

AN ORDINANCE AMENDING TITLE XLI, ZONING AND USE REGULATIONS, CHAPTER 2, DEFINITIONS AND CHAPTER 4, PERMITTED USES BY THE DISTRICT, OF THE REVISED GENERAL ORDINANCES OF THE CITY OF NEWARK, NEW JERSEY, 2000, AS AMENDED AND SUPPLEMENTED, TO PERMIT SHORT TERM RENTAL USE FOR ALL LEGAL DWELLINGS AND ESTABLISH MINIMUM STANDARDS FOR SHORT TERM RENTALS.

WHEREAS, the Municipal Council, pursuant to N.J.S.A. 40:55D-62, may adopt or amend a zoning ordinance relating to the nature and extent of the uses of land and or buildings and structures thereon; and

WHEREAS, the Municipal Council seeks to permit short term rental use in legally permitted dwelling units throughout the City of Newark in order to facilitate the booking of reservations for such uses through internet-based booking platforms in order to promote tourism and economic vitality in the City; and

WHEREAS, the Municipal Council, pursuant to N.J.S.A. 40:55D-64, has sought and received recommendations of the Newark Central Planning Board relative to these issues; and

WHEREAS, the Central Planning Board, at its _____ regular meeting confirmed that the proposed amendment is substantially consistent with the City's land use plan element, in accordance with the provisions of N.J.S.A. 40:55D-62,

NOW, THEREFORE, BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY, THAT:

(Drafter's Note: Additions are shown in Bold and Underlined, and Deletions are shown in Bold and Strikethroughs)

Section 1. Title XLI, Zoning and Land Use Regulations, Chapter 2, Definitions, of the Revised General Ordinances of the City of Newark, New Jersey, 2000, as amended and supplemented, be further amended as follows:

41-2-2. **Definitions** shall be amended to include the following:

Short Term Rental shall mean the accessory use of a Dwelling Unit or part thereof for occupancy by someone other than the unit's

owner or permanent resident for a period of 28 or less consecutive days, which unit is regularly used and kept open as such for the lodging of quests. Short term rentals shall be permitted in all dwelling with the exception of dormitories, foster homes, adult family care homes, assisted living facilities, community residences for developmentally disabled, persons with head injuries and terminally ill persons, community shelters for victims of domestic violence, and nursing homes.

Section 2. **Title XL, Zoning and Land Use Regulations, Chapter 4, Permitted Uses by District, of the Revised General Ordinances of the City of Newark, New Jersey, 2000, as amended and supplemented, by further amended, to permit and establish minimum standards for short term rentals and is hereby amended as follows:**

41:4-1 **Use Categories** shall be amended to include Short Term Rental as an accessory use under the use category of Residences and Lodging.

41:4-6-12. Short Term Rentals

1. The person offering a Dwelling Unit for Short-Term Rental use must be the owner of the Dwelling Unit, or a lessee who has obtained written permission to sublease the Dwelling Unit from the owner, in which the Short-Term Rental activity occurs.

2. All Short-Term Rentals must comply with all applicable rules, regulations and ordinances of the City of Newark and all applicable rules, regulations and statutes of the State of New Jersey, including regulations governing such lodging uses, as applicable.

Section 3. Any ordinances or parts thereof inconsistent herewith shall be amended and supplemented to conform to the provisions contained herein.

Section 4. If any part of this Ordinance is declared unconstitutional or illegal, the remaining provisions shall continue in full force and effect.

Section 5. This ordinance shall take effect upon final passage and publication in accordance with the laws of the State of New Jersey.

STATEMENT

This ordinance amends the City of Newark's Zoning Ordinance to permit the short-term rental of up to 28 days of any legal dwelling

within the City of Newark and establishes minimum standards for short-term rentals.