

Brigantine Short-Term Rental Committee Report
By Sera, Haney, & Lettieri
October 2, 2023

Introduction:

The Brigantine Council Short-Term Rental Committee has completed a full overhaul of the City's short-term rental regulations and processes. The proposed changes will give the City the tools, staffing, and legal resources to properly address the issues surrounding short-term rental properties on the Island.

These changes are heavily focused on enforcement and are designed to allow the City to deal with problem properties with minimal impact to the well managed properties.

The proposed changes are a result of the City's meetings with: homeowners, representatives of the business community, short-term rental owners, property managers, and realtors.

These changes are a good starting point and can be adjusted as needed.

Substantive Changes To Brigantine's STR Regulations & Processes:

1. Clarify the process for obtaining a license with the payment of license fee, ensuring no open construction or zoning permits, taxes, water, and sewer are current and in compliance with NJ's new lead-based paint, and in compliance with NJ insurance certificate laws.
2. Prominent posting of information in addition to the license for STRP guests including owner or managing agent contact information, municipal ordinances they could be held to account for, and the number of Police and Fire Prevention for any issues or questions.
3. Added Definitions to include Annual Rental, Nuisance Property, Owner Occupied, Occupancy Load, Principal Residence, Responsible Party, Short Term Rental Property, Short Term Rental Property Agent, and Transient Occupant.
4. False Advertising added to Grounds for denial, revocation, and/or suspension of license.
5. Strengthened the Language in Transferability to section to make it a requirement for the new owner to apply before renting the property.
6. Maximum Occupancy not to exceed 18 for any rental property.
7. 3 bedroom or greater shall not be rented for less than 2 consecutive nights.

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8. Changes to the application process to gather more data from the owner of the property, to include the number of off-site and on-site parking spaces available.
9. Change the minimum age to rent to 25.
10. Limiting parking to 1 vehicle per 4 occupants.
11. Increasing maximum fines for short term rental issues to a maximum of \$2,000 per violation, per day that the violation exists.
12. It will be unlawful to install any advertising signs or advertise in print or other online platforms identifying the property to be intended for proms, graduations, bachelor/bachelorette parties, or any group rentals in general.
13. Short Term Rental Agent or Responsible Party shall be available 24/7 and must respond to property within 2 hours of being called.
14. No sub-leasing of property by tenant. Owner must be the one offering to rent the dwelling.
15. Five substantiated complaints within a calendar year shall be ground to revoke the license for a six month period.
16. If a license is suspended twice in a three-year period, then the license shall be suspended for a three years.

Fee Changes:

1. Short term rental property will be required to pay a license fee of \$150 per advertised bedroom.
2. A 1.25% occupancy fee will be assessed to units advertising on the large digital marketplaces.
3. Annual rental property will see no change in their license fees, and a \$5 *reduction* in change of tenancy fee. This is when a lease expires during the calendar year and new inspection is required prior to a new tenant moving in.

Timelines:

1. October 4th - Introduction
2. October 18th - Public Hearing and Adoption
3. January 1st - Regulations to Take Full Effect