

BOROUGH OF UNION BEACH

ORDINANCE NO. 2021-309

WHEREAS, pursuant to N.J.S.A. 40:52-1 (m) & (n), the governing body of a municipality may regulate rentals of property for less than 175 days; and

WHEREAS, the Borough of Union Beach wishes to amend Chapter 3-2 Disorderly Conduct and Chapter 10 Building and Housing by adding an additional prohibited act under “Disorderly Conduct” and Prohibition of Short-Term Rentals in Chapter 10;

BE IT HEREBY ORDAINED by the Borough Council of the Borough of Union Beach that Chapter 3, section 3-2 and Chapter 10 be and are hereby amended to add the following.

3-2 DISORDERLY CONDUCT

3-2, h. No rental facility and rental unit shall be used in a manner which will result in any unreasonable disturbance or disruption to the surrounding properties and property owners or of the public in general.

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PROHIBITION OF SHORT TERM RENTALS:.

- A. Short-term rentals prohibited. No rental facility (as defined in 10-10.2) or rental unit (as defined in 10-10.2). may be rented or leased for a term of less than 174 days.
- B. Rentals of amenities. The lease or rental, for any purpose and for any period of time, of any amenity, feature, or accessory that is appurtenant to or associated with any rental facility (as defined in 10-10.2) or rental unit (as defined in 10-10.2) is prohibited. “Amenity, feature, or accessory” shall include, but is not limited to, swimming pools, pool cabanas, accessory structures, hot tubs, decks, patios, yards, and the like.
- C. Advertisement. The print, electronic, or internet advertisement of any rental that is prohibited by or fails to comply with the provisions of this article or any other applicable provision of the Borough Ordinances is prohibited.

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D. Penalties. Any landlord, tenant, property owner or other person violating the provisions of this section shall be subject to the penalty provisions of Chapter 3, section 3-1.1 Maximum Penalty. The Borough shall also have the right to enjoin violations of this section in any Court of competent jurisdiction by way of Order to Show Cause or similar process. All costs attendant to enforcement of this section shall be assessed as a lien against the subject property, enforceable and collectible in the same manner as liens for delinquent real property taxes and municipal service charges.

SECTION 2, REPEALER

The remainder of all other sections and subsections of the aforementioned ordinances not specifically amended by this Ordinance shall remain in full force and effect,

SECTION 3. INCONSISTENT ORDINANCES

All other Ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed as to such inconsistency.

SECTION 4. SEVERABILITY

If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of this Ordinance shall be deemed valid and effective.

SECTION 5. EFFECTIVE DATE

This Ordinance shall take effect upon its passage and publication according to law.

This is to certify that the foregoing Ordinance was adopted by the Borough Council at a regular meeting of the Borough of Union Beach held on December 16, 2021.

_____, Mayor Charles W. Cocuzza

_____, Clerk, Anne Marie Friscia

Introduced: November 22, 2021
Public Hearing: December 16, 2021
Adopted: December 16, 2021

I, HEREBY certify that the foregoing is a true copy of an Ordinance introduced by the Governing Body of the Borough of Union Beach, New Jersey at a meeting on the 22nd day of November 2021 and Adopted on the 16th Day of Dec.2021

_____, Clerk