

**TOWNSHIP OF NORTH BERGEN  
HUDSON COUNTY, NEW JERSEY**

**AN ORDINANCE REGULATING SHORT TERM RENTALS IN  
THE TOWNSHIP OF NORTH BERGEN**

**THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF NORTH BERGEN DOES  
ORDAIN:**

**SECTION I. Background**

- A. The purpose of this ordinance is to regulate all short-term rentals within the Township of North Bergen to ensure they are appropriate for rental in order to protect the public health, safety, and general welfare. This ordinance will:
1. Provide for an organized and reasonable process for the registration of short-term rental properties in the Township.
  2. Monitor and provide a reasonable means for mitigation of impacts created by such transitory uses of residential properties within the Township.
  3. Preserve and protect the long-term housing market in the Township
  4. Ensure that the short-term property inventory in the Township satisfies basic safety standards, in order to protect the safety of occupants and the citizens of the Township.
  5. This ordinance shall supersede Ordinance 610-23 and Ordinance 326-17, except as provided herein. Short-term rental properties permitted under the previous ordinances shall be permitted to continue as short-term rental properties, and shall be regulated in accordance with those previous ordinances, as long as those short-term rental properties have a valid short-term rental registration when this ordinance takes effect.

**SECTION II. Definitions**

DIRECTOR shall mean the Director of Community Improvements or their designee.

DWELLING shall mean a building that is designed or used exclusively as the living quarters for one or more housekeeping units.

DWELLING UNIT shall mean a room or series of connected rooms containing living, cooking, sleeping and sanitary facilities for one housekeeping unit. The “dwelling unit” shall be self-contained and shall not require passing through another dwelling unit or other indirect route to get to any portion of the dwelling unit, nor shall one dwelling unit require shared facilities with another dwelling unit. Hotel facilities or other facilities providing temporary accommodations shall not be considered dwelling units.

INTERMEDIARY shall mean anyone besides an owner who helps to arrange a property rental for an owner and collects rent and/or taxes and other charges on behalf of the owner. An intermediary includes but is not limited to a broker, hosting platform, or short-term rental property agent.

OWNER-OCCUPIED shall mean the owner of the property who resides in the short-term rental property, or in the principal residential unit with which the short-term rental property is associated on the same lot, and identifies same as his or her principal residence as that term is defined in this section. For purposes of this section, if the owner of the property is an entity other than an individual or individuals and a natural person, then at least one principal or member of the owner entity must reside in the short-term rental property, or in the principal residential unit with which the short-term rental property is associated on the same lot, and identify same as his or her principal residence as that term is defined in this section.

PRINCIPAL RESIDENCE shall mean person's permanent residence or usual place of return for housing as documented by at least two (2) of the following: motor vehicle registration state-issued identification; tax documents showing the residential unit as the person's residence; or a utility bill. A person may have only one (1) principal residence and must reside there for a minimum of two hundred seventy-five (275) days during the calendar year. For properties with two (2) or more existing legally permitted dwelling units (e.g., a duplex), the term "principal residence" shall refer to the parcel of land and all units on that parcel or within a building in a residential development project.

PROPERTY shall mean a parcel of real property located within the boundaries of the Township of North Bergen, Hudson County, New Jersey.

RESPONSIBLE PARTY shall mean the short-term rental property owner or a person (property manager) designated by the owner to be called upon and be responsible at all times during the period of a short-term rental and to answer for the maintenance of the property, or the conduct and acts of occupants of the short-term rental property, and, in the case of the property manager, to accept service of legal process on behalf of the owner of the short-term rental property.

SHORT-TERM RENTAL ("STR") shall mean the accessory use of a dwelling unit for occupancy by someone other than the unit's owner or permanent resident for a period of twenty-eight (28) or fewer consecutive days, which dwelling unit is regularly used and kept open as such for the lodging of guests, and which is advertised or held out to the public as a place regularly rented to transient occupants

SHORT-TERM RENTAL PROPERTY ("STRP") shall mean a residential dwelling unit that is used, in whole or part, and/or advertised for rent as a short-term rental for transient occupants as guests

SHORT-TERM RENTAL PROPERTY AGENT shall mean any New Jersey-licensed real estate agent or other person designated and charged by the owner of a short-term rental property, with the responsibility for making the short-term rental application to the Township on behalf of the owner, and fulfilling all of the obligations in connection with completion of the short-term rental property permit application process on behalf of the owner and/or may manage the STRP and book reservations. A short-term rental property agent includes a property manager, property management company, or real estate agent. Short-term rental property agents shall be available at all time to make necessary decisions and actions on behalf of the owner.

SUBSTANTIATED COMPLAINT shall mean a complaint charging a violation of state or municipal law where the Director has found after an investigation, probable cause for the violation charged in the complaint.

TRANSIENT OCCUPANT shall mean any person or a guest or invitee of such person, who, in exchange for compensation, occupies or is in actual or apparent control or possession of residential property, which is either: (1) registered as a short-term rental property, or (2) satisfies the definition of a short-term rental property. It shall be a rebuttable presumption that any person who holds themselves out as being an occupant or guest of an occupant of the short-term rental is a transient occupant.

### **SECTION III. Short-term Rental Regulations**

- A. No person shall operate a short-term rental without a valid permit, and no permit shall be issued except to applicants who are the owner and principal resident of the STRP.
- B. Short-term rentals shall only be permitted to be conducted in the following classifications of property in the Township of North Bergen:
  - (1) Dwelling units located in a condominium association, homeowners association, or cooperative association, where the association's bylaws, master deed, or other relevant governing document permits short-term rentals and where the owner of the unit legally identifies an address within the association as his or her principal residence;

- (2) Single-family dwelling units, subject to the 60-day limitation in Section III(E);  
and
- (3) Dwelling units in a two-, three- or four-unit dwelling with one dwelling unit belonging to the principal resident. The principal resident's dwelling unit is subject to the 60-day limitation in Section III(E).

C. Short-term rentals shall not be permitted in a multiple dwelling in which rent is set by HUD, set by a State agency, set by an agreement with the owner/developer or subject to any affordable housing requirements or regulations.

D. The following shall not be permitted to operate as short-term rentals pursuant to this section: hotel, motel, studio hotel, rooming house, dormitory, public or private club, convalescent home, rest home, home for aged people, adult family care homes, assisted living facilities, community residences for developmentally disabled persons, community shelters for victims of domestic violence, senior housing, nursing homes, 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.

E. Rentals of an owner-occupied dwelling unit shall be conducted no more than sixty (60) total nights per calendar year. Each night in excess of this limit shall be considered a separate violation.

F. The person offering a dwelling unit for short-term rental use must be the owner of the dwelling or the condominium unit. A tenant of a property may not apply for a short-term rental permit, nor shall the property or any portion thereof be sub-leased by the tenant on a short-term basis, or operated as a STRP by the tenant except as provided below. This STRP regulation shall supersede any conflicting provision in a private lease agreement permitting sub-leasing of the property for twenty-eight days or fewer, or any portion of the property. Violation of this section will result in enforcement action against the tenant, the STRP owner, the short-term rental agent, and the responsible party, and will subject all such parties to the issuance of a summons and levying of fines and/or penalties.

G. No person or entity shall own or have an interest in more than two (2) short-term rental permits, and no person or entity holding short-term rental permits may serve on a board of, or direct or control or have an interest in any entity also holding short-term rental permits such that the combined number of permits held exceeds two.

#### **SECTION IV. Short-Term Rental Requirements**

- A. An initial application for a short-term rental permit must include the following information to be considered complete:
  - (1) The name, address, telephone number and email address of the owner(s). If such owner is not a natural person, the application must include the names of all partners, officers and/or directors of any such entity, and their street address, email address and telephone numbers;
  - (2) The address of the proposed STR;
  - (3) A copy of the driver's license or State identification card of the owner of the proposed STRP confirming that identifying the proposed STRP is as the applicant's principal residence;

- (4) The "Owner's Affidavit" acknowledging that he/she has received a copy of this ordinance and that they have reviewed the ordinance and understand its requirements;
- (5) The "Short-term Rental Property Agent Certification" which includes the name, address, telephone number and email address of the short-term rental property agent, which shall constitute his /her seven-day a week, twenty-four-hour a day contact information;
- (6) The "Responsible Party Certification" which includes the name, address, telephone number and email address of the short-term rental property's responsible party, which shall constitute his/her seven-day a week, twenty-four-hour a day contact information;
- (7) Copies of the most recent, gas/electric and water bills for the owner's principal residential unit STRP;
- (8) Proof of the owner's current ownership of the STRP;
- (9) The number of all on-site parking spaces available; the owner shall certify that every effort will be made to avoid and/or mitigate issues with on-street parking in the neighborhood in which the STR is located, resulting from excessive vehicles generated by the STR; all renters of the STRP shall be limited to one vehicle per two occupants in the STRP;
- (10) A "Municipal Court Compliance Certificate" which confirms proof of no outstanding fines or penalties with North Bergen Municipal Court. All fines or penalties issued by the North Bergen Municipal Court for any past code violations relating to the STRP, the owner, and/or the responsible party, including penalties for failure to appear in Court, must be satisfied in full prior to the issuance of a short-term rental permit;
- (11) Proof of no outstanding taxes, water and sewer charges;
- (12) A certificate of insurance of general liability insurance in a minimum amount of five hundred thousand dollars (\$500,000.00);
- (13) Where the proposed STR is in a condominium association, homeowners association, or cooperative association, a copy of the Master Deed and Bylaws allowing for short-term rentals in that dwelling and/or dwelling unit;
- (14) Where the owner of the proposed STR is a corporate entity, a copy of the certificate of formation and operating agreement;
- (15) Documentation indicating that the property has been inspected for compliance with the Township's fire safety regulations and property maintenance code;
- (16) A "Zoning Determination Letter" which verifies that the premises are not being occupied or used in violation of the Township's land use and zoning regulations;
- (17) The STRP owner must also close any open construction permits for the STR unit prior to the issuance of a short-term rental permit. The Director may waive this requirement upon a determination that the ongoing permitted work or required work will not adversely impact transient occupants or detrimentally impact occupants' health and safety; and
- (18) The Director shall have the authority to obtain additional information, as necessary, to achieve the objectives of this ordinance.

B. Provided that the information contained within has not changed, a short-term rental permit renewal application shall include everything required by Section IV (A) except:

(1) the “Owner’s Affidavit”

(2) the “Short-term Rental Property Agent Certification”

(3) the “Responsible Party Certification”

(4) A “Zoning Determination Letter”

(5) Documentation indicating that the property has been inspected for compliance with the Township’s fire safety regulations and property maintenance code

**SECTION V. Short-Term Rental Application**

A. An owner of property, intended to serve as a STRP shall submit to the Director an STR permit application, along with application fee of five hundred dollars (\$500.00). Said fee shall be non-refundable, including in the event that the application is withdrawn or denied.

B. Each application is subject to review to verify the STRP’s eligibility for use as an STR and compliance this Ordinance.

C. The Township reserves the right to inspect a STRP for compliance with fire safety regulations and this Ordinance, regardless of the status of the STRP’s permit application, in the event that the Township receives a substantiated complaint of a violation on the premises.

**SECTION VI. Issuance of short-term rental permit and appeal procedure.**

A. Once an application is submitted, complete with all required information and documentation and fees, the Director, following any necessary investigation for compliance with this ordinance, shall either issue the short-term rental permit or issue a written denial of the permit application, with the reasons for such denial being stated therein within thirty (30) days, so long as access to the STRP is provided by the owner or owner's STR agent.

B. If denied, the applicant shall have ten business days to appeal the denial, in writing, to the Town Administrator. The applicant shall attach to the appeal all documentation required to establish its entitlement to a permit.

C. The STR permit shall be valid for a period of one year from the date of issuance.

**SECTION VII. Short-term rental operational requirements.**

A. The STRP owner shall ensure that the STR is used in a manner that complies with all applicable laws, rules, and regulations pertaining to the use and occupancy of the STR.

(1) The Director may suspend, revoke, or deny an STR permit if:

a) the property has unabated violations of any building or fire codes or Township ordinances;

b) the owner has been convicted of violating state or municipal law prohibiting disturbing the peace or maintaining a nuisance; or

c) the owner is the subject of a substantiated complaint related to the property or another property owned in North Bergen charging a violation of state or municipal law.

- (2) In making a determination under this section, the Director shall consider:
- a) the threat to public safety;
  - b) the impact on the community;
  - c) the manner in which the owner rectified the violation; and/or
  - d) the threat to the health and safety of the occupants.
- B. The owners of a STRP shall not install on the STRP any advertising or identifying mechanisms, such as signage, including lawn signage, identifying the property for rent as STRP.
- C. Transient occupants of the STRP shall comply with all ordinances of the Township of North Bergen including, but not limited to those ordinances regulating noise and nuisance conduct. Failure of transient occupants to comply shall subject the transient occupants, the owners of the STRP, the responsible party, and the short-term rental agent listed in the short-term rental permit application, to the issuance of fines and/or penalties, which include, but not be limited to revocation of the STRP permit.
- D. The owner of an STRP shall post the following information in a prominent location within the STRP unit:
- (1) Owner name; if owner is an entity, the name of a principal in the entity, the principal's email address, and principal's phone number;
  - (2) The names, e-mail address, and phone numbers for the responsible party and he short-term rental agent;
  - (3) The phone numbers for the Police Department and the Department of Community Improvements;
  - (4) The maximum number of parking spaces available for STR use onsite;
  - (5) Trash and recycling pick-up day and all applicable rules and regulations regarding trash disposal and recycling; and
  - (6) Notification that a guest, transient occupant, the short-term rental property agent, the responsible party or STRP owner may be cited or fined by the Police Department or the Department of Community Improvements for violations of any applicable ordinances of the Township of North Bergen.
- E. If any of the information required by Subsection D above is inaccurate while displayed in the STRP, it shall constitute a violation of this ordinance.
- F. In the event that any complaints are received by the Police Department, Department of Community Improvements, or any other Township Department regarding the STR and/or the transient occupants and the owner of the STRP is unreachable or unresponsive, both the responsible party and the short-term rental agent listed in the short-term rental permit application shall have the responsibility to take any action required to properly resolve such complaints, and shall be authorized by the STRP owner to do so.
- G. While a STRP is rented, the owner, the short-term rental agent, or the responsible party shall be available twenty-four (24) hours per day, seven days per week for the purpose of responding within two hours to complaints regarding the condition of the STRP premises, maintenance of the STRP premises, operation of the STRP, or conduct of the guests at the STRP, or nuisance complaints from the Police Department, or neighbors, arising by virtue of the short-term rental of the property.

- H. When the Office of the Township Administrator and/or the Department of Community Improvements receives notice of a civil and/or criminal complaint and/or code/ordinance violation at a STRP as outlined in Section VII above, the Director or Town Administrator or their designee shall conduct an investigation and may issue a written notice of revocation or suspension, as applicable, of the short-term rental permit with the reasons for such revocation or suspension being stated therein within thirty (30) days.
- (1) The applicant shall have ten (10) days to appeal the revocation or suspension in writing to the Town Administrator.
  - (2) Within thirty (30) days thereafter, the Town Administrator or their designee shall decide the appeal.
- I. An owner must apply to renew the short-term rental permit by submitting to the Department of Community Improvements, a short-term rental permit renewal application, and a non-refundable renewal registration fee of five hundred dollars (\$500.00). No STR may be operated, listed, or advertised without a valid unexpired permit. The renewal application must be received with all of the required documentation no later than thirty (30) days prior to the permit expiration date.
- J. The short-term rental permit shall expire automatically when the STRP changes ownership, and a new initial application and registration fee will be required to operate the property as a STRP. A new application shall also be required for any STR that had its short-term rental permit revoked.
- K. All listings, advertisements, whether in any print, digital, web-based platform, multiple listing service or any realtor's property listing shall include the permit number.
- L. The STRP owner or agent shall maintain an up-to-date log of all transient occupants who will be occupying the STRP, which shall contain the occupant or occupants' names, ages, dates of commencement and expiration of each short-term rental period. This log shall be available for inspection by the Department of Community Improvements and the Police Department in case of emergency.

**SECTION VIII. Violations, penalties, and enforcement**

- A. A violation of any provision of this ordinance may subject the STRP owner, transient occupant(s), the short-term rental agent, and the responsible party and the intermediary, or their agents to fines assessed by the Court up to seven hundred fifty dollars (\$750.00) per day that the violation exists, but not less than one hundred dollars (\$100.00) per violation per day that the violation exists.
- B. The STRP owner shall publish the short-term rental permit number issued by the Township in every print, digital, or internet advertisement, and/or in the multiple listing service or other real estate listing of a real estate agent licensed by the New Jersey Real Estate Commission, in which the STRP is listed and/or advertised for rent on a short-term basis. Advertisements and/or listings of the STRP for rent on a short-term basis that do not contain the permit number are a violation of this Ordinance and shall subject the owner of the STRP, the responsible party, the short-term rental agent, and the intermediary to fines and/or penalties. Every day such advertisement or listing appears shall be a separate violation of this ordinance.
- C. In no event shall a STRP be rented to anyone younger than twenty-one (21) years of age. The primary occupant of all short-term rentals executing the agreement between the owner and the occupant must be over the age of twenty-one (21), and must be the party who will actually occupy the property during the term of the short-term rental. The primary occupant may have guests under the age of twenty-one (21) who will share and occupy the property with them. Both the primary occupant executing the short-term rental agreement and the STRP owner shall be responsible for compliance with this provision, and shall both be liable for a violation, where the STRP is not occupied by at least one adult over the age of twenty-one (21) during the term of the STR.

- D. No person may advertise any property for a short-term rental prior to the issuance of a permit for such property.
- E. No STR permit issued under this section may be transferred or assigned or used by any person or entity, other than the owner to whom it is issued, or at any property location or dwelling unit other than the property for which it is issued.

**SECTION IX. Separability**

Each section, subsection, sentence, clause, and phrase of this ordinance is declared to be an independent section, sentence, clause and phrase, and the finding or holding of any such portion of this ordinance to be unconstitutional, void, or ineffective for any cause or reason, shall not affect any other portion of this ordinance.

**SECTION X. Repealer**

All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed as to the inconsistency, excepted as provided in Section I(A)(5).

**SECTION XI. Effective Date**

This ordinance shall take effect 20 days from the time of its final passage.

Introduced:	March 4, 2026	<u>Comm. Cabrera</u>	YES
		<u>Comm. Pascual</u>	YES
		<u>Comm. Rodriguez</u>	YES
Published:	March 5, 2026	<u>Comm. Vainieri</u>	YES
	March 18, 2026	<u>Mayor Sacco</u>	YES
Adopted:	March 18, 2026		
Attest:	<u>Erin Barillas</u> Township Clerk		