

**ORD 2021-06**

**AN ORDINANCE OF THE TOWN OF HACKETTSTOWN AMENDING SECTION 48  
(OCCUPANCY) OF ARTICLE 6 (RENTAL PROPERTY REGULATIONS AND  
LICENSING OF LANDLORDS) OF CHAPTER 7 (BUILDING REGULATIONS) TO  
PROVIDE FOR THE NUMBER OF OCCUPANTS PERMITTED IN A RESIDENTIAL  
RENTAL UNIT**

**WHEREAS**, the Town Council of the Town of Hackettstown (“Town”) is permitted and authorized to enact ordinances to protect public health, safety, and welfare; and

**WHEREAS**, the Town believes that delineating the number of occupants permitted per bedroom in residential rental properties will protect the health, safety, and welfare of its residents and citizens; and

**WHEREAS**, the Town Council, in the interest of public health and safety, desire to require that any room occupied for sleeping purposes by one person shall have a minimum floor space of 70 square feet and every room occupied for sleeping purposes by more than one person shall have a minimum floor space of 50 square feet for each person, with no more than two persons occupying a single bedroom.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Common Council of the Town of Hackettstown, County of Warren, State of New Jersey, as follows:

**Section One:** Pursuant to Section 7-48(b) of the Town Code, entitled “Occupancy”, of Article 6 entitled “Rental Property Regulations and Licensing of Landlords”, of Chapter 7, entitled “Building Regulations”, is hereby amended so it shall read as follows:

**7-48(b)**

b. In every dwelling unit, every room occupied or intended to be occupied for sleeping purposes by one person shall have a minimum useable floor area of 70 square feet and every room occupied or intended to be occupied for sleeping purposes by more than one person shall have a useable floor area of at least 50 square feet for each person. Under no circumstances shall more than two persons occupy one room for sleeping purposes. Kitchens, nonhabitable spaces, and interior public areas such as hallways, and all portions of living and dining rooms shall not be used for sleeping purposes. The owner shall post the maximum number of occupants in a conspicuous area within the rental unit. It shall be unlawful for any person, including the owner, agent or tenant, to allow a greater number of persons than the posted maximum number of occupants to reside in the rental unit or allow a greater number of persons to use or occupy a room for sleeping purposes that does not meet the requirements of the Section.

**Section Two:** If any section, subdivision, paragraph, clause, or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to such section, subdivision, paragraph, clause, or provision and the remainder of this ordinance shall be deemed

valid and effective. All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

**Section Three:** This ordinance shall become effective upon final passage and publication according to law.

**NOTICE**

Notice is hereby given that the aforesaid ordinance was introduced at a regular meeting of the Common Council of the Town of Hackettstown, New Jersey, held on April 22, 2021, and that at a regular meeting of the same to be held on May 27, 2021 at the Municipal Building, 215 Stiger Street, Hackettstown, New Jersey, at the hour of 7:00 p.m., the said Common Council will conduct a public hearing and will consider the final passage of said ordinance.

WILLIAM W. KUSTER, JR.  
Town Clerk/Administrator

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AN ORDINANCE OF THE TOWN OF HACKETTSTOWN AMENDING SECTION 48 (OCCUPANCY) OF ARTICLE 6 (RENTAL PROPERTY REGULATIONS AND LICENSING OF LANDLORDS) OF CHAPTER 7 (BUILDING REGULATIONS) TO PROVIDE FOR THE NUMBER OF OCCUPANTS PERMITTED IN A RESIDENTIAL RENTAL UNIT was the subject of a public hearing and was duly considered at a meeting of the Common Council of the Town of Hackettstown held on May 27, 2021 conducted via the Zoom web portal at the Municipal Building, 215 Stiger Street, Hackettstown, New Jersey, and said Ordinance was thereupon adopted upon final passage.



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WILLIAM W. KUSTER, JR.  
Town Clerk/Administrator

The above Ordinance is approved this  
27<sup>th</sup> day of May, 2021



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Mayor