



TOWNSHIP OF GALLOWAY
DEPARTMENT OF COMMUNITY DEVELOPMENT
PLANNING BOARD ZONING BOARD OF ADJUSTMENT

300 E. JIMMIE LEEDS ROAD, GALLOWAY, NJ 08205
(609) 652-3700 EXT. 246 FAX: (609) 652-5259

Tiffany A. CuvIELLO, PP, AICP
PLANNER

#1903-2015

MEETING DATE: January 20, 2015

AGENDA ITEM COMMENTARY

TITLE: GALLOWAY TOWNSHIP ORDINANCE # 1903-2015
AN ORDINANCE AMENDING CHAPTER 224. HOTELS AND MOTELS OF THE
GALLOWAY TOWNSHIP CODE

STAFF SOURCE: Tiffany A. CuvIELLO, PP, AICP, Township Planner

DISCUSSION: The Township is amending the existing regulation restricting occupancy for the hotels and motels under Chapter 224, Hotels and Motels. In order to maintain their economic viability under current market conditions in the area the Township believes it is appropriate to allow increased non-transient occupancy of such hotels and motels for student housing to assist Stockton State College with its student housing shortage. The ordinance would require that the Hotel and Motel Room Occupancy Tax established by Chapter 299 with respect to transient occupants of hotels and motels apply to the student housing. It would also require a contract between the College and the establishment setting forth rules and regulations and requiring the use of a Resident Assistant. A copy of which should be provided to the Township.

RECOMMENDATIONS: Adopt the Ordinance.

ORDINANCE # 1903-2015

**AN ORDINANCE AMENDING CHAPTER 224. HOTELS AND MOTELS OF THE
GALLOWAY TOWNSHIP CODE**

WHEREAS, hotels and motels operating within the Township of Galloway are restricted in accordance with Chapter 224, Hotels and Motels, so as to primarily serve transient occupants;

WHEREAS, in order to maintain their economic viability under current market conditions in the area, it is appropriate to allow increased non-transient occupancy of such hotels and motels;

WHEREAS, the Township of Galloway is the beneficiary of the Hotel and Motel Room Occupancy Tax established by Chapter 299 with respect to transient occupants of hotels and motels;

WHEREAS, Stockton State College has a need for additional student housing.

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council for the Township of Galloway, County of Atlantic and State of New Jersey that Chapter 224, Hotels and Motels, is hereby amended as follows:

1. Chapter 224, Hotels and Motels, Article I, Regulation of Duration of Stay, Section 224-2, Length of Stay, is amended to read as follows:
 - A. "Transient occupancy" means occupancy in hotels and motels for a period of occupancy which does not exceed 30 days. Except as otherwise set forth in this Chapter, no hotel or motel guest may occupy a hotel or motel unit in such facility for more than 30 consecutive days or 30 days within any 45 day period and may not extend such occupancy by moving into another unit within the same facility.
 - B. Notwithstanding the limitations of paragraph A above, hotels and motels may permit extended stays beyond 30 days of each year during a school term and subject to an agreement between the hotel or motel and a public institution of higher learning regulated by the State of New Jersey pursuant to N.J.S.A 18A:16-1 et seq. Such agreement shall provide for the institution to provide for a resident assistant to reside on site to supervise the student occupants and to help to ensure the maintenance of appropriate occupancy standards. A copy of said agreement shall be submitted to the Township.

- C. Any hotel or motel which permits non-transient occupancy of any of its units shall pay to the Township on a monthly basis for each such unit an amount equal to the Hotel and Motel Room Occupancy Tax established by Chapter 299. However, this payment shall be the direct obligation of the hotel or motel and not of the hotel or motel customer.
 - D. Although the registration and inspection requirements otherwise applicable to rental units in accordance with Chapter 276 are waived for such non-transient hotel and motel occupancy, such occupancy shall be subject to the regulations set forth in Section 276-6, Repeated Quality of Life Violations, and the fines and penalties set forth in section 276-7.
 - E. All hotel and motels permitting non-transient occupancy pursuant to this Chapter shall no later the 15th day of each month submit a report to the Township of Galloway on a form to be provided by the Township and shall document all non-transient occupancy in such hotel or motel for the preceding month. Such reports shall be accompanied by the appropriate payment to the Township pursuant to this Chapter. The payment set forth in paragraph C of this Section shall be in lieu of the fee otherwise required pursuant to Section 276-2 for rental units.
 - E. Compliance with requirements of this Chapter for non-transient hotel and motel occupancy is a condition for the operation of any hotel and motel within the Township of Galloway.
2. All Ordinances and parts of Ordinances in conflict with this Ordinance are hereby repealed.
 3. To the extent that any part or parts of this Ordinance are repealed or otherwise modified or voided by State Statute or case law, the remaining portions or sections of this Ordinance shall remain in full force and effect.
 4. If any section, sentence or any part of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not affect, impair or invalidate the remainder of the Ordinance, but shall be confined in its effect to the section, sentence or other part of this Ordinance directly involved in the controversy in which judgment shall have been rendered.
 5. This Ordinance shall take effect twenty (20) days after final passage and publication according to law, except as provided in for N.J.S.A. 40:69A-181.

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced in and passed the first reading at a meeting of the Township Council of the Township of Galloway, County of Atlantic and State of New Jersey, held on January 20, 2015, and said Ordinance will be further considered for final passage and adoption at a public hearing to be held at the Municipal Complex located at 300 East Jimmie Leeds Road, Galloway, New Jersey 08205, on February 10, 2015, at 6:30 PM or as soon thereafter as the matter may be reached.

BY ORDER OF THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF GALLOWAY

Kelli Danieli, Acting Township Clerk

Kelli Danieli
Acting Township Clerk

Recorded Vote:	MOTIONS	AYE	NAY	ABSTAIN	ABSENT
Coppola		X			
Gargione		X			
Gorman	1	X			
Maldonado	2	X			
Meadows					X
Tyrrell				X	
Purdy		X			