

**TOWNSHIP OF LONG HILL  
ORDINANCE 508-23  
CONCERNING SHORT-TERM RENTAL PROPERTIES AND SUPPLEMENTING AND AMENDING  
CHAPTER 3 OF THE TOWNSHIP CODE ENTITLED "POLICE REGULATIONS"**

**STATEMENT OF PURPOSE:** To regulate short-term rental properties and thereby preserve the peace and quiet of residential neighborhoods.

**WHEREAS,** the governing body has received complaints from residents whose peace and quiet has been disturbed by their neighbors' renting properties in residential neighborhoods for short periods of time; and

**WHEREAS,** it is in the best interest of the Township and the general welfare of its residents to regulate short term rentals in residential neighborhoods;

**NOW THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Long Hill in the County of Morris, State of New Jersey, that Chapter 3 of the Township Code entitled "Police Regulations" is hereby supplemented and amended as follows:

**Section 1.** There is hereby created a new Section 3-19 entitled "Short Term rental Properties" which reads as follows:

**"3-19 SHORT TERM RENTAL PROPERTIES**

**§ 3-19.1 Short-term rental property prohibited uses.**

- A. Notwithstanding anything to the contrary contained in the Township Code, it shall be unlawful for an owner, lessor, sublessor, any other person(s) or entity(ies) with possessory or use right(s) in a dwelling unit, their principals, partner or shareholders, or their agents, employees, representatives and other person(s) or entity(ies), acting in concert or a combination thereof, to receive or obtain actual or anticipated consideration for soliciting, advertising, offering, and/or permitting, allowing, or failing to discontinue the use or occupancy of any dwelling unit, as defined herein, for a period of 30 days or less.
- B. Nothing in this chapter will prevent formation of an otherwise lawful occupancy of a dwelling unit for a rental period of more than 30 days.

**§ 3-19.2 Definitions.**

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

**ADVERTISE or ADVERTISING** means any form of solicitation, promotion, and communication for marketing, used to solicit, encourage, persuade or manipulate viewers, readers or listeners into contracting for goods and/or services in violation of this chapter, as same may be viewed through various media including, but not limited to, newspapers, magazines, flyers, handbills, pamphlets, commercials, radio, direct mail, internet websites, or text or other electronic messages for the purpose of establishing occupancies or uses of rental property, for consideration, which are prohibited by this chapter.

**CONSIDERATION** means soliciting, charging, demanding, receiving or accepting any legally recognized form of consideration including a promise or benefit, a quid-pro-quo, rent, fees, other form of payment, or thing of value.

**DWELLING UNIT** means any structure, or portion thereof, whether furnished or unfurnished, which is occupied in whole or in part, or intended, arranged or designed to be occupied, for sleeping, dwelling, cooking, gathering and/or entertaining, as a residential occupancy, by one or more persons. This definition includes an apartment, condominium, building, cooperative, converted space, or portions thereof, that is offered to use, made available for use, or is used for accommodations, lodging, cooking,

sleeping, gathering and/or entertaining of occupants and/or guest(s), for consideration, for a period of 30 days or less.

**HOUSEKEEPING UNIT** means a family-type group, involving one or more persons living together that exhibit the kind of stability, permanency and functional lifestyle equivalent to that of a traditional family unit, as further described in the applicable reported and unreported decisions of the New Jersey Superior Court.

**OCCUPANT** means any individual using, inhabiting, living, gathering, entertaining, being entertained as a guest, or sleeping in a dwelling unit, or portion thereof, or having other permission or possessor right(s) within a dwelling unit.

**OWNER** means any person(s) or entity(ies), association, limited liability company, corporation, or partnership, or any combination, who legally use, possess, own, lease, sublease or license (including an operator, principal, shareholder, director, agent, or employee, individual or collectively) that has charge, care, control, or participates in the expenses and/or profit of a dwelling unit pursuant to a written or unwritten agreement, rental, lease, license, use, occupancy agreement or any other agreement.

**PERSON** means an individual, firm, corporation, association, partnership, limited liability company, association, entity, and any person(s) and/or entity(ies) acting in concert or any combination therewith.

**RESIDENTIAL OCCUPANCY** means the use of a dwelling unit by an occupant(s).

**§ 3-19.3 Permitted residential occupancy.**

The residential occupancy of an otherwise lawful and lawfully occupied dwelling unit for a period of 30 days or less by any person who is a member of the housekeeping unit of the owner, without consideration, such as house guests, is permitted.

**§ 3-19.4 Advertising prohibited.**

It shall be unlawful to advertise, solicit or promote by any means actions in violation of this chapter.

**§ 3-19.5 Enforcement; violations and penalties.**

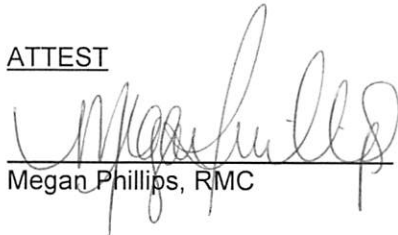
- A. Upon the complaint of any resident, potential violations of the provisions of this chapter shall be investigated by the Code Enforcement Officer.
- B. A violation of this chapter is hereby declared to be a public nuisance, a nuisance per se, and is hereby further found and declared to be offensive to the public health, safety and welfare.
- C. Any person violating any provision of this section shall, upon conviction thereof, be liable to the general penalties set forth in Section 1-5 of this Code. The violation of any subsection of this section shall constitute a separate and distinct offense independent of the violation of any other subsection. Each violation shall constitute an additional, separate and distinct offense. No provision of this ordinance shall be construed to impair any common law or statutory cause of action, or legal remedy therefrom, of any person for injury or damage arising from any violation of his ordinance or from other law.
- D. The penalty imposed herein shall be in addition to any and all other remedies that may accrue under any other law, including, but not limited to, eviction proceedings and/or injunction, reasonable attorney's fees or other fees and costs, in the Long Hill Township Municipal Court or the Superior Court of New Jersey in the vicinage of Morris County, or in such other court or tribunal of competent jurisdiction, by either summary disposition or by zoning or construction code municipal proceeding.

**Section 2.** Any or all other ordinances or parts thereof in conflict or inconsistent with any of the terms hereof are hereby repealed to such extent as they are so in conflict or inconsistent.

**Section 3.** In case any article, section or provision of this ordinance shall be held invalid in any court of competent jurisdiction, the same shall not affect any other article, section or provision of this ordinance except insofar as the article, section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

**Section 4.** This ordinance shall become effective immediately upon final passage and publication as required by law.

ATTEST

  
Megan Phillips, RMC

  
Scott Lavender, Mayor

*First Reading and Introduction: February 8, 2023*

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*Second Reading and Adoption: March 8, 2023*

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