



TOWNSHIP OF MONTAGUE
SHORT-TERM RENTAL APPLICATION FORM

(Please note that a separate application must be filed for each individual dwelling unit)

	First-time Application
	Renewal Application

Applicants for a short-term rental permit shall, **on an annual basis**, complete & submit this application for a short-term rental permit to the Township of Montague Housing Official ('Housing Official'), who shall review, and issue said permits with the assistance of such other departments or individuals as s/he deems appropriate or necessary. The application shall be accompanied by the refundable application fee as set forth below. **Such application shall include:**

1. The below information for the owner(s) of record of the dwelling unit ('Dwelling Unit Owner') for which a permit is sought. If such owner(s) is/are not a natural person(s), the application must include and identify the names of all partners, officers and/or directors of any such entity, and the personal contact information, including addresses and telephone numbers for each of them (this section can be completed by attaching a separate sheet, as necessary).

Dwelling Unit Owner's name: _____

Dwelling Unit Owner's primary address: _____

Dwelling Unit Owner's telephone number: _____

Dwelling Unit Owner's email address: _____

2. **The address of the dwelling unit to be used as a short-term rental:**

3. **The total number of dwelling units located within the structure/property containing the above dwelling unit:** _____

4. **The number of bedrooms in the above dwelling unit:** _____

5. **A copy of the driver's license or state identification card of the Dwelling Unit Owner. [PLEASE ATTACH]**

6. The below contact information of the primary contact person for rentals of the dwelling unit (the 'Property Agent'), which contact information shall constitute the Property Agent's 7-day-per-week, 24-hour-per-day contact information. The Property Agent shall be accessible at all times during which the dwelling unit is occupied as a short-term rental unit and, in connection with the short-term rental of the dwelling unit, shall be a responsible party, second only to the Dwelling Unit Owner in terms of responsibility. *NOTE that the Property Agent **can** be the same person as the Dwelling Unit Owner.

Property Agent's name: _____

Property Agent's address: _____

Property Agent's telephone number: _____

Property Agent's email address: _____

7. The below, sworn acknowledgement of the Dwelling Unit Owner.

I, _____, have received a copy of Montague Township Ordinance 2023-13, have reviewed it, understand its requirements, and certify as to the accuracy of all information provided in this permit application.

Dwelling Unit Owner signature

8. The number and location of all parking spaces available to the premises, which shall include the number of legal off-street parking spaces and on-street parking spaces directly adjacent to the premises. The Dwelling Unit Owner certifies that every effort will be made to avoid and/or mitigate issues with on-street parking in the neighborhood in which the short-term rental is located, resulting from excessive vehicles generated by the short-term rental of the property, in order to avoid a shortage of parking for residents in the surrounding neighborhood.

Location of Parking Space #1:

Location of Parking Space #2:

Location of Parking Space #3:

Location of Parking Space #4:

9. The specific short-term rental platform on which the above-mentioned dwelling unit will be listed for short-term rental (e.g. AirBnB, VRBO, etc.): _____

10. The below sworn agreement of the Dwelling Unit Owner.

I, _____, pledge to use my best efforts to ensure that the use of the above-mentioned dwelling unit as a short-term rental unit will not disrupt the neighborhood and will not interfere with the rights of neighboring property owners to the quiet enjoyment of their properties. I understand the penalties to which I am subject for violations of Montague Township Ordinance 23-13.

Dwelling Unit Owner signature

11. Any other information requested of the Dwelling Unit Owner by the Montague Township Housing Official in connection with this application. The Housing Official shall have the authority to obtain any additional information from the Dwelling Unit Owner that the Housing Official deems necessary in order to effectuate the purpose of Montague Township Ordinance 2023-13.

I _____, certify that the answers I have provided above are true. I am aware that if any of the foregoing answers are willfully false, I am subject to punishment.

Dwelling Unit Owner signature

Dated

- **R-4 Zone Only: Please note, the township requires proof of approval from the High Point Community Corps. Before this application will be considered for approval.**

Is there a pool at this location? _____

See Section C.11 of STR Ordinance 2023-13

FEES:

\$750.00 – Initial (1st Time) Application **(Two Separate Checks – Short-Term Rental Fee \$705 and Fire Inspection Fee \$45)**

\$350.00 – Annual Renewal (*Note, Renewal is due annually on Anniversary of Initial Approval) **(Two Separate Checks – Short-Term Rental Fee \$305 and Fire Inspection Fee \$45)**

***Payment to be made payable to the Township of Montague and must be submitted with this Application**

THIS SECTION TO BE COMPLETED BY TOWNSHIP ADMINISTRATION

<input type="checkbox"/>
<input type="checkbox"/>

Application approved

Application denied

STR# _____

Fees Remitted \$ _____ Cash _____ Check No. _____ Date: _____

*

PLEASE NOTE THAT SHOULD THE TOWNSHIP ADMINISTRATION BE UNABLE TO MAKE THE ABOVE DETERMINATION WITHIN 30 DAYS FROM THE TIME OF THIS APPLICATION'S SUBMISSION; THE APPLICANT WILL BE NOTIFIED THAT THE TOWNSHIP ADMINISTRATION REQUIRES AN EXTENSION OF TIME TO COMPLETE ITS REVIEW.

Two inspections are required annually. This is to include both a Fire Inspection and a Housing Inspection. No conditional licenses will be issued. The property/unit will receive either a Pass or Fail for the License. Should this property/unit fail inspection, you will be advised of the deficiencies that need to be corrected. **There will be a \$50.00 fee for any additional re-inspections.*

MONTAGUE TOWNSHIP FIRE PREVENTION BUREAU

Sched: 277 Clove Road. Montague, NJ 07827

Office: 973-293-3366 Fax: 973-293-8258

Matthew Kansky, Fire Marshal

mkansky@montaquenj.org

INSPECTION APPLICATION - SMOKE DETECTOR — CARBON MONOXIDE PORTABLE FIRE EXTINGUISHER

DATE OF APPLICATION: _____ RESALE _____ RENTAL _____ (Please check one)

DATE OF CLOSING: _____ DATE OF LEASE: **Begin:** _____ **End:** _____

We the undersigned do hereby make application in accordance with the Uniform Fire Safety Act PL 1991, Chapter 92, whereby we request an inspection of the smoke detection system in the below referenced property.

(A valid mailing address must be submitted for current owner, new owner and/or tenant)

Property Address: _____ Block _____ Lot: _____ Unit# _____

Owner's Name: _____ Phone: _____

Mailing Address: _____

Buyer/Tenant's Name _____ Phone: _____

Mailing Address: _____

PERSON RESPONSIBLE TO MEET INSPECTOR: _____ **Phone:** _____

Number of people to reside in unit: _____

Name: _____ Age: _____ Name: _____ Age: _____

Name: _____ Age: _____ Name: _____ Age: _____

Name: _____ Age: _____ Name: _____ Age: _____

Name: _____ Age: _____ Name: _____ Age: _____

Fees: \$45.00 Request received **more than 10 business days** prior to the change of occupant.

\$90.00 Request received **4 to 10 business days** prior to the change of occupant.

\$161.00 Request received **fewer than 4 business days** prior to the change of occupant

Note: \$50.00 Re-inspection fee for all units that fail the inspection.

Payment to be made payable to the Montague Township Fire Prevention and must be submitted with this application.

FOR OFFICE USE ONLY

PAYMENT RECEIVED:

Fees Remitted \$ _____ Cash _____ Check No. _____

Collected By: _____ Date: _____

RESIDENTIAL CHANGE OF OCCUPANCY INFORMATION (RESALE OR RENTAL)

CERTIFICATE OF SMOKE DETECTORS, CARBON MONOXIDE ALARM & PORTABLE FIRE EXTINGUISHER COMPLIANCE (CSDCMAPFEC) FOR 1 & 2 FAMILY DWELLINGS

The Certificate for which you have applied requires that smoke detectors and carbon monoxide detectors be installed in your dwelling as per the Uniform Fire Safety Act, NJSA 52:27D-198.1, and the Rehabilitation Sub-Code of the Uniform Construction Code NJAC 5:23-6.4(f).

SMOKE DETECTOR REQUIREMENTS

TEST AND CLEAN YOUR SMOKE DETECTORS BEFORE YOUR INSPECTION DATE.

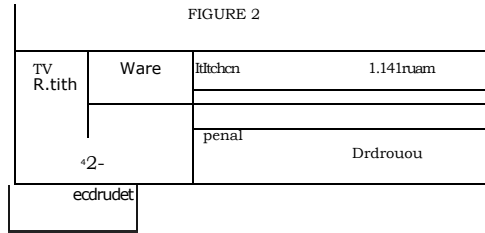
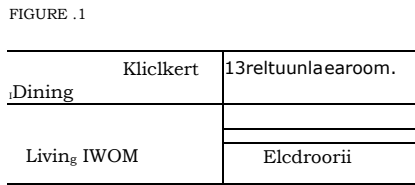
The type of smoke detectors required for a CSDCMAPFEC will depend on the type of detectors that were required at the time of original construction. Replacing electric smoke detectors with battery operated detectors is **not permitted**. Defective interconnected smoke detectors must be replaced with compatible detectors, or in the alternative, all interconnected detectors must be replaced to meet the current requirements of CSDCMAPFEC.

Follow the manufacturers' instructions to install.

- A smoke detector is required on every building level. **EXCEPTION:** Split level buildings where you may omit a half-level, but not 2 adjacent half-levels, and not if there is an intervening door between levels.
- The lowest level and all levels with bedrooms must have smoke detectors.
- A smoke detector is required within 10 feet of every bedroom door. If a level has more than 1 sleeping area, then smoke detectors are required in each sleeping area.
- The smoke detector installed on the basement level, and all levels without a sleeping area, must be located in close proximity to the stairway leading to the floor above.
- Smoke detectors must be properly mounted and secured to the ceiling or wall. The detector base must be flush with the ceiling/wall.
- All smoke detectors must be UL listed or equivalent, and must have a test button.
- Common area hallways in 2-family houses must have smoke detectors at each landing.

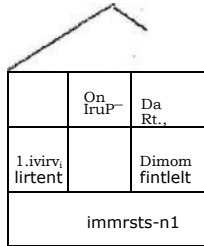
CHECK THE TABLE BELOW TO ENSURE YOUR SMOKE DETECTORS MEET REQUIREMENTS:

HOUSES BUILT/RENOVATED	MINIMUM REQUIREMENTS FOR CSDCMAPFEC
Prior to January 1977	Battery operated smoke detectors on all levels
January 1977 — September 1978	Electric smoke detector on sleeping levels. Battery operated smoke detector on all other levels.
October 1978 —January 1983	Electric smoke detectors on sleeping levels & basement level. Battery operated smoke detector on all other levels.
February 1983 —July 1984	Electric smoke detectors on all levels.
August 1984— February 1991	Electric smoke detectors on all levels. All detectors must be interconnected.
March 1991 — Present	Electric smoke detectors on all levels & inside each bedroom. All detectors must be interconnected & equipped with battery back-up.

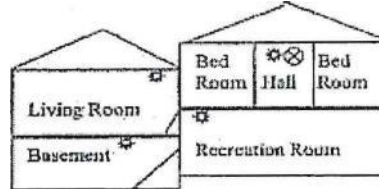


Smulcutlytectur CO L? wle.el

otRitte. 3



VICtIttE 4



FIGUItt cclitnp

tNEVER.
 Aneye...b1= 11111111
 JIM
 Ton0 rfglea=rEClr.4e4.1klPahvIc
 NO11;1 8h.r...rt ets) Iu di05.0.
 IZdga athr driocter

Ittniernber: Deicelors over ten yaars sitovad be npIncgd;

Smoke detectors are NOT permitted:

- Within 5 feet of a kitchen — smoke from cooking may cause nuisance alarm.
- Within 3 feet of an attic fan, or the tips of ceiling fan blades.
- Within 3 feet of the bathroom door — steam from shower may cause nuisance alarm.
- Within 3 feet of an air vent (supply or air flow) — air movement may prevent smoke from reaching the detector.
- Within 1 foot of a light fixture.
- Within the dead air space where the wall meets the ceiling, or at the peak of an A-frame type ceiling. Ceiling detectors must be at least 4" from wall; wall mounted detectors must be at least 4" and no more than 12" from ceiling.
- Smoke detectors are not permitted to be painted.

Residential Fire Suppression System Requirements

Homes equipped with a Residential Fire Suppression System / sprinkler system must have a NJ licensed contractor conduct an inspection of the system and submit in inspection report. Homeowners may find licensed contractors at the NJ Div. of Fire Safety website: www.state.nj.us/dca/dfs/contcert.shtml

SMOKE DETECTOR REQUIREMENTS FOR ONE & TWO FAMILY HOMES

1. All smoke detectors shall be installed in accordance with NFPA Standard 74-1984 and the New Jersey Uniform Fire Code N.J.A.C. 5:70-2.3.
2. In one and two family or attached single family dwellings subject to the requirements on N.J.A.C. 5:70-2.3, smoke alarms shall be installed as follows:
 - One each floor level including basements and walk up attics
 - Outside of each sleeping area
3. All battery powered single station smoke detectors shall be **10 YEAR SEALED SMOKE DETECTORS. (Effective January 1, 2019).**
4. All required 110 volt A/C detectors installed as part of the original construction or rehabilitation project shall not be replaced with battery powered smoke alarms.
5. Low voltage fire alarm systems or interconnected smoke detectors installed as part of a combined fire & burglar alarm system must have a valid document stating the system was inspected/tested and is in proper working order.

FIRE EXTINGUISHERS

1. Fire extinguishers shall be within 10 feet of the kitchen.
2. Fire Extinguisher shall be readily accessible and not obstructed from view
3. The fire extinguisher shall have a **MINIMUM** rating of **2A-10 B:C**.
4. The extinguisher shall be serviced and tagged within the past 12 months from a NJ licensed fire safety contractor **OR** have a receipt for a newly purchased extinguisher within the past 12 months.
5. The fire extinguisher shall be installed using the manufacturer's mounting bracket
6. The top of the extinguisher shall not be higher than 5 feet above the floor.

CARBON MONOXIDE DETECTORS

1. Carbon monoxide detectors shall be installed in every dwelling containing a fuel burning appliance or an attached garage.
2. Carbon monoxide detectors shall be installed in the immediate vicinity of the sleeping areas.
3. Carbon monoxide detectors may be battery operated, hard-wired or the plug in type and shall be labeled and listed in accordance with UL-2034

**TOWNSHIP OF MONTAGUE
SUSSEX COUNTY, NEW JERSEY**

ORDINANCE 2023-13

**AN ORDINANCE OF THE TOWNSHIP OF MONTAGUE, COUNTY OF SUSSEX, STATE OF
NEW JERSEY, AMENDING CHAPTER 54B OF THE TOWNSHIP MUNICIPAL CODE IN
ORDER TO ESTABLISH RESTRICTIONS ON THE RENTAL OF RESIDENTIAL DWELLING
UNITS FOR PERIODS OF SIXTY ('60') DAYS OR FEWER**

WHEREAS, the short-term rental of residential dwelling units via internet-based booking platforms has become increasingly prevalent in recent years; and

WHEREAS, the Mayor and Township Committee of the Township of Montague find there is a substantial interest in furthering the public health, safety & welfare, and the quality of life of the Township's residents by establishing restrictions on the rental of residential dwelling units for periods of sixty ('60') days or fewer; and

WHEREAS, the Mayor and Township Committee deem it to be in the best interest of the residents of the Township to modify Chapter 54B, 'Rental Properties Registration, Licensing, and Inspection,' to effectuate the aforementioned purpose.

NOW THEREFORE BE IT ORDAINED, by the Mayor and Township Committee of the Township of Montague, County of Sussex and State of New Jersey as follows:

I. § 54B Rental Properties Registration, Licensing, and Inspection.

(1) is amended to read as follows:

(1) Definitions

Unless the context clearly indicates a different meaning, the following words or phrases when used in this chapter shall have the following meaning:

ADVERTISE OR ADVERTISING

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 section, 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.

AGENT

The individual or individuals designated by the owner as the person(s) authorized by the owner to perform any duty imposed upon the owner by this chapter. The term does not necessarily mean a licensed real estate broker or salesman of the State of New Jersey as those terms are defined by N.J.S.A. 45:15-3; however, such term may include a licensed real estate broker or salesman of the State of New Jersey if such person designated by the owner as his agent is so licensed.

APARTMENT COMPLEX

Two or more buildings, each containing two or more apartments, which are located within close proximity of each other and are owned by the same owner.

APARTMENT, RENTAL UNIT, OR DWELLING UNIT

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 are offered to use, made available for use, or are used for accommodations, lodging, cooking, sleeping, gathering, and/or entertaining of occupants and/or guest(s), for consideration.

CONSIDERATION

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.

HOUSEKEEPING UNIT

A family-type situation 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.

LICENSE

The license issued by the Township Clerk or designee attesting that the rental unit has been properly registered in accordance with this chapter.

LICENSEE

The person to whom the license is issued pursuant to this chapter. The term "licensee" includes within its definition the term "agent" where applicable.

LONG-TERM OCCUPANT

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 possessory right(s) within a dwelling unit for a period of greater than sixty ('60') days.

MULTI-FAMILY RESIDENTIAL COMPLEX

Any structure or portion thereof comprised of greater than two ('2') Apartments, Rental Units, or Dwelling Units.

OCCUPANT

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 possessory right(s) within a dwelling unit.

OWNER

Any person(s) or entity(ies), association, trust, firm, limited liability company, corporation or officer thereof, partnership, or any combination, who legally use, possess, own, lease, sublease, or license (including an operator, principal, shareholder, director, agent, or employee, individually 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

An individual, firm, corporation, association, partnership, limited liability company, entity, and any other person(s) and/or entity(ies) acting in concert or any combination thereof. Residential occupancy shall mean the use of a dwelling by an occupant(s).

PRINCIPLE RESIDENCE

The address: (1) where at least one of the property Owners spends the majority of his or her non-working time, and (2) which is identified on his or her driver's license or State Identification Card as being his or her legal address. All the above requirements must be met in order for an address to constitute being a principal residence for purposes of this Section.

RENTAL FACILITY

Every building, group of buildings, or a portion thereof which is kept, used, maintained, advertised, or held out to be a place where living accommodations are supplied, whether furnished or unfurnished, for pay or other consideration, to one or more individuals and is meant to include apartments and apartment complexes.

SHORT-TERM RENTAL

Rental of any Apartment, Rental Unit, or Dwelling Unit, for a period of sixty ('60') or fewer days.

SHORT-TERM RENTAL PROPERTY AGENT ('STRP Agent')

A person designated and charged by the owner of a Short-Term Rental property to fulfill all or some of the obligations in connection with the management of the Short-term Rental. Such person shall be available for, and responsive to contact on behalf of the owner, tenants, and Township at all times during which the Short-Term Rental is in use.

SWIMMING POOL

Any outdoor or indoor structure intended for swimming or recreational bathing, including in-ground and above-ground structures, and including hot tubs, spas, portable spas, and wading pools.

II. § 54B Rental Properties Registration, Licensing, and Inspection.

(9) is amended to read as follows:

(9) Short-Term Rentals

The following provisions shall apply to Short-term Rentals:

A. It shall be unlawful for any owner of any property within the geographic bounds of the Township of Montague, New Jersey, to rent or operate a Short-Term Rental contrary to the procedures and regulations established in this Section or applicable State statute.

B. Short-term Rentals shall be permitted to be conducted only in the following classifications of property in the Township of Montague:

1. Individually or collectively owned single-family residences;

2. Up to two separate units within a two-family residential dwelling, upon the agreement by the owner(s) of both units, as well as by any Long-Term Occupant(s) of either unit, that Short-Term Rentals shall be a permitted use therein;

3. Guest houses, carriage houses, and any other qualifying structures located on the same property as an Owner-Occupied Dwelling.

C. Notwithstanding the provisions of Subsection B. above, Short-Term Rentals shall not be permitted in boarding or rooming houses, dormitories, foster homes, adult family care homes, assisted living facilities, community residences for developmentally disabled persons, community shelters for victims of domestic violence, or nursing homes. Further, the following prohibitions and restrictions concerning Short-Term Rentals shall apply:

1. Where the Condominium Association By-Laws or Master Deed, or Condominium Rules and Regulations, do not permit the short-term rental of condominium units in a development; Short-Term Rentals of condominiums or townhomes in said development shall be prohibited;

2. For an Apartment, Rental Unit, or Dwelling Unit that belongs to a Condominium Association or other property owners' association of any type ('Association'), a letter of approval from the Association for the use of the Unit as a Short-Term Rental must be provided to the Township before the Unit may be used as a Short-Term Rental.

3. There shall be no Short-Term Rentals of any unit in a Multi-Family Residential Complex

4. The maximum number of guests occupying a single Short-Term Rental unit during a single rental period shall be the smaller number of either 1) two (2) guests per bedroom plus an additional two (2) guests, or 2) ten (10) guests.

5. Should the owner of any Apartment, Rental Unit, or Dwelling Unit be delinquent or past-due in remitting to the Township payment for any property tax, or other fine or fee owed to the Township by the owner ('Outstanding Payments'), then said Apartment, Rental Unit, or Dwelling Unit shall be prohibited from use as a Short-Term Rental until such time as all Outstanding Payments have been made by the owner.

6. For every Short-Term Rental Unit, there shall be provided to guests at least one legal off-street parking space, with an additional parking space to be provided for every additional three (3) guests beyond the initial guest. In instances where there is insufficient off-street parking for the guests of a Short-Term Rental Unit, the Township's on-street parking regulations shall apply.

7. Shared driveways or private roads which serve as the legal means of ingress and egress for multiple properties shall not be used for access by guests of a Short-Term Rental Unit unless the owners of all of the properties served by the shared driveway or private road agree to such use of the driveway or private road.

8. If the owner of a Short-Term Rental Unit will not be available or assume liability for the activities in and maintenance of the Short-Term Rental on a 7-day-per-week, 24-hour-per-day basis for the period during which the Short-Term Rental is in use, then the owner must provide to the Township and to its guests the name, address, telephone number, and email address of a Short-Term Rental Property Agent ('STRP Agent') who shall assume the aforementioned responsibilities on the owner's behalf.

9. The owner or the owner's STRP Agent shall visit the site at the initiation of any Short-Term Rental and within 24 hours after the completion of the Short-Term Rental, and/or weekly for a multi-week rental, to ensure that all Township regulations are being properly observed.

10. The owner or the STRP Agent shall post the following information in a prominent location within any Short-Term Rental Unit:

- i. The owner's name and phone number or, if the owner is an entity, the name and phone number for a principal of the entity.
- ii. The name and phone number of the STRP Agent, if one has been appointed.
- iii. The proper method of ingress/egress to/from the Short-Term Rental Unit, as well as the relevant parking information for the Rental Unit.
- iv. On-street parking regulations applicable to the adjacent streets.
- v. Survey or boundary map showing property lines of property rented; and
- vi. Trash and recycling pick-up day, and all applicable rules and regulations regarding trash disposal and recycling.

11. Swimming Pools.

- i. Any Swimming Pool made available for use by guests of a Short-Term Rental Unit shall be subject to inspection upon request by the Township.
- ii. No Swimming Pool shall be made available for use by guests of a Short-Term Rental Unit unless a valid bonding and grounding certificate and electrical certificate of compliance are issued in connection therewith, as required pursuant to N.J.S.A. 52:27D-133.2
- iii. For any Short-Term Rental Unit with a Swimming Pool made available to guests, there shall be provided to guests a copy of the brochure 'Steps for Safety Around the Pool,' published by the U.S. Consumer Product Safety Commission. Copies of this brochure shall be made available at the Township Municipal Building.

D. All portions of this Section shall apply to the R-4 zone of the Township, except that, where any other portions of this Section conflict with the following provisions, the following provisions shall supersede those conflicting portions. The following provisions shall apply to Short-Term Rentals in the R-4 zone of the Township:

1. The number of Short-Term Rental Units permitted in the R-4 zone shall be limited to five (5), the permits for which shall be awarded to the first five (5) units for which a short-term rental permit is obtained, pursuant to subsection F, below.
2. Short-Term Rental Units in the R-4 zone are permitted to be situated in a Multi-Family Residential Complex, so long as:
 - i. The Multi-Family Residential Complex has two (2) or fewer total owners;
 - ii. All owners of the Multi-Family Residential Complex consent to the use of units in the Multi-Family Residential Complex as Short-Term Rental Units; and
 - iii. The total number of Short-Term Rental Units in the R-4 zone does not exceed five (5), pursuant to subsection D (2), above.

E. The provisions of this Section shall apply to Short-Term Rentals as defined above. The following do not qualify as a residential dwelling unit, as that term is used herein, and therefore do not need to obtain a short-term rental permit pursuant to this Section: any hotel, motel, studio hotel, rooming house, dormitory, public or private club, bed and breakfast inn, convalescent home, rest home, home for aged people, foster home, halfway house, transitional housing facility, or other similar facility operated for the care, treatment, or reintegration into society of human beings; any housing owned or controlled by an educational institution and used exclusively to house students, faculty or other employees with or without their families; any housing operated or used exclusively for religious,

charitable or educational purposes; or any housing owned by a governmental agency and used to house its employees or for governmental purposes.

F. The owner/operator of a Short-Term Rental shall obtain a short-term rental permit from the Township Clerk before renting or advertising for rent any Short-Term Rental. To obtain a short-term rental permit, the owner/operator of a Short-Term Rental shall submit to the Township Clerk an application fee of **\$750.00**, along with a completed short-term rental permit application, which application form shall be provided by the Township Clerk. Should the Township deny a short-term rental permit, the application fee shall be refunded by the Township.

G. The short-term rental permit, if granted, shall be valid for a period of one year from the date of issuance and may be renewed thereafter on an annual basis for a renewal fee of **\$350.00**, to be submitted to the Township Clerk along with an updated short-term rental permit application.

H. Every application for a short-term rental permit shall require annual inspections to confirm compliance with the Township's fire safety regulations and property maintenance code. In addition, each application is subject to review to verify the Dwelling Unit's eligibility for use as a Short-Term Rental and compliance with the regulations in this section.

I. Parties or social gatherings of 10 or greater persons shall be a prohibited use of Short-term Rentals.

I. In accordance with N.J.S.A. 40:48F-1, there is hereby imposed a **three percent ('3%')** tax on the rent charged for the occupancy of a Short-Term Rental unit that is subject to the New Jersey State Sales Tax under N.J.S.A. 32B-3(d).

1. Notwithstanding any provision or requirement otherwise, a Short-Term Rental host must use a recognized hosting platform (e.g. Airbnb) for the purpose of collecting and remitting the applicable room occupancy excise to the Township. The Township Clerk shall determine which hosting platforms are acceptable pursuant to this provision.

2. If, for some reason, a Short-Term Rental host does not use a recognized hosting platform for the purpose of collecting and remitting the applicable room occupancy excise to the Township, then the Short-Term Rental host shall be responsible for collecting and remitting this tax to the Town on a quarterly basis.

Codification. This Ordinance may be renumbered for codification purposes.

Inconsistency. All Ordinances of the Township of Montague which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

Partial Invalidity. If any 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.

Effect Date. This Ordinance shall take effect immediately following adoption and publication as required by law.

Introduced: June 27, 2023

Adopted: September 12, 2023

RECORD OF COMMITTEE VOTES – ORDINANCE 2023-13				
<u>COMMITTEE MEMBER</u>	<u>AYES</u>	<u>NAYES</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
RICHARD INNELLA		X		
JOSEPH KRUMPFER	X			
JAMES LEDONNE	X			
FRED MERUSI		X		
MAYOR GEORGE ZITONE	X			