

ORDINANCE 2020-15

AN ORDINANCE OF THE BOROUGH OF BAY HEAD, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING THE MUNICIPAL CODE OF THE BOROUGH OF BAY HEAD, SO AS TO AMEND CHAPTER 101, ENTITLED "CERTIFICATES OF OCCUPANCY."

BE IT ORDAINED by the Mayor and Borough Council of the Borough of Bay Head, County of Ocean, and State of New Jersey, as follows:

SECTION 1. The Municipal Code of the Borough of Bay Head is hereby amended and supplemented so as to amend Chapter 101, entitled "Certificates of Occupancy," so as to amend §101-3 entitled "Residential Rental Units" by replacing subsection C in its entirety, so that it shall read as follows:

C. Periods of Tenancy:

1. Long term. Long term rentals are residential rentals for a period of longer than twelve (12) months. The Certificate of Occupancy shall be in force until a change in tenant occupancy occurs or for a term of three (3) years, whichever is sooner.
2. Short Term. Short term rentals are residential housing units available for rent for a period of between thirty (30) days and twelve (12) months. A Short Term Certificate of Occupancy shall be required each and every calendar year.
3. Weekly. Weekly rentals are residential housing units available for rent for a period of seven (7) days through thirty (30) days. A Weekly Certificate of Occupancy is required every four (4) months after the initial issuance.
4. Tenancies for a term of less than seven (7) days are prohibited in the Borough of Bay Head.

SECTION 2. The Municipal Code of the Borough of Bay Head is hereby amended and supplemented so as to amend Chapter 101, entitled "Certificates of Occupancy," so as to amend

§101-4 entitled "Violations and Penalties" in its entirety, so that it shall read as follows:

- A. Violations of §101-3(C)(4) shall be punishable by a fine of \$1,250.00 for each occurrence.
- B. For a violation of any other provision of this article, the maximum penalty, upon conviction thereof, shall be a fine not exceeding \$1,000 or imprisonment for up to 90 days or a period of community service not exceeding 90 days, or any combination thereof. Except as otherwise provided, each and every day in which a violation of any provision of this chapter exists shall constitute a separate violation.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 4. This ordinance shall take effect after second reading and publication as required by law.

ATTEST:



Patricia M. Applegate, Municipal Clerk

APPROVED:



William W. Curtis, Mayor

Introduced on First Reading:

November 2, 2020

Introduced on Second Reading:

December 7, 2020

Approved on Second Reading:

December 7, 2020

ATTEST:



Patricia M. Applegate, Municipal Clerk

APPROVED:



William W. Curtis, Mayor