

## SHORT TERM RENTAL APPLICATION

See [Chapter 285-13](#) Short Term Rental of the Township Code for further information

An approved Zoning permit and Fire Alarm Certification must be obtained prior to all STR applications being submitted: [Zoning Permit Application1.pdf \(westmilford.org\)](#) [business INFORMATION SHEET-Rev-9-22-16pdf.pdf \(westmilford.org\)](#)  
(Only the first 3 pages of the Zoning Application along with survey/drawing showing off-street parking spaces)

### What are the regulations?

It shall be unlawful for any Owner of any property within the geographic bounds of the Township of West Milford, Passaic County, New Jersey, to rent or operate a STR contrary to the procedures and regulations established in Section 285 Short Term Rentals or applicable State statute.

### Where can I apply?

Owner/STRP Agent of a STR property shall submit to the Township Clerk's Office, a short term rental permit application along with an annual application/registration fee of (\$500.00) plus relevant certifications, inspection fees and mandatory attachments with application. Said fees shall be non-refundable in the event that the application is denied. See STR Permit Application for mandatory attachments.

### What happens after a STR application is submitted?

Once an application is submitted, complete with all required information, documentation and fees, the Township Clerk's Office (following any necessary investigation for compliance with this Section (285-13)) shall either issue the short term rental permit or issue a written denial of the permit application.

### What are the permit definitions?

As used in this Section (285-13), the following terms shall have the meanings indicated below:

**Owner** shall mean an individual or entity holding title to a property proposed for short-term rental, by way of a legally recorded Deed.

**Owner-Occupied** shall mean the owner of the property resides in the short-term rental property (also referenced as "STRP"), or in the principal residential unit with which the STRP is associated on the same lot.

**Property** shall mean a parcel of real property located within the boundaries of the Township of West Milford, Passaic County, New Jersey.

**Responsible Party** shall mean both the short-term rental property owner and 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. The Responsible Party must be a New Jersey resident for the acceptance of legal process and to provide the periodic site inspection required under this ordinance.

**Short-Term Rental** (also referenced as "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 thirty (30) or less consecutive days, up to a cumulative total period of not to exceed one hundred eighty (180) days in a calendar year, 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, as that term is defined in this Section (285-13).

**Short-Term Rental Property** (also referenced as "STRP") shall mean a residential dwelling unit that is used and/or advertised for rent as a short-term rental by Transient Occupants as guests, as those terms are defined in this Section (285-13). Dwelling units rented to the same occupant for more than thirty (30) continuous days, licensed Bed and Breakfast establishments, licensed rooming or boarding houses, hotels and motels shall not be considered Short-Term Rental Property.

**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 STR 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. Such person shall be available for, and responsive to contact on behalf of, the owner, at all times.

**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, as such term is defined in this Section (285-13). 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.

See Chapter 285-13 Short Term Rental of the Township Code for further information.