

**AN ORDINANCE OF THE CITY OF PLAINFIELD, IN THE COUNTY OF UNION,
ADOPTING REGULATIONS GOVERNING SHORT-TERM RENTALS BY THE
ADDITION OF ARTICLE IX TO CHAPTER 17 (“LAND USE ORDINANCE”), TO BE
CODIFIED AS SECTIONS 17:9-49E THROUGH 17:9-49E.8.”**

WHEREAS, On December 2, 2002, the City Council of the City of Plainfield adopted Ordinances No. 2002-29 and 2002-29A repealing and replacing the existing Chapters 17 (Zoning), Chapter 14 (Subdivisions) and portions of Chapter 3 (Agencies, Boards, Commissions and Committees) and replaced them with a new Chapter 17 entitled Land Use Ordinance; and

WHEREAS, at multiple times since this initial adoption the Planning Board and City Council have amended the Land Use Ordinance to respond to new land use issues and concerns as they arise, and

WHEREAS, the Planning Board continues to review and refine the ordinance in order to identify necessary changes; and

WHEREAS, the City Council has reviewed and considered the Planning Board’s recommendations to amend the Land Use Ordinance, and

WHEREAS, the City Council is required pursuant to N.J.S.A. 40:55D-26 to forward the proposed amendment to the Planning Board for their review and comment prior to the City Council adoption of the amendments to the Land Use Ordinance, and

WHEREAS, the Planning Board is scheduled to review this proposed land ordinance amendment at their October 16, 2025 meeting and submit their resolution of findings to the City Council in accordance with Section 40:55D-26 of the Municipal Land Use Law prior to second reading of this ordinance.

WHEREAS, the City Council of the City of Plainfield finds it necessary and appropriate to regulate the short-term rental of residential properties in order to preserve the quality of life in residential neighborhoods, ensure public safety, and provide for the fair use of housing stock; and

WHEREAS, the City Council desires to establish reasonable regulations for the registration, operation, and enforcement of short-term rentals;

NOW, THEREFORE BE IT ENACTED by the City Council of the City of Plainfield, County of Union, State of New Jersey, that Chapter 17 of the City Code be amended and supplemented by the addition of Article XX, entitled “Short-Term Rentals,” Sections 17:20-1 through 17:20-8, to read as follows:

SECTION 1.

The City Council has determined that the Short-Term Rentals ordinance adoption to the Land Use Ordinance to regulate the short-term rental of residential properties is appropriate and hereby adopts this Ordinance amendment to the Land Use Ordinance as proposed.

SECTION 2.

The validity or enforceability of any provision of this Ordinance shall not affect the remaining provision of this ordinance, which shall remain in full force and effect.

SECTION 3.

A notice of this action shall be published in the official newspaper authorized to publish legal notices for the City.

SECTION 4.

A copy of the Land Use Ordinance as amended is to be filed with the Union County Planning Board in accordance with Section 40:55D-16 of the Municipal Land Use Law.

SECTION 5.

This ordinance shall take effect twenty (20) days after final passage and approval, as provided by law.

§ 17:9-49E.1. Authority; Definitions.

a. **Authority.** In accordance with New Jersey law, a municipality may make and enforce within its limits all ordinances and regulations not in conflict with general laws, as it may deem necessary and proper for the good government, order, and protection of persons and property, and for the preservation of the public health, safety, and welfare of the municipality and its inhabitants. The City of Plainfield hereby adopts the within Ordinance in accordance with said authority.

b. **Definitions.** For purposes of this Article, the following terms shall have the meanings indicated:

- **Booking Service** - A person, agency, or entity that provides an online platform for listing, advertising, reserving, or paying for short-term rentals, and collects a fee for such use. A platform that solely lists or advertises offers without payment or reservation processing shall not be considered a Booking Service.
- **Owner** - An individual or entity holding title to a property proposed for short-term rental by a legally recorded deed.
- **Owner-Occupied** - The owner resides in the short-term rental property (STRP), or in the principal residential unit on the same lot, and identifies it as his or her **principal residence**. If the owner is an entity, at least one member or principal must so reside.

- **Principal Residence** - The address where the property owner spends the majority of non-working time, which is the center of domestic life, and which is listed on a New Jersey driver's license or State ID as the owner's legal address. All requirements must be met.
- **Property** - A parcel of real property located within the City of Plainfield.
- **Short-Term Rental (STR)** - The accessory use of a dwelling unit for occupancy by someone other than the owner or permanent resident, for a period of 28 or fewer consecutive days, advertised or held out to the public as a rental to transient occupants.
- **Short-Term Rental Property (STRP)** - A residential dwelling unit used or advertised for short-term rental by transient occupants, excluding hotels, motels, licensed boarding houses, licensed B&Bs, or units rented for more than 28 days.
- **Short-Term Rental Property Agent** - A New Jersey licensed real estate agent or other person designated by the owner to manage permit applications and compliance.
- **Transient Occupant** - A person, guest, or invitee who occupies a short-term rental for compensation for a period of 28 days or fewer.
- **Responsible Party** - Both the property owner and a designated local agent who is available to address complaints, maintenance, or enforcement matters on a 24/7 basis.

§ 17: 9-49E.2. Regulations Pertaining to Short-Term Rentals.

- a. It shall be unlawful for any property within the City to be rented as a STR except in

accordance with this Article and State law.

b. STRs are permitted only in the following circumstances:

1. Condominium units, if permitted by governing documents, where the owner identifies the unit as their principal residence.
2. Owner-occupied single-family residences identified as principal residences.
3. One unit of an owner-occupied two-family residence.
4. One unit in a multi-family dwelling, where another unit is occupied by the owner as a principal residence.
5. No more than two rooms within a single-family residence, where the owner also resides.

c. STRs are prohibited in: boarding/rooming houses, dormitories, nursing homes, shelters, foster homes, assisted living facilities, and any property where condominium documents prohibit STRs, or where the owner does not maintain principal residence.

d. Hotels, motels, licensed B&Bs, government-owned housing, or educational housing shall not be subject to this Article.

§ 17: 9-49E.3. Permit, Registration, and Certificate of Compliance.

a. A **Short-Term Rental Permit** shall be obtained from the Department of Economic Development prior to advertising or renting any STR.

b. Application requirements include: compliance history (no more than 2 verified police calls in prior 2 years; no noise ordinance violations in prior 2 years), proof of tax and utility

payments, no open code violations, proof of insurance, and designation of a Responsible Party.

c. Application fee: **\$500 annually (non-refundable)**, covering both the STR permit and Certificate of Code Compliance.

d. STR permits expire upon transfer of ownership and are non-transferable.

e. Renewals shall require inspection, re-application, and payment of renewal fee.

§ 17:9-49E.4. Application Process and Inspections.

a. Application must include owner ID (confirming principal residence), proof of ownership, proof of insurance, contact info for agent/responsible party, parking certification, sworn compliance acknowledgements, and agreement to publish the permit number in all advertisements.

b. All STR properties must pass **annual fire safety and property maintenance inspections**.

c. No STR may be rented to anyone under 21 years of age. The primary occupant executing the rental agreement must be at least 21.

§ 17: 9-49E.5. Issuance of Permit and Appeals.

a. Permits shall be issued or denied within **10 business days** of completed application.

b. If denied, applicant may appeal within 10 business days to the Director of Economic Development.

c. Appeals shall be decided within 30 days.

§ 17: 9-49E.6. Operational Requirements.

- a. STRs must comply with all State and City codes.
- b. A dwelling unit is limited to **one STR contract at a time.**
- c. STRs are limited to **15 separate rentals per year OR 90 nights per year, whichever occurs first.**
- d. No on-site advertising or signage is permitted.
- e. Owners must post required information inside the property (owner contact, emergency numbers, trash rules, parking limits).
- f. Smoke/CO detectors and a fire extinguisher must be installed and maintained.
- g. Owner/agent/responsible party must be available **24/7 and respond within 2 hours** to complaints.
- h. The owner must maintain a log of all transient occupants, available for inspection.
- i. Violations by occupants (noise, nuisance) may result in fines, suspension, or revocation.

§ 17: 9-49E.7. Enforcement and Penalties.

- a. Violations may result in fines up to **\$2,000 per violation, per day.**
- b. Repeated violations may result in **permit suspension or revocation.**
- c. Renting without a permit constitutes a separate violation.

§ 17: 9-49E.8. Severability.

If any section of this Article is deemed invalid, the remaining provisions shall remain in effect.

Scheduled by the City Council

November 10, 2025