INTRODUCED BY: Councilman Karcic				
SECONDED BY: Councilman Fitzhenry				
COUNCIL	AYE	NAY	ABSTAIN	ABSENT
FITZHENRY	X			
CAVADAS	X			
KARCIC	X			
SHEEDY	X			
DEL RUSSO	X			
BOCCHINO	X			
PRONTI				
TOTAL				

Second & Final Reading

INTRODUCED BY: Councilwoman Bocchino				
SECONDED BY: Councilman Del Russo				
COUNCIL	AYE	NAY	ABSTAIN	ABSENT
FITZHENRY				X
CAVADAS	X			
KARCIC	X			
SHEEDY	X			
DEL RUSSO	X			
BOCCHINO	X			
PRONTI				
TOTAL				

ORDINANCE NO. 2348
BOROUGH OF NORTH ARLINGTON
COUNTY OF BERGEN, NEW JERSEY

AN ORDINANCE ESTABLISHING A NEW CHAPTER OF THE CODE OF THE BOROUGH OF NORTH ARLINGTON (SHORT-TERM RENTALS)

WHEREAS, the Governing Body of the Borough of North Arlington ("Borough") deems it necessary to curtail, and in certain circumstances prohibit, the increasingly widespread practice of renting or leasing various types of dwellings, or segments thereof, located primarily in residential neighborhoods, on a short-term basis to transient guests; and

WHEREAS, the Governing Body of the Borough wishes to enact legislation which will govern short-term rentals in the Borough; and

WHEREAS, the Governing Body of the Borough has determined that adopting this new Chapter would be in the best interest of the community and will advance the safety of our residents and benefit the public welfare; and

NOW THEREFORE BE IT ORDAINED by the Mayor and Council of the Borough of North Arlington, County of Bergen, State of New Jersey, that a new Chapter of the Code of the Borough of North Arlington shall hereby be established as follows:

1. Definitions.

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

DWELLING
Any building or portion thereof designed or used exclusively for one or more dwelling units.

SEGMENTED DWELLING
A room within or section of a dwelling that constitutes an area less than the entire dwelling.

2. Purpose and scope.

A. This chapter aims to curtail, and in certain circumstances prohibit, the increasingly widespread practice of renting or leasing various types of dwellings, or segments thereof, located primarily in residential neighborhoods, on a short-term basis to transient guests. This practice has been popularized and facilitated by various websites that advertise and broker these rentals. Left unregulated, this practice will transform many residential dwellings into a detriment to the health, safety, and quiet enjoyment of the affected neighborhoods.

B. This chapter does not apply to lawfully established and operating hotels, motels, rooming houses, boardinghouses, and bed-and-breakfast establishments.

C. Notwithstanding the provisions of this Chapter, no rental shall be permitted without obtaining a required certificate of occupancy prior to occupancy.

§3. Short-term rentals prohibited.

No dwelling, or segment thereof, may be rented or leased for a term of less than 30 days.

§4. Commercial rentals.

The lease or rental of any dwelling for commercial or corporate purposes is prohibited.

§5. Rentals of amenities.

The lease or rental, for any purpose, of any amenity, feature, accessory, or appurtenance to or associated with a dwelling is prohibited.

§6 Advertisement.

The print, electronic, or internet advertisement of any rental that is prohibited by or fails to comply with the provisions of this chapter or any other applicable provision of the Borough Code is prohibited.

§7. Enforcement.

The Construction Department and the Police Department are empowered to enforce this chapter.

§8. Violations and penalties.

A. Every person convicted of a violation of a provision of this chapter shall be subject to the maximum fine and penalties established under N.J.S.A. 40:49-5 and any subsequent amendments thereto.

B. Each and every day a violation of this chapter persists shall constitute a separate violation.

C. To the extent the conduct prohibited under this chapter also violates other provisions of the Borough Code, those violations constitute separate offenses subject to additional fines and penalties as prescribed.

IT IS FURTHER ORDAINED that all ordinances or parts of ordinances inconsistent herewith are hereby repealed; and

IT IS FURTHER ORDAINED that if any part, sections provisions or the total of any of the above are held to be invalid or unenforceable in any court, the findings or judgments of which court are applicable to the State of New Jersey, the balance and remainder of such provisions shall remain in full force and effect as an Ordinance of the Borough of North Arlington; and

IT IS FURTHER ORDAINED that this Ordinance shall become effective twenty (20) days after the adoption and publication according to law.

APPROVED: _____
Daniel H. Pronti, Mayor

ATTEST: _____
Kathleen Moore, Borough Clerk

DATED: May 12, 2022

PUBLIC NOTICE

PUBLIC NOTICE IS HEREBY GIVEN THAT AT A REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF NORTH ARLINGTON HELD ON THURSDAY, April 14, 2022, THE ABOVE ORDINANCE WAS INTRODUCED AND PASSED ON ITS FIRST READING. SAID ORDINANCE SHALL BE TAKEN UP FOR FURTHER CONSIDERATION FOR FINAL PASSAGE AT A REGULAR MEETING OF THE MAYOR AND COUNCIL TO BE HELD IN THE EUGENE MADDEN SENIOR CENTER, REAR OF THE NORTH ARLINGTON HEALTH DEPARTMENT BUILDING, 10 BEAVER AVENUE, NORTH ARLINGTON, BERGEN COUNTY, NEW JERSEY ON May 12, 2022 7:00PM OR AS SOON THEREAFTER AS THE MATTER CAN BE REACHED, AT WHICH TIME AND PLACE ALL PERSONS WHO MAY BE INTERESTED THEREIN SHALL BE GIVEN AN OPPORTUNITY TO BE HEARD CONCERNING SAME. DURING THE WEEK PRIOR TO AND UP TO AND INCLUDING THE DATE OF SUCH MEETING, COPIES OF SAID ORDINANCE WILL BE MADE AVAILABLE AT THE BOROUGH CLERK'S OFFICE TO THE MEMBERS OF THE GENERAL PUBLIC WHO SHALL REQUEST SAME.

Kathleen Moore
Borough Clerk