

CITY OF UNION CITY  
COUNTY OF HUDSON, STATE OF NEW JERSEY

ORDINANCE

AN ORDINANCE AMENDING CHAPTER 296  
OF THE CODE OF THE CITY OF UNION CITY  
ENTITLED "PEACE AND GOOD ORDER"

WHEREAS, Chapter 296 of the Code of the City of Union City (the "Code") entitled "Peace and Good Order" sets forth the governing standards of conduct within the City; and

WHEREAS, Chapter 296-13 entitled "Short Term Vacation Rentals in Residential Properties – Prohibited," was adopted by the City of Union City ("City") on December 15, 2015 to prohibit the short term rentals of residential properties; and

WHEREAS, it has been determined that the definition of "Vacation Rental" established for this ordinance does not appropriately capture the targeted transactions; and

WHEREAS, the Board of Commissioners of the City of Union City finds it to be in the best interest of the City and its citizens to amend the ordinance to provide clarification of the definition "Vacation Rental" and certain terms used within that definition to better identify the transactions subject to the ordinance.

NOW, THEREFORE, BE IT ORDAINED, by the Board of Commissioners of the City of Union City, County of Hudson, State of New Jersey as follows:

Chapter 296 Section 296-13 entitled "Short Term Vacation Rentals in Residential Properties - Prohibited" be amended as follows:

SECTION ONE

Section One of the ordinance entitled "Definitions" section (b). which reads as follows shall be deleted:

b. Vacation Rental. Rental of any dwelling unit, in whole or in part, within the City of Union City, to any person(s) for exclusive transient use of thirty (30) consecutive days or less, whereby the unit is only approved for permanent residential occupancy and not approved for transient occupancy by this Chapter. Rental of units within City approved hotels, motels and bed and breakfasts shall not be considered Vacation Rental.

**The following shall be substituted therefore:**

(b). Vacation Rental. Rental of: (i) any dwelling unit, accessory building or structure, garage, attic, or basement, in whole or in part; or (ii) any furniture within any dwelling unit, accessory building or structure, garage, attic, or basement, within the City of Union City, to any person(s) for exclusive transient use of thirty (30) consecutive days or less, regardless of whether

one of the dwelling unit's Permanent Residents is on-site, in the dwelling unit, throughout the visitors' stay, and whereby the unit is only approved for permanent residential occupancy and not approved for transient occupancy by this Chapter. Rental of units within City approved hotels, motels and bed and breakfasts shall not be considered Vacation Rental.

Section One of the Ordinance entitled "Definitions" shall add Section (c). which shall read as follows:

(c). Permanent Residents. A person who occupies a dwelling unit or accessory building or structure, for at least sixty (60) consecutive days with intent to establish that unit as his or her primary resident and may be an owner or a lessee.

#### SECTION TWO

Severability. The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional, such decision shall not effect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remaining in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

#### SECTION THREE

Repealer. All Ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only however, to the extent of such conflict or inconsistency, it being the legislative intent that all Ordinances or part of ordinances now existing or in effect unless the same being conflict or inconsistent with any provision of this Ordinance shall remain in effect.

#### SECTION FOUR

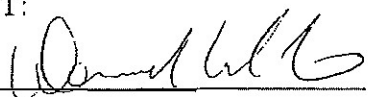
This Ordinance shall take effect upon passage and publication as required by law.

I HEREBY CERTIFY this to be a true and correct Ordinance of the City of Union City Board of Commissioners, adopted on **February 16, 2016** and will be further considered after a Public Hearing held on **March 1, 2016** at the **Housing Authority Hillside Pavilion, 3911 Kennedy Blvd, Union City NJ** at 7:00 P.M.

INTRODUCED: February 16, 2016

ADOPTED: 3-1-2016

ATTEST:

  
\_\_\_\_\_  
Dominick Cantatore  
Acting City Clerk

\_\_\_\_\_  
DATE