

CITY OF ABSECON

ORDINANCE 12-2023

**AN ORDINANCE OF THE CITY OF ABSECON AMENDING ORDINANCE
#08-2023 – AMENDING CHAPTER 216 OF THE CITY OF ABSECON
CODE, GOVERNING HOTEL AND MOTEL REGISTRATION**

WHEREAS, City of Absecon, operating under the City form of government, is governed by statutes, that allow the City Council to pass, adopt, amend and repeal any ordinance or, where permitted, any resolution for any purpose required for the government of the municipality or for the accomplishment of any public purpose for which the municipality is authorized to act under general law; and

WHEREAS, Chapter 216-1 of the Revised General Ordinances of the City of Absecon currently outlines the requirements for Hotel and Motel Registration within the confines the City of Absecon; and

WHEREAS, Chapter 216-1 of the Revised General Ordinances of the City of Absecon currently is silent as to how long a length of stay for “transient occupancy” is allowed; and

WHEREAS, the City Council believes it desirable, and in the best interest of the City and its citizens to limit the length of stay for “transient occupancy” within its borders and to increase the fine for violations of this Code section; and

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Absecon, County of Atlantic, State of New Jersey as follows:

Section 1. Chapter 216-1 of the City of Absecon Municipal Code is hereby amended, replaced and superseded as follows:

Chapter 216. HOTEL AND MOTEL REGISTRATION

216-1. Registry required; information and identification, occupancy limits.

A. Every hotel and motel in the City of Absecon shall be required to maintain at all times a registry identifying the name of each registrant of each rooming unit, together with the principle residence address of such registrant of each rooming unit, together with the principal residence address of such registrant and the date upon which his/her occupancy of such rooming unit commenced. The registrant shall sign the registry and must produce a valid driver's license or other identification. A copy of a valid driver's license or other identification must be kept on file and is subject to review by the Code Enforcement Officer of the City of Absecon upon periodic inspection.

B. Vehicle identification. Each registrant who is parking a motor vehicle in the hotel or motel lot shall provide the make, model and license plate number of that vehicle.

C. "Transient occupancy" means occupancy in hotels and motels for a period of occupancy which does not exceed twenty-eight (28) days. Except as otherwise set forth in this article, no hotel or motel guest may occupy a hotel or motel unit in such facility for more than twenty-eight (28) consecutive days or twenty-eight (28) days within any thirty-five (35) day period and may not extend such occupancy by moving into another unit within the same facility.

D. Any owner of any hotel or motel found to be in violation of this article will be subject to the issuance of violations, fines and court appearances when necessary, as set forth below. Any owner of any hotel or motel found to be in violation of this article will be subject to the following fine: For the first violation, a fine of not less than \$250 and not exceeding \$2,500 shall be imposed. A second violation within one year of the date of a previous violation shall result in an additional fine as a repeat offender. The additional fine imposed by the court for a repeat violation shall be not less than the minimum of \$500 or exceed the maximum fine of \$2,500 but shall be calculated separately from the fine chapter may, in the discretion of the court, and in default of the payment of any fine imposed therefore, be imprisoned in the Atlantic County Jail for a term not exceeding 90 days or be required to perform community service for a period not exceeding 90 days. No fine or penalty will be assessed if said owner notifies the Absecon Police Department that a prior transient occupant has remained as a defiant trespasser of a violation of Section C above so long as such notification is made within 24 hours of said violation.


Section 2. All other ordinances in conflict or inconsistent with this Ordinance are hereby repealed to the extent of such conflict or inconsistency.

Section 3. Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason, the remaining portions of this Ordinance shall not be affected thereby and shall remain in full force and effect, and to this end the provisions of this Ordinance are hereby declared to be severable.

Section 4. This Ordinance shall take effect within twenty (20) days of final passage and publication, as provided by law.

DATED: June 15th, 2023

SIGNED: 
Kimberly Horton, Mayor

ATTEST: 
Carie A. Crone, RMC, Municipal Clerk

Passed on first reading at a regular meeting of the Municipal Council held on June 1st, 2023
Laid over and advertised for public hearing and final adoption on June 15th, 2023. Notice is
hereby given that the foregoing Ordinance was approved for final adoption by the Municipal
Council of the City of Absecon at a regular meeting held on June 15th, 2023.