

ORDINANCE NO. 2026-06

**ORDINANCE TO AMEND THE REVISED
GENERAL ORDINANCES OF THE TOWNSHIP OF PISCATAWAY,
COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, ADDING CHAPTER IV LICENSING
AND BUSINESS REGULATIONS, SECTION 16, HOTELS AND MOTELS**

WHEREAS, the Mayor and Township Council of the Township of Piscataway, Middlesex County, find it in the best interest of the public to add Chapter IV, Licensing and Business Regulations, Section 16, Hotels and Motels, of the Revised General Ordinances of the Township of Piscataway regarding the addition of licensing for Hotels and Motels within the Township; and

BE IT THEREFORE ORDAINED by the Township Council of the Township of Piscataway, County of Middlesex, State of New Jersey, that Chapter IV, Licensing and Business Regulations, Section 16, Hotels and Motels, of the Revised General Ordinances of the Township of Piscataway are hereby added as follows:

**CHAPTER IV LICENSING AND BUSINESS REGULATIONS
SECTION 4-16 HOTELS AND MOTELS**

4-16.1 Definitions.

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

CRIME INVOLVING MORAL TURPITUDE

A criminal offense that, by its statutory elements, necessarily involves dishonesty, fraud, deception, or conduct demonstrating baseness, vileness, or depravity, and which evidences a lack of good moral character or a disregard for the duties owed to the public. An offense shall constitute a crime involving moral turpitude only where the conviction requires proof of intentional or knowing morally corrupt conduct, and shall not include offenses that may be committed through negligence, recklessness, or strict liability.

GUEST

A person or group of people who occupy the establishment, typically for a fee, and who are provided access to a lodging unit with associated amenities and services. Any such person so occupying space in a Motel/Hotel shall be deemed a "transient occupant" prior to the 90th day of occupancy.

HOTEL

An establishment in which each lodging unit has access only via internal hallways or a lobby and in which each unit is separately equipped with individual sleeping and bathroom facilities, offered to transient occupant. The definition of "Hotel" includes any building, related structure, accessory building and land appurtenant thereto, and any part thereof. The term "Hotel" is distinct from the terms "Motel," "boarding house," "rooming house" or "apartment hotel."

MOTEL

A group of attached, semidetached or detached one- or two-story structures consisting of individual dwelling units, each unit consisting of a bedroom, bathroom and each having a separate entrance leading from a parking area or courtyard and not through a central lobby for the use of the unit's occupants. The units, with the exception of the apartment of the manager or caretaker, are designed and used exclusively or primarily to accommodate Guests and have no cooking facilities.

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OCCUPANCY

The use or possession or the right to the use or possession of any room(s) or portion thereof in any Motel/Hotel for sleeping purposes.

OPERATOR

Any person, as defined herein, and including agents, employees, and independent contractors thereof, responsible for the day-to-day management and performance of Motel/Hotel activities.

PERSON

Any individual, firm, partnership, joint venture, association, social club, fraternal organization, joint-stock company, corporation, estate, trust, business trust, receiver, trustee, syndicate or any other group or combination acting as a unit.

TRANSIENT OCCUPANT

One whose presence in Piscataway Township is temporary or fleeting for a period of time up to the 89th day of occupancy.

4-16.2 License required.

No person shall engage in the business of conducting a Motel or Hotel without first having applied for and obtained from the Township a license therefor as hereinafter provided. All Hotels and Motels must apply for an initial license on or before April 30th, 2026. License applications for following years must be filed by December 1st of the preceding year (For Example: License applications must be filed by December 1st, 2026 for the 2027 license year).

4-16.3 Application for license; change in information.

- A. In addition to the requirements of Section 4-1.2 above, each applicant for such license shall make a written application annually on a form supplied by the Township Clerk, setting forth, but not limited to:
1. A description of the buildings, structures and accommodations upon said lands, including a statement of the number of housing or lodging units and the maximum number of persons who can be accommodated at any given time.
 2. A description of the character of said buildings or structures as to size and type of construction.
 3. A description of vehicle parking spaces and facilities.
 4. The name and address of the owner of said lands and buildings, if different from the applicant.
 5. The name and address of the Operator, if different from the applicant.
 6. Written consent by the owner of said lands and buildings authorizing applicant to file for a license and operate a Hotel or Motel on the premises.
 7. The name or names of the person or persons on the licensed premises upon whom process may be served.
 8. A detailed description of the manual register or computer system used for the registration of persons to whom accommodations are extended or copy of same.
 9. Whether any person constituting the individual or partnership applicant has ever been convicted of any crime. If a corporate applicant, whether the corporate applicant or any stockholder holding 5% or more of the stock thereof or any director or officer thereof, has ever been convicted of any crime. In either case, if so, the details thereof, including, with respect to each conviction, the name of the person

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convicted, the date thereof, the nature of the crime, the court in which the conviction was entered and the punishment imposed.

10. In the case of corporate applicants, the names and residences of all stockholders holding 5% or more of any stock of the corporation, as well as the names and residences of all officers of the corporation and the office held by each.
 11. Notwithstanding any provision limiting ownership, or requiring disclosure or a background check for any person or entity holding five percent (5%) or more ownership interest, such requirement shall not apply to shareholders, members, partners, or equity holders of a hotel that is owned directly or indirectly by a publicly traded corporation or institutional entity whose securities are registered with the U.S. Securities and Exchange Commission or equivalent regulatory authority, and which operates hotels under a nationally recognized hotel brand. For purposes of this section, compliance with federal and state securities disclosure, governance, and reporting requirements shall be deemed sufficient in lieu of individual background checks for such owners.
- B. Any change in any of the information set forth in the application during the term of the license shall be communicated by the licensee in writing to the Township Clerk within 7 days of the change.

4-16.4 Investigation and approval of application.

- A. In addition to the requirements of Section 4-1.3 in regard to Police review, the Township Clerk shall forward said application to the Code Enforcement official, Zoning Officer, Health Officer and to the Fire Official, who shall inspect the premises to determine whether or not the premises comply with applicable health, fire and municipal code regulations/statutes. If the premises do not comply, said officials shall attach to the application a written list of violations and return the same to the Township Clerk, who shall in turn forward said findings to the applicant. If the premises do comply, said officials shall provide a notice of satisfactory inspection to the Township Clerk.
- B. Upon filing an application with the Township Clerk's Office, the applicant (licensee), stockholder holding 5% or more of the stock of a corporation, director or officer of the corporation (unless exempted pursuant to Section 4-16.3(A)(11), shall authorize and consent to a criminal background check by the Township Police Department. Any subsequent individual changes to ownership or personnel must undergo the same criminal background check and provide authorization and consent for the Police Department to complete the background check upon application to transfer said license. Upon receipt of the results of the criminal background check, the Police Department shall conduct a review pursuant to Section 4-1.3. The Township Clerk shall then notify the applicant of said results.
- C. The Township Clerk shall present said application, with said notices of satisfactory inspection and police background check memoranda to the Business Administrator for final approval. The Township Business Administrator may require additional information to determine whether an applicant should be issued a license. In such case, the Township Business Administrator may order an investigation of the premises and of the information set forth in said application as may be deemed necessary.
- D. Upon approval by the Business Administrator, the Township Clerk shall issue the License.

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4-16.5 Criminal convictions barring issuance of license.

No such license shall be issued to any person who has been convicted of a crime involving moral turpitude; nor shall any such license be issued to any corporation in which any stockholder holding 5% or more of any of the stock thereof, or in which any director or officer shall have been convicted of a crime involving moral turpitude.

4-16.6 License Fee

- A. The annual fee for said license shall be \$250.00 plus \$20.00 for each room or unit.
- B. License fees shall not be apportioned, regardless of the date on which such license may be issued.

4-16.7 Term and display of license.

- A. All initial licenses issued under the provisions of this Section shall be for the term from May 1st, 2026 to December 31, 2026. Licenses for following years shall be for a term of one year commencing on January 1st and expiring on December 31st.
- B. All licenses shall be displayed pursuant to Section 4-1.6.

4-16.8 Transfer of license.

- A. Each license shall be valid only to the applicant to whom it is issued and to such applicant to whom the license may be transferred as hereinafter provided.
- B. The application for a license by the transferee shall be the same as an original application for a license.
- C. The transferee's application shall be accompanied by the consent of the current licensee and a transfer fee equal to 20% of the annual license fee of the license sought to be transferred.
- D. The Business Administrator, with the consent of the licensee and upon payment of the transfer fee, may transfer to such applicant any license issued under the terms and provisions of this chapter. Said transfer fee shall be retained by the Township whether the transfer is granted or not.

4-16.9 Guest registration and occupancy.

- A. Guest registration required.
 - 1. No room shall be rented directly to any person who is a minor.
 - 2. Each licensee shall maintain on the licensed premises a manual or computer register log containing the following Guest's information:
 - i. The full name and address, if any, of each person to occupy the unit;
 - ii. Date and time of check-in and check-out;
 - iii. The unit number assigned to each Guest; and
 - 3. The record log shall be made immediately available for inspection by any officer of the Piscataway Code Enforcement Department:

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- i. Said log shall be kept by the Motel/Hotel Licensee or Operator for a period of not less than three (3) years; and
 - ii. Failure to maintain the log as required herein, failure to provide the log upon request, altering the log so that the information is incomplete, or otherwise obstructing the inspection of the log shall be a basis for suspension or revocation of the license.
4. The duties imposed on a Licensee or Operator by this article shall not be interpreted or applied so as to violate or cause the violation of the Americans with Disabilities Act of 1990 and its amendments (see 42 U.S.C. § 12101 et seq.).

B. Occupancy.

1. The sleeping accommodations of a Motel/Hotel shall be rented only for the use of Guests as Transient Occupants. No unit shall be used or occupied on any permanent basis.
2. No Guest shall use or occupy a Hotel/Motel, or any portion thereof, for a period exceeding eighty nine (89) consecutive days, regardless of whether the Guest occupies the same or different rooms during such period, unless the Guest satisfies the provisions of Subsection B(3) below. Occupation or use by a Guest for a portion of a calendar day shall constitute a full day.
3. A minimum of seven (7) days prior to the expiration of the eighty nine (89) day limit, it shall be an affirmative duty of the Operator or Licensee to petition the Township Business Administrator in writing to permit a guest to avail themselves of the use of the Motel/Hotel for a period longer than eighty nine (89) days when such Guest provides:
 - i. Proof of current, valid residency more than 30 miles from the Township of Piscataway and is utilizing the Motel/Hotel while performing a temporary function or service in Piscataway Township, such as employment on a construction project; or
 - ii. Where the Guest is in need of temporary quarters while improvements are being performed on the Guest's primary residence making it temporarily uninhabitable, where such time frame remains limited to a definite timeline and where vacancy of the Motel/Hotel will occur at the conclusion of the construction project or the primary residence becomes habitable; or
 - iii. Where the Guest requires a short, defined period to arrange alternative accommodation.
 - iv. Where the Guest is a victim of domestic violence, dating violence, sexual assault, or stalking, as those terms are defined under the Prevention of Domestic Violence Act of 1991, N.J.S.A. 2C:25-19 et seq., the Sexual Assault Survivor Protection Act of 2015, N.J.S.A. 2C:14-13 et seq., or N.J.S.A. 2C:12-10, and requires temporary lodging for purposes of safety, protection, or relocation, provided that the Guest submits reasonable documentation evidencing such status. Any extension granted pursuant to this subsection shall be limited to a defined and temporary period reasonably necessary for the Guest to secure safe alternative housing. Any documentation submitted pursuant to this subsection, including but not limited to documentation related to victims of domestic violence, dating violence, sexual assault, or stalking, shall be maintained in a confidential manner by the Township Business Administrator. Such records shall not be deemed public records subject to disclosure under the Open Public Records Act, N.J.S.A. 47:1A-1 et seq., or the common law right of access, to the extent permitted by law, and shall be used solely for the purpose of administering and enforcing this ordinance.

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4. Extension Prohibited
 - i. Following Felony Arrest or Charge of Guest.
 1. A Guest shall not be eligible for an extension of occupancy beyond eighty nine (89) consecutive days if, during the Guest's stay at the Hotel or Motel, the Guest is arrested for, or formally charged with, a felony offense occurring on or directly related to the Hotel or Motel premises.
 2. This subsection shall not apply to any Guest who is involved in a criminal matter solely as a victim, witness, or reporting party, or who is otherwise not arrested for or formally charged with a felony offense in connection with the incident.
 3. A determination under this subsection shall be based exclusively on official law enforcement records and shall not require a criminal conviction. Nothing in this section shall be construed to create a presumption of guilt or to affect the rights of any individual in a criminal proceeding.
 - ii. For negatively affecting the quality of life for other guests such as noise violations, parking violations or violation of occupancy limits.
 - iii. Violation of any Township Ordinance while as a guest of the Hotel or Motel.
5. The prohibition set forth in this subsection applies only to the extension of occupancy beyond eighty nine (89) consecutive days and shall not require termination of a Guest's occupancy prior to the expiration of the eighty nine (89) day limit otherwise permitted under this Chapter. The decision to permit any stay longer than eighty nine (89) days remains at the sole discretion of the Township Business Administrator and may be appealed pursuant to Section 4-16.13 below.
6. Should a guest not be permitted to extend their occupancy for any additional time period, the Operator and Licensee shall require the Guest to vacate within two (2) weeks of notification of the decision.
7. The Motel/Hotel is precluded from providing hourly rentals or rent for a period of less than 6 hours.

4-16.10 Inspections by the Township.

Code Enforcement, Health Officer, or Fire Official may inspect the licensed premises and any unit, whether occupied or unoccupied, to determine compliance with health, fire and other municipal and state regulations and codes.

4-16.11 Suspension or revocation of license.

- A. Any license issued under this chapter may be suspended or revoked by the Business Administrator with thirty (30) days notice for the following reasons:
 1. Fraud or misrepresentation in any application for a license or transfer thereof.
 2. Fraud, misrepresentation or other dishonesty in the operation of the Hotel or Motel.
 3. A violation of any provision of this Code.
 4. Whenever a license is issued pending the results of an investigation or background check, and the results of the investigation or background check are such as would have resulted in a denial of the application.
 5. Conviction of a crime involving moral turpitude by:
 - i. The licensee, if an individual;
 - ii. Any stockholder holding 5% or more of the stock of a corporate licensee; or

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- iii. Any director or officer of said corporate licensee.
- B. Any license under this chapter is subject to an immediate suspension or revocation, if it is determined by the Business Administrator that a condition exists at the licensed premises that poses an imminent threat to the health, safety and welfare of the public.
- C. Upon a revocation or suspension of the license occurring, the licensee shall be served with a written notice from the Township Business Administrator setting forth the grounds of the revocation or suspension.
- D. In the event the license is suspended or revoked, and the licensee has failed to either timely appeal, or a final appeal decision has been issued affirming the suspension or revocation pursuant to Section 4-16.13 below, the Motel/Hotel operator shall cause the Guests to be removed from the Motel/Hotel within 48 hours from Notice of same from the Township Business Administrator. The Motel/Hotel operator shall be responsible for relocating the Guests and any and all costs associated with the relocation of Guests. In the event the Motel/Hotel operator fails to meet said responsibility and the Township is required to arrange and provide for the relocation of said Guests, all costs and expenses incurred by the Township in the course of action associated with said relocation shall become a lien against the property.

4-16.12 Appeal Process.

- A. Right to Appeal. A decision, revocation or suspension pursuant to Sections 4-16.9 and 4-16.12 may be appealed to the Piscataway Township Business Administrator.
- B. Time for Appeal. Appeals must be filed not later than ten (10) business days from the receipt of the notice of suspension or revocation.
- C. Procedure for Appeal. Requests for an appeal must be timely submitted in writing to the Business Administrator. The request must clearly identify the action challenged and include a statement of reasons in support of reversal. Upon receiving such an appeal, the Business Administrator shall, within reasonable time, schedule a mutually agreeable date for a hearing.
- D. Conduct of Hearing. The hearing authorized by this section shall be conducted before a three (3) person panel composed as follows:
 - 1. The Director of Public Safety / Police Chief or their designee; and
 - 2. The Piscataway Township Zoning Officer; and
 - 3. The Piscataway Township Mayor or their designee.
- E. Disposition of Appeal. After reviewing the licensee's written submissions and the record of the formal hearing, if any, the panel shall issue a written decision upholding, reversing, or modifying the original decision, revocation or suspension.
- F. If the panel recommends a reversal of a decision, revocation or suspension, the panel's decision shall be forwarded to the Business Administrator, who shall issue a Notice of the reversal, together with a copy of the panel's decision to the licensee.
- G. If the original determination is upheld, the panel shall so notify the appellant and provide a copy of its written decision.

4-16.13 Late fees.

All licenses issued under this article are subject to a \$250 late fee if the license is not renewed by the expiration date of the current license.

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4-16.14 Violations and penalties.

A violation of any provision of this chapter may subject the licensee and operator to fines assessed by the Court as follows:

- A. First offense: \$250 per day for each day in violation and a mandatory court appearance.
- B. Second offense: \$1,000 per day for each day in violation and a mandatory court appearance.
- C. Subsequent offense: \$2,000 per day for each day in violation and a mandatory court appearance.

BE IT FURTHER ORDAINED that if any article, section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect, and to this end the provisions of this Ordinance are hereby declared severable.

BE IT FURTHER ORDAINED that all other ordinances in conflict or inconsistent with this Ordinance are hereby repealed, to the extent of such conflict or inconsistency. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Township, the provisions hereof shall be determined to govern. All other parts, portions and provisions of the Ordinances of the Township are hereby ratified and confirmed, except where inconsistent with the terms hereof.



MICHELE LOMBARDI, President of Township Council

Attest:



MELISSA A. SEADER, Township Clerk

Adopted, First Reading:

January 20, 2026

Publication Date:

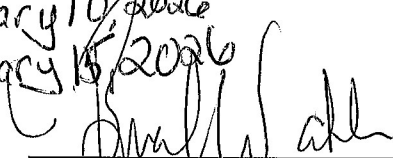
January 28, 2026

Adopted, Second Reading:

February 10, 2026

Publication Date:

February 15, 2026

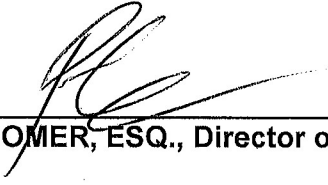


BRIAN C. WAHLER, Mayor

Date: 2/11/26

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CERTIFIED AS TO FORM AND LEGALITY:



RAJVIR S. GOOMER, ESQ., Director of Law

STATEMENT OF PURPOSE

The purpose of this ordinance is to add Chapter IV, Licensing and Business Regulations, Section 16, Hotels and Motels, of the Revised General Ordinances of the Township of Piscataway to create licensing regulations and criteria for Hotels and Motels within the Township.