

TOWNSHIP OF WASHINGTON TOWNSHIP

ORDINANCE NO. 2024-02

AN ORDINANCE OF THE TOWNSHIP OF WASHINGTON, IN THE COUNTY OF BURLINGTON, STATE OF NEW JERSEY AMENDING §275-12(C), OF THE CODE OF THE TOWNSHIP OF WASHINGTON TO ADDRESS BED AND BREAKFAST ESTABLISHMENTS WITHIN THE TOWNSHIP

WHEREAS, the New Jersey Legislature has, pursuant to N.J.S.A. 40:52 1(d) and (n), specifically authorized municipal corporations, including the Township of Washington ("Township") to regulate "furnished and unfurnished rented housing or living units and all other places and buildings used for sleeping and lodging purposes, and the occupancy thereof and the "rental of real property for a term of less than one hundred seventy-five (175) consecutive days for residential purposes by a person having a permanent place of residence elsewhere"; and

WHEREAS, in recent years, there has arisen a proliferation of internet and other media advertising often on websites dedicated to the rental of Dwelling Units for short terms and for a period of less than thirty (30) days ("Short Term Rental"); and

WHEREAS, the Township's experience, as well as common experiences, dictates the conclusion that Short Term Rental(s) frequently result in public nuisance, noise complaints, sanitation issues, overcrowding and illegal parking within the residential neighborhoods of the Township, and essentially convert residential dwelling units into uses equating to or similar to illegal de-facto hotels, motels, boarding houses and other commercial enterprises, in violation of the Township's Zoning and other Codes and Ordinances as well as state statutes; and

WHEREAS, the Township Committee of Washington Township desires to allow bed-and-breakfast within the Township;

NOW THEREFORE, BE IT ORDAINED, by the Committee of the Township of Washington, County of Burlington and State of New Jersey, as follows:

SECTION 1. Chapter 275, Article III, §275-12(C) of the Township Code is hereby amended as follows:

§275-12 Uses.

C. Conditional uses.

(1) Customary home occupations, subject to the following conditions and standards:

(a) The use is carried on entirely within the principal or accessory building on site.

(b) The residential character of the building is not changed.

(c) The use has no deleterious influence upon surrounding properties nor upon the surrounding traffic and parking conditions.

(d) No display, advertising, sign or lighting shall indicate from the exterior that the building is being utilized for other than residential purposes.

(e) Not more than 25% of the principal building's gross floor area is used for the home occupation.

(f) No storage of materials or products will occur outside of the confines of either the principal or accessory building.

(2) Professional home offices, subject to the following conditions and standards:

(a) The use is carried on entirely within the principal or accessory building on site.

(b) The residential character of the building is not changed.

(c) The use has no deleterious influence upon surrounding properties nor upon the surrounding traffic and parking conditions.

(d) No display, advertising or lighting shall indicate from the exterior that the building is being used for other than residential purposes.

(e) No sign shall be permitted with the exception of one name plate no more than two square feet in area and unlighted.

(f) Not more than 25% of the principal building's gross floor area is used for the professional home office.

(g) No storage of materials or products will occur outside of the confines of either the principal or accessory buildings.

(h) The home office shall be for the exclusive use of the professional residing on the premises with not more than two additional, nonprofessional employees working in the office.

(3) Roadside stands for produce raised on site, subject to the following conditions and standards:

(a) The use has no deleterious influence upon surrounding properties nor upon the surrounding traffic and parking conditions.

(b) The building area used for the roadside stand shall not exceed 250 square feet.

(c) Sales shall be limited to produce primarily raised and processed on site by the owner of the premises.

(d) No more than two signs may be permitted on the premises. Each sign shall be no more than 20 square feet in area, no more than 15 feet in height and shall be unlighted.

(4) Bed-and-breakfast inns, subject to the following conditions and standards:

(a) The principal use of the premises shall be a single-family residence. A bed-and-breakfast inn shall be operated only by its owner, whose primary residence is at the premises, and shall be considered an accessory use to the single-family residence. The owner of the premises must be present and occupy the premises during the premises use as a bed-and-breakfast inn.

(b) License. No person shall operate a bed-and-breakfast inn unless the owner holds a valid license issued by the Township. Licenses issued for the operation of bed-and-breakfast inns shall expire on December 31 of each year, and application for renewal thereof shall be submitted, together with the required application fee, prior to January 15 of each year.

(c) Application. An Application for a bed-and-breakfast inn license or license renewal shall submit an application to the Township Clerk, which shall include:

(i) The name, address and telephone number of the applicant and owner to be licensed.

(ii) Annual licensing fee in the amount of \$100.

(iii) Proof of liability insurance for the bed-and-breakfast liability coverage for the period covered by the license.

(iv) Proof that the bed-and-breakfast operator has registered with the State of New Jersey to collect a hotel tax.

(d) No more than five (5) rooms shall be used as guest rooms for bed-and-breakfast inn guests.

(e) The maximum length of a stay by a guest shall be no more than thirty (30) days during any 120-day period.

(f) No cooking facilities shall be permitted within any guest rooms.

SECTION 2. If any section, paragraph, subsection, clause, or provision of this Amendment shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section,

paragraph, subsection, clause, or provisions so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective.

SECTION 3. If any ordinances or parts thereof are in conflict with the provisions of this Ordinance those provisions shall be repealed to the extent of such conflict.

SECTION 4. This Ordinance shall take effect upon passage and publication in accordance within applicable law.

MOTION: Lewis
SECOND: James

Roll Call Vote

AYES: Lewis, James, Gadd
NAYS: N/A
ABSTENTIONS: N/A
ABSENT: N/A

NOTICE

The above entitled ordinance was passed on first reading at a meeting of the Township Committee of the Township of Washington on March 5, 2024. It will be further considered for final passage after a public hearing at the regularly scheduled meeting to be held on May 7, 2024 at the Municipal Building, 2436 Route 563, Egg Harbor, New Jersey at 7:00 PM, at which time and place any persons desiring to be heard upon the same will be given the opportunity to be heard. Copies of this ordinance will be made available at the Municipal Clerk's office to members of the general public who shall request them.


Lisa H. Hand, RMC, Municipal Clerk