

ORDINANCE 2024-4

**ORDINANCE OF THE TOWNSHIP OF MULLICA CREATING A NEW CHAPTER OF
THE MUNICIPAL CODE OF THE TOWNSHIP OF MULLICA ENTITLED
“REGISTRATION OF RENTAL UNITS”**

WHEREAS, Pursuant to N.J.S.A. 40:48-2 the Township is authorized to enact Ordinances as necessary for preservation of the public health, safety, and welfare to carry into effect the powers and duties conferred and imposed on the Township by law; and

WHEREAS, in order to identify and maintain residential rental properties for compliance with Township maintenance, health, safety and welfare regulations it has been determined to adopt a Property Registration Ordinance.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Township Committee of the Township of Mullica, County of Atlantic, State of New Jersey, as follows:

ARTICLE I Registration of Rental Units

NOTE: Article I does not apply to Article II “Short Term Rental Units” unless specifically indicated.

Section 1. Definitions.

As used in this article, the following terms shall have the meanings indicated:

AGENT or MANAGING AGENT – An individual or entity designated by the owner and authorized to perform any duty imposed upon the owner by this article. Such term may include a licensed real estate broker or salesman of the State of New Jersey if such person is designated by the owner as such an agent.

HEARING OFFICER – The Township Administrator or designee.

LANDLORD or OWNER – The person, persons or entity which owns or purports to own a rental unit. In the case of a mobile home park, "landlord" shall mean the owner of an individual dwelling unit within the mobile home park.

QUALITY OF LIFE VIOLATIONS – In addition to conduct which is otherwise prohibited by state statute or the Township Code, to knowingly allow or permit in, upon or in proximity to any rental unit conduct which substantially impairs the public safety, health or welfare, including, but not limited to, loud and abusive noise; loud gatherings; boisterous activity; loud, unruly and profane language; consumption or possession of alcoholic beverages by persons under the legal age; overcrowding upon or in proximity to the rental unit; use of fireworks; public urination; excessive noise of such a character, intensity or duration as to be detrimental to the life, health and welfare or which unreasonably endangers the comfort, peace and repose of neighboring residents; the placement or disposal of bottles, cups, containers, or other debris on or about the exterior of

the rental unit or any other property in the vicinity, and it shall be a violation if such material is not removed by 9:00 a.m. following an event; and any other disorderly acts which unreasonably disturb the peace and good order of the neighborhood and community.

REGISTRATION – The document issued by the Development and Housing Department confirming that a specific rental unit has been properly registered in accordance with this article. Such registration is in addition to the requirements for the issuance of a continued certificate of occupancy and for compliance with Sec. 177-12 of the Township’s Property Maintenance Ordinance.

RENTAL UNIT – Any home, apartment, dwelling, building or dwelling unit of any kind which is rented or offered for rent as housing space for living or dwelling purposes under either a written or oral lease. However, for purposes of this article, a rental unit shall not include owner-occupied two-unit premises and short-term rental units.

SHORT TERM RENTAL UNIT – See Article II.

SUBSTANTIATED COMPLAINT – A complaint for a violation of this article, any provision of Title 2C of the New Jersey Statutes or any Township ordinance governing disorderly conduct, upon or in proximity to any rental unit, and attributable to the acts or incitements of any of the tenants of those premises which has been substantiated by prosecution and conviction in any court of competent jurisdiction. All complaints are investigated by either the Construction Code Office, the Township Zoning Official or the Township Police Department.

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Section 2. Registration. Except for Short Term Rental Units (See Article II).

- A. All rental units shall be registered with the Development and Housing Department on forms which shall be provided for that purpose. Such registration is required every year or whenever there is a change in occupant, whichever occurs first. The required fee shall be the fee set forth for a continued certificate of occupancy for rental property presently assessed at \$75.00. This registration is in addition to the certificate required pursuant to Chapter 177, the Township’s Property Maintenance Ordinance. No rental unit shall be rented unless the rental unit has been registered in accordance with this Article.
- B. Upon receipt of the appropriate registration form, payment of the required fees and the successful completion of the inspection required by Chapter 177, the Development and Housing Department shall issue to the owner or agent a certificate stating that the rental unit has been appropriately registered pursuant to the provisions of this article and has been registered to allow occupancy subject to the conditions and requirements set forth in this article.
- C. In the event that the inspection of a rental unit does not result in a satisfactory inspection, such property shall not thereafter be registered, and the owner of the property or agent shall not lease or rent or allow occupancy of such property nor shall any tenant occupy such property

until the necessary corrections have been made so as to bring the property and rental unit into compliance with the applicable Code requirements.

- D. The registration forms shall be indexed and maintained in the Development and Housing Department. The landlord and, if applicable, the agent of any rental unit shall insure that a copy of the registration form has been provided to the tenant. As necessary, copies of the registration forms shall be made available to the Police Department.
- E. All new leases or renewals or extensions of leases shall contain in such lease language indicating that said lease is subject to the requirements of this article. A copy of this Ordinance shall be provided to each new tenant.
- F. At the time of the filing of the registration referred to in Subsection A, or at the time of any registration amendment due to tenant turnover, every owner shall present to the Code Enforcement Office notice of the last tenant turnover date, and if applicable to the unit, a valid lead-based paint evaluation report prepared by a certified lead evaluation contractor as set forth in the Township's Lead Based Paint Inspection Ordinance. No occupancy shall occur until this Lead Based Paint Inspection Certificate is provided.
- G. The owner or landlord shall, within thirty (30) days, notify the Township in writing whenever a rental property ceases to be utilized as a rental property.

Section 3. Payment of taxes and other municipal charges required.

No rental unit may be registered or renewed for any property containing a rental unit unless all municipal taxes, sewer charges and any other municipal assessments are fully paid and current.

Section 4. Failure to register.

No landlord or agent on behalf of a landlord shall rent or permit the rental of a rental unit unless such property has been registered pursuant to this article. Also, no rental unit shall be occupied by any person or persons until and unless registered pursuant to this article.

Section 5. Violations.

It shall be a violation of this article to fail to appropriately register any rental unit. It shall also be a violation to continue the rental of a rental unit after the suspension or revocation of its registration. It shall also be a violation of this article for any tenant to engage in any quality of life violation or for the landlord or agent to knowingly permit repeated quality of life violations at or about a rental unit, unless a good faith effort and appropriate action is taken to address the quality of life violations.

Section 6. Repeated quality of life violations.

On each occasion that a tenant in a rental unit or such tenant's guest, visitor or invitee commits a quality-of-life violation, a notice of such violation shall be sent by certified and regular mail to the

owner and, if applicable, rental agent. It is the obligation of the landlord and the landlord's agent to take all reasonable and appropriate action to abate further quality of life violations at the rental unit and to make a good faith effort to abate the conditions or circumstances giving rise to such quality-of-life violations. In the event that the landlord or the landlord's agent fails to take such reasonable and appropriate action to abate further quality of life violations or to make a good faith effort to abate the conditions or circumstances giving rise to such quality of life violations, the landlord and the landlord's agent shall be subject to the fines and penalties set forth in Section 7 upon the occurrence of a third quality of life violation with respect to an individual rental unit within any twelve-month period. The landlord or landlord's agent shall be subject to such fines and penalties upon the occurrence of a second quality of life violation but only if it significantly impacts the neighboring properties or the community. In addition to the fines and penalties set forth in Section 7, the landlord and the rental unit may be subject to the suspension or revocation of the registration for such rental unit as set forth in Section 8.

Section 7. Access for inspections and repairs; complaints.

- A. The Code Enforcement Officer, the Zoning Officer and other personnel are hereby authorized to make inspections to determine the condition of rental facilities and rental units, in order that they may promote the purposes of this article to safeguard the health, safety and welfare of the occupants of rental facilities, rental units and the general public. For the purposes of making such inspections on notice to the owner or occupant, the inspecting officers are hereby authorized to enter, examine, and survey rental facilities and rental units at all reasonable times. The owner or occupant of every rental facility and rental unit shall give the inspecting officer free access to the rental facility and rental unit at all reasonable times for the purpose of such inspections, examinations and surveys.
- B. In the event the Township has a reasonable basis to believe that the occupancy limit of any rental unit is being exceeded, the Township Code Enforcement Officer or Zoning Officer shall contact the landlord, owner or agent, who shall use his or her best efforts to obtain and provide to the Township the accurate information as to the occupants of such rental unit and shall provide access to the residential unit upon request. It shall be a violation of this Section for any other person(s) to reside in said premises, and repeated occupancy violations by the landlord, owner or tenant shall be subject to the requirements and penalties set forth herein.

Section 8. Fines and penalties.

- A. Any person violating any provision of this article shall, upon conviction, be subject to the following fines and penalties. Such fines and penalties shall be in addition to any possible suspension or revocation of the registration.
 - (1) Failure to register or maintain registration: a fine not less than \$100 and not more than \$2,000 for each violation. Each rental unit is a separate violation, and each day is a separate violation.

(2) Quality of life violations: a fine of not less than \$100 and not more than \$2,000 for each violation. Each separate act or conduct constituting a quality of life violation is a separate violation, and, if the act or conduct is continuing, each day is a separate violation.

- B. In addition to the fines set forth above, the Court may impose a sentence of imprisonment in the Atlantic County Jail for any term not exceeding 90 days or a period of community service not exceeding 90 days.
- C. Any person who is convicted of violating this article within one year of the date of the previous violation, and was fined for the previous violation, shall be sentenced by the Court to an additional fine as a repeat offender. Such violation need not be with respect to the same rental unit. The additional fine imposed by the Court upon a person for a repeated offense shall not be less than the minimum or exceed the maximum fine fixed for a violation of this article but shall be calculated separately from the fine imposed for the violation.

Section 9. Revocation or suspension of registration.

In addition to any other penalty provided for in this article, a rental unit may be subject to the revocation or suspension of its registration based upon the following:

- A. The occurrence of a third quality of life violation with respect to an individual rental unit within any twelve-month period. In addition, the rental unit may be subject to revocation or suspension upon the occurrence of a second quality of life violation but only if it significantly impacts the neighboring properties or the community. In order to support the suspension or revocation under this section, it need not be shown that the convictions are of the same individual or individuals, but only that such convictions involved conduct occurring on separate occasions over such period.
- B. Maintaining the rental unit or the property in which the rental unit is a part in a dangerous condition having a significant risk of injury to person or other property, including the housing of more people in the unit than permitted by the issued Certificate of Occupancy and the posted maximum occupancy limit.
- C. A significant false, misleading or fraudulent statement made in the registration form, in connection with the inspection of the rental unit or otherwise under this article.
- D. A pattern of conduct which results in creating, maintaining, permitting or suffering the existence of any of the following conditions at or about the rental unit:
- (1) A nuisance as that term is defined in N.J.S.A. 2C:33-12; provided, however, that the conviction of such person or persons under that statute should not be required in order for the Township to take action under this article.
 - (2) The failure or refusal to comply with any reasonable directive of the Township concerning the abatement of conduct prohibited by this article.

- (3) It shall be the defense to any proceeding for the suspension or revocation of a rental registration to demonstrate that the owner or agent has taken all reasonable and appropriate action and has made a good faith effort to abate the conditions or circumstances giving rise to the suspension or revocation proceeding. Such efforts may include, but not be limited to, the institution of legal action against the tenant.

Section 10. Procedure for suspension or revocation.

- A. A written complaint seeking the suspension or revocation of a rental registration may be filed by the Chief of Police or designee or the department head of the Development and Housing Department and provided to the Township Clerk. The complaint shall be filed and shall be sufficiently detailed so as to inform the landlord of the charges pending and state the particulars of any substantiated violations underlying the charges. The complaint may be filed on the basis of information and belief, and the complainant need not rely on personal knowledge or information.
- B. Upon the filing of such a written complaint, the Township Clerk shall immediately mail a copy of the complaint to the landlord and managing agent, if any, at the addresses indicated on the registration form and to the name appearing on the tax records if different from that of the landlord. The complaint shall be accompanied by a notice that a hearing will be scheduled not sooner than 10 nor more than 30 days after service of the complaint. The Hearing Officer shall fix the date for the hearing. The complaint and notice shall be sent by certified mail, return receipt requested, and by regular first-class mail. Delivery shall be deemed completed if the regular mail is not returned.

Section 11. Hearings.

- A. At the hearing convened pursuant to this Article, the Hearing Officer or Designee shall give full hearing to both the complaint of the Township and to any evidence in contradiction or mitigation that the landlord or landlord's representative may present. The Hearing Officer may consider, to the extent deemed relevant by the Hearing Officer, prior complaints regarding the rental unit. At the conclusion of the hearing, the Hearing Officer shall determine whether the rental registration shall be suspended or revoked.
- B. Any registration suspension or revocation shall be in accordance with the judgment of the Hearing Officer, in light of the nature and extent of the offenses indicated in the substantiated complaints upon which the proceedings are based and adequate to be protective of public and private property and disruption of affected residents' rights of fair use and quiet possession of their premises.
- C. Within 15 days of the conclusion of a hearing, the Hearing Officer shall issue written findings of fact and conclusions which shall then be provided to the landlord and landlord's representative, if any, and the Township Committee. The Township Committee shall review the findings of fact and conclusions and may accept, reject or modify recommendations of the

Hearing Officer. The landlord shall be permitted, but not required, to submit to the Township Committee written comments or objections to the findings of fact and conclusions. Any such submission must be made within five days of the landlord's representative, if any, receipt of the Hearing Officer's report.

- D. A verbatim record shall be made of the hearing. All witnesses shall be sworn prior to testifying. However, the strict rules of evidence shall not apply and the evidentiary rules and burden of proof shall be that which generally applies to administrative hearings.

Section 12. Conditional renewal of rental registration.

If any rental registration is subject to a proceeding for suspension or revocation, it may nevertheless be renewed pending the determination of such proceeding.

ARTICLE II Short Term Rentals

Section 13. Purpose and Findings.

Township Committee finds and declares that the short-term rental of residential dwelling units within the Township benefits the local community by affording owners of such units the ability to garner additional income from their real property to diminish the financial burden of carrying costs and maintenance expenses related to the property, as well as providing travelers with an alternative option for accommodations in the Township, thereby promoting the local travel and tourism industry, and contributing to the economic vitality of the Township. Notwithstanding these benefits, the Township Committee also finds and declares that certain transitory uses of residential property tend to affect the residential character of the community and, if unregulated, can be injurious to the health, safety, and welfare of the community.

The intended purposes of this Chapter are to:

- A. Balance the rights of the owners of residential dwelling units proposed for short-term rental use and the Township's business community affected by the allowance and existence of short-term rentals;
- B. Protect the public health safety and general welfare of individuals and the community at large;
- C. Provide for an organized and reasonable process for the short-term rental of certain defined classifications of residential dwelling units in the Township;
- D. Monitor and provide a reasonable means for the mitigation of impacts created by such transitory uses of residential properties within the Township;
- E. Preserve and protect the long-term housing market stock in the Township;

- F. Implement rationally based and reasonably tailored regulations to protect the integrity of the Township's residential neighborhoods, and
- G. Ensure that the short-term rental property inventory in the Township satisfies basic property maintenance standards, in order to protect the safety of occupants and the citizens of the Township.

The Township Committee has therefore determined that it shall be unlawful for any owner of any property within the geographic bounds of the Township to rent or operate a short-term rental contrary to the procedures and regulations established in this Chapter or applicable State statute.

Section 14. Definitions.

The words defined in this section shall mean and include the following when used in this chapter:

HOTEL – means any building, including but not limited to any related structure, accessory building, and land appurtenant thereto, and any part thereof, which contains 10 or more units of dwelling space or has sleeping facilities for 25 or more persons and is kept, used, maintained, advertised as, or held out to be, a place where sleeping or dwelling accommodations are available to transient or permanent guests.

This definition shall also mean and include any hotel, motor hotel, motel, or established guesthouse which is commonly regarded as a hotel motor hotel, motel, or established guesthouse as the case may be, in the community in which it is located; provided, that this definition shall not be construed to include any building or structure defined as a multiple dwelling in PL. 1967, c. 76 (N.J.S.A.55: 13A-1 et seq.), registered as a multiple dwelling with the Commissioner of Community Affairs as hereinafter provided, and occupied or intended to be occupied as such, nor shall this definition be construed to include a rooming house or a boarding house as defined in the "Rooming and Boarding House Act of 1979," P.L.1979, c.496 (C.55:13B-1 et al.) or, except as otherwise set forth in P.L. 1987, c.270 (N.J.S.A.55:13A-7.5, 55: 13A-7.6, 55:13A 55:13A-13.2), any retreat lodging facility, as defined in this section. Neither a Hotel nor any unit in a Hotel shall be used as a Short-Term Rental.

OWNER – means an individual or entity holding title to a Short-Term Rental.

RESPONSIBLE PARTY – means the Owner and a person (property manager) designated by the Owner to be called upon and be responsible at all times during the period of a short-term rental and to answer for the maintenance of the property, or the conduct and acts of occupants of the property, and in the case of the property manager to accept service of legal process on behalf of the Owner.

SHORT-TERM RENTAL or "STR" – means the accessory use of a dwelling unit for occupancy by someone other than the unit's owner or permanent resident for a period of not less than two (2) consecutive days and not more than thirty (30) days, which dwelling unit is advertised or held out to the public as a place regularly rented to transient occupants.

SHORT-TERM RENTAL PROPERTY – means a residential dwelling unit that is used and/or advertised for rent as a short-term rental for transient occupants as guests.

SHORT-TERM RENTAL PROPERTY AGENT – means any New Jersey licensed real estate agent or other person designated and charged by the Owner, with the responsibility for making the short-term rental application to the Township on behalf of the Owner and fulfilling all of the obligations in connection with completion of the short-term rental property permit application process on behalf of the Owner. Such person shall be available for, and responsive to contact on behalf of, the Owner, at all times.

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TRANSIENT OCCUPANT – shall mean any person or a guest or invitee, who, in exchange for compensation, occupies or is in actual or apparent control or possession of residential property, which is either: (1) registered as a short-term rental property, or (2) satisfies the definition of a short-term rental property, as such term is defined in this Chapter. It shall be a rebuttable presumption that any person who holds themselves out as being an occupant or guest of an occupant of the short-term rental is a transient occupant.

Section 15. Regulations for Short-Term Rentals.

- A. It shall be unlawful for any owner of any property within the Township to rent or operate a STR contrary to the procedures and regulations established in this Chapter or applicable State law.
- B. STRs shall be permitted in the following properties:
 - 1. Condominium units where the Condominium Association By-Laws or Master Deed permit a short-term rental;
 - 2. Single-family residences;
 - 3. One unit within a two-family residential dwelling, where the other unit is occupied by the owner and identified by the owner as his or her principal residence;
 - 4. Not more than one unit in any multi-family residential dwelling having less than five (5) units, where one other unit in the same dwelling is occupied by the owner and identified by the owner as his or her principal residence; and
 - 5. Notwithstanding the provisions of sub-paragraph (2) above short-term rentals shall not be permitted in boarding or rooming houses, dormitories, adult family care homes, assisted living facilities, community residences for developmentally disabled persons, community shelters for victims of domestic violence} trailer’s, hotels, or nursing homes.

6. Qualified private communities, HOAs and similar associations may approve more restrictive rules and regulations and additional fees in their by-laws pertaining to short term rental properties within their legal boundaries.
7. Recreational Properties with a permitted and approved well, septic and habitable dwelling. Travel trailers and campers not permitted.

Section 16. Short-Term Rental Permit, Permit Registration Fee/Application, and Certificate of Occupancy.

- A. The owner/operator of a Short-Term Rental Property shall obtain a STR permit from the Township, before renting or advertising for rent any STR.
- B. No STR permit issued pursuant to this Chapter may be transferred or assigned.
- C. An owner of property intended to serve as a Short-Term Rental Property, as defined herein, or any agent acting on behalf of the Owner, shall submit to the Township Construction and Code Enforcement Office, a STR permit application provided by the Township and a registration fee in the amount of two hundred dollars (\$200.00) and a copy of the Certificate of Insurance for the Property. All STR's are required to have a Certificate of Occupancy inspection in order to receive a STR permit.
- D. The STR permit, if granted, shall be valid for a period of one year from the date of issuance.
- E. A STR permit shall be renewed on an annual basis within (30) days of the anniversary of the issuance of the original STR permit, by submitting to the Construction and Code Enforcement Office a completed STR application, a renewal registration fee of one hundred dollars (\$100.00) and a copy of the Certificate of Insurance. All STR's must receive a Certificate of Occupancy inspection as part of this process to receive a STR permit. If any application to renew a STR permit is not timely, a late fee of one hundred dollars (\$100.00) per 30-day period shall be charged in addition to the renewal application fee.
- F. The STR permit shall expire when the Short-Term Rental Property changes ownership. A new application and first-time registration fee will be required in the event that the new owner intends to use the property as a Short-Term Rental Property. A new application and first-time registration fee shall also be required for any STR that had its STR permit revoked or suspended.

Section 17. Application Process for Short-Term Rental Permit and Inspections.

- A. Applicants for a STR permit shall submit to the Township Construction and Code Enforcement Office, an application for an STR permit. The STR Permit is required to be renewed annually.
- B. The application shall be signed, under oath, on a form specified by the Township.

C. Such application shall include:

1. The address, telephone number and email address of the owner(s) of the dwelling unit for which a STR permit is sought. If such owner is not a natural person, the application must include and identify the names of all owners, members, partners, officers and/or directors of any such entity, and the personal contact information, including address and telephone numbers for each of them;
2. The address of the unit to be used as a short-term rental;
3. The name, address, telephone number and email address of the Short-Term Rental Property Agent, which shall constitute his or her 7 day a week, 24- contact information;
4. The name, address, telephone number and email address of the Responsible Party, which shall constitute his or her 7 day a week, 24-hour contact information;
5. The Owner's sworn acknowledgement that he or she has received a copy of this Ordinance, has reviewed it, understands its requirements, and certifies, under oath, as to the accuracy of all information provided in the STR permit application;
6. The number and location of all parking spaces available to the STR, A Short-Term Rental Property shall designate two parking spaces for every bedroom available for rent;
7. An informal site plan showing all structures on the Short-Term Rental Property, the number and location of parking spaces available to the STR, a floor plan showing the number of bedrooms, and which shall also show the garage if the garage is intended to be used for STR parking. No parking shall be permitted on lawns or in the street. A formal site plan may be required at the Code Enforcement Officers determination in lieu of an informal site plan based on property location, size, number of STR units, access and other identifying features applicable to a formal site plan;
8. The STR owner's agreement to use his or her best efforts to assure that use of the STR will not disrupt the neighborhood, and will not interfere with the rights of neighboring property owners to the quiet enjoyment of their properties;
9. Any other information that this Chapter requires an Owner to provide to the Township in connection with an application for a rental certificate of occupancy.
10. Every Short-Term Rental Property shall be inspected once a year at time of annual renewal for compliance with the Township's fire safety regulations, property maintenance regulations and building and other code provisions. In addition, each STR is subject to continuing review to verify the STR's eligibility for use as a STR.
11. A certification that the Owner shall comply with all applicable Federal, State, and Local rules, regulations, and laws.

12. If applicable to the units no Short-Term Rental Permit shall be granted unless the owner presents to the Code Enforcement Officer a valid Lead Based Paint Certification by a certified lead evaluation contractor as set forth in the Township's Lead Based Paint Inspection Ordinance.
- D. A sworn statement demonstrating that the Short-Term Rental Property is not being occupied or used in violation of any provision of the Township Code and any State Statute, rule, or regulation shall be submitted with each STR permit application.
 - E. A sworn statement providing there have been no revocations or suspensions of a STR permit shall be submitted with the STR permit application. If a STR permit has been revoked or suspended a STR permit shall not be issued, which denial may be appealed as provided herein.
 - F. Attached to and concurrent with submission of the STR permit application, the Owner shall provide:
 1. Proof of the Owner's current ownership of the Short-Term Rental Property;
 2. Proof of general liability insurance in a minimum amount of \$500,000.00;
 3. Proof all taxes are current;
 4. Written certifications from any Short-Term Rental Property Agent and/or Responsible Party that they agree to perform all of the respective duties specified in this Chapter;
 5. Water testing responsibilities for private wells. With the initial permit application and at least once every five years thereafter, the owner of any Short Term Rental, shall test that water supply in the manner established pursuant to the Private Well Testing Act for the following parameters: bacteria (total coliform); nitrates; iron; manganese; pH; all volatile organic compounds for which maximum contaminant levels have been established pursuant to P.L.1977, c.224 (N.J.S.A.58:12A-1 et seq.); and lead by a state certified laboratory, The potable water test results shall be provided with STR permit application.. If the owner's private well is required to be tested by other State law requirements, those water tests shall be provided when performed;
 6. Private Sewage and Disposal testing responsibilities- With the initial permit application and at least once every five years, the owner of the STR shall test the septic system/cesspool by a qualified and licensed firm and provide a written statement from the person/firm conducting a test that the system is functioning properly.
 7. The STR permit holder shall publish the STR permit number issued by the Township in every print, digital, internet advertisement or any solicitation offering the STR for rent;
 8. In no event shall a STR be rented to anyone younger than twenty one (21) years of age. The party executing the lease or rental agreement for occupancy of the STR may allow occupants under the age of twenty-one (21) to stay with him/her during the rental period

of the STR providing at least one occupant over the age of twenty-one is present and in residence;

9. A STR can be occupied by two persons per bedroom} with an additional two persons permitted if beds are provided.

Section 18. Issuance of Permit and Appeal Procedure.

- A. Once a STR application is submitted, complete with all required information and documentation and fees, and following any necessary Code compliance inspections in accordance with Chapter 177, the Township's Property Maintenance Ordinance and for compliance with this Chapter, the Township Construction Official shall issue the STR Permit and Rental Certificate of Occupancy, or issue a written denial of the permit application with the reasons for such denial being stated therein, within ten (10) business days.
- B. If a STR permit is denied, the applicant shall have ten (10) business days to appeal in writing to the Governing Body, by filing the appeal with the Township Clerk's Office.
- C. The Appeal procedure set forth in Article I shall be the procedure utilized to hear the Appeal.

Section 19. Short-Term Rental Operational Requirements.

- A. STR and its occupants must comply with all applicable rules, regulations and ordinances of the Township and State of New Jersey, and all state and federal laws.
- B. The Owner shall not install any advertising mechanisms, such as signage, including lawn signage, identifying the property for rent as a short-term rental property. The only signage permitted on the property are fixed signs not to exceed 18"x18", but are limited to identify parking spots, the property "name" or address, important safety information, property boundaries and other identifying property information.
- C. The Owner, Short Term Rental Agent or Responsible Party shall maintain a record of the occupants name, home address, license plate number: year and make of automobile, copy of drivers' license and telephone number and address of the Short-Term Rental Property that is being occupied for direct bookings. If a rental platform is being used, then the STR owner is not required to maintain this record.
- D. The Owner shall post the following information in a prominent location within the STR:
 1. Owner name; if Owner is an entity, the name of a principal in the entity, and phone number for the Owner;
 2. The names and phone numbers for the Responsible Party and the Short-Term Rental Property Agent (as those terms are defined in this Chapter);

3. The phone numbers for the Mullica Police Department, the Mullica Fire Department, and the Township Zoning Department;
 4. The maximum number of parking spaces available onsite;
 5. Trash and recycling pick-up day, all applicable rules and regulations regarding trash disposal and recycling and a notice that all garbage and recycling containers must be removed from the street within twenty-four (24) hours of the scheduled pick-up;
 6. A copy of the Ordinance authorizing this Chapter;
 7. Notification that an occupant, Owner or Short-Term Rental Property Agent may be cited or fined by the Township for any violation(s) of the Township's Ordinance(s);
 8. A survey, ariel map or print out identifying the property boundaries.
- E. While a Short-Term Rental Property is rented, the Owner, the Short-Term Rental Property Agent, or Responsible Party shall be available twenty-four hours per day, seven days per week for the purpose of responding within two (2) hours to complaints regarding the condition of the STR or its occupants.
 - F. If the Short-Term Rental Property is the subject of two (2) or more confirmed/verified and substantiated civil and/or criminal complaints, the Code Enforcement Official may revoke the STR permit issued for the property, in which case, the STR may not be the subject of a STR permit application for one (1) year following the date of revocation of the permit. The STR Permit holder shall have five (5) business days to appeal the revocation by filing a written Appeal with the Township Clerk's Office. The Township Governing Body or its appointed designee shall hear and decide the Appeal in accordance with the Appeal procedure set forth in Article I.
 - G. In the event any complaints are received by the Township regarding the STR or its occupants and the Owner is unreachable or unresponsive, the Responsible Party and the Short-Term Rental Property Agent shall be authorized to and have the responsibility to take any action to resolve such complaints.
 - H. Failure to make application for, and to obtain the issuance of, a STR permit before advertising or soliciting occupants for the STR shall constitute a violation of this Ordinance.
 - I. The person offering a dwelling unit for short-term rental use must be the owner of the dwelling unit. A tenant of a property may not apply for a STR permit, nor shall the property or any portion thereof be sub-leased by a tenant on a short-term basis, or operated as a STR.
 - J. The STR Owner must be current with all taxes, fines or any other amounts owed to the Township prior to the issuance of a STR permit. In the event that any code violations have been issued by the Township, such violations must be abated before a STR permit will be

issued. A STR Owner must also close any open construction permits prior to the issuance of a STR permit.

Section 20. State Registration and Payment of Taxes.

The Owner shall:

- A. As applicable, pay the statutory State Occupancy Fee.
- B. As applicable, pay the State Sales Tax.
- C. Register the Property with the State of New Jersey.
- D. Register the Property with the Township as required by the Township Rental Registration Ordinance .

Section 21. Prohibited Short Term Rentals.

- A. Prohibition of amenities in Short Term Rentals.
Swimming Pools, accessory buildings, etc. are prohibited except as an integral part of the residential STR.
- B. Short-term rentals for hosting commercial or social events are strictly prohibited.

Section 22. Fines and Penalties.

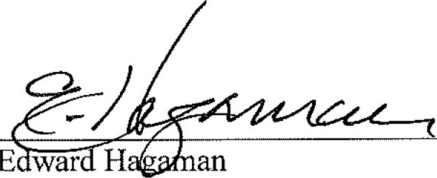
- A. Any person violating any provision of this article shall, upon conviction, be subject to the following fines and penalties. Such fines and penalties shall be in addition to any possible suspension or revocation of the registration.
 - (1) Failure to register or maintain registration: a fine of \$500.00 for each violation. Each rental unit is a separate violation, and each day is a separate violation.

Section 23. Each section of this ordinance is an independent section, and the holding of any section or part thereof to be unconstitutional, void, or ineffective for any cause shall not be deemed to affect the validity of constitutionality of any other sections or parts thereto.

Section 24. Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed as to their inconsistencies only.

Section 25. This Ordinance was adopted on April 16, 2024, and approved for publication with a date to become effective on June 30, 2024, to allow all rental property owners to become familiar with the process set forth in Article I and Article II of the Ordinance.

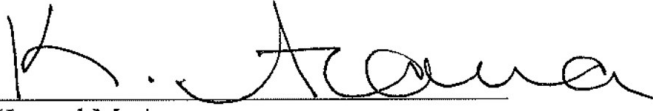
INTRODUCTION: March 26, 2024
PUBLICATION: March 27, 2024
ADOPTION: April 16, 2024
PUBLICATION: April 24, 2024
EFFECTIVE: June 30, 2024



Edward Hagaman
Mayor

CERTIFICATION

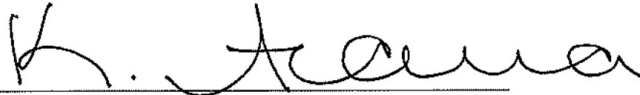
I, Krystel M. Arana, Municipal Clerk of the Township of Mullica, County of Atlantic, State of New Jersey, do hereby certify that the foregoing Ordinance 2024-4 was introduced by the Mayor and Committee of the Township of Mullica at a Regular Meeting held on Tuesday, March 26, 2024.



Krystel M. Arana
Municipal Clerk

CERTIFICATION

I, Krystel M. Arana, Municipal Clerk of the Township of Mullica, County of Atlantic, State of New Jersey, do hereby certify that the foregoing Ordinance 2024-4 was adopted by the Mayor and Committee of the Township of Mullica at a Regular Meeting held on Tuesday, April 16, 2024.



Krystel M. Arana
Municipal Clerk