS, short term rental of dwelling for periods of less than twenty-eight (28) days in the Township of Saddle Brook are detrimental to issues including noise, overcrowding and parking within the residential neighborhoods of the Township and may seek to convert residential dwelling units into illegal day-facto hotels, motels, boarding houses and commercial enterprises in violation of the Township zoning and other codes as well as State statutes; and

WHEREAS, the Township wishes to deter the rental of residential dwelling units for less than twenty-eight (28) days within the Township by regulating such as an illegal use within the Township: and

WHEREAS, the Mayor and Council of the Township wish to adopt this ordinance in order to protect the health, safety and welfare of the community at large by prohibiting short term rentals of less than twenty-eight (28) days for residential properties within the Township.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Township of Saddle Brook, Bergen County, New Jersey, as follows:

1. § 206-9 entitled "Permitted Uses" is hereby supplemented and amended by adding a new subparagraph "A" that shall read as follows:

- A. Other than a Use & Occupancy Agreement resulting from the sale of a residential dwelling, no person or entity shall rent, lease, or allow the use or occupancy of any dwelling unit for a period of twenty-eight (28) days or less. Additionally, no person or entity shall solicit, advertise for, or offer the use or occupancy of any dwelling unit for a period of twenty-eight (28) days or less. Nothing shall prevent lawful rental and occupancy of a dwelling unit for a rental period of more than twenty-eight (28) days.
- B. Any person or entity found violating § 206-9 shall be subject to the following penalties:
 - i. Upon conviction for a first offense, a fine of \$350;
 - ii. Upon conviction for a second offense, a fine of \$500; and
 - iii. Upon conviction for a third offense or subsequent offense, a fine of \$750.

Each day a dwelling unit is rented, leased, used, or occupied shall be deemed a separate violation.

B. This ordinance may be enforced by the Building Department, Police Department and/or the Fire Prevention Bureau.

- 2. Any or all other ordinances or parts thereof in conflict or inconsistent with any of the terms hereof are hereby repealed to such extent as they are so in conflict or inconsistent with this ordinance.
- 3. In case any article, section or provision of this ordinance shall be held invalid in any court of competent jurisdiction, the same shall not affect any other article, section or provision of this ordinance except insofar as the article, section or provisions are

declared invalid shall be inseparable from the remainder or any portion thereof.

BE IT FURTHER ORDAINED, that if for any reason, any section or provision of this Ordinance shall be held to be unconstitutional or invalid, the same shall not affect any other section or provision of this Ordinance, except so far as the section or provision so declared unconstitutional or invalid shall be severed from the remainder or any portion thereof.

BE IT FURTHER ORDAINED, that this ordinance shall take effect in accordance with the law and shall become effective immediately upon final passage and publication as required by law.

(BOLD PRINT IS THE AMENDMENT)

ATTEST: _____

Peter Lo Dico, Township Clerk

APPROVED: _____

Robert White, Mayor

Introduced: March 21, 2024

Adopted: April 18, 2024