TOWNSHIP OF VERNON

ORDINANCE #26-19

AN ORDINANCE OF THE TOWNSHIP OF VERNON, COUNTY OF SUSSEX, STATE OF NEW JERSEY, REGULATING AND PROHIBITING THE RENTAL OF PRIVATE RESIDENTIAL SWIMMING POOLS.

WHEREAS, the Township Council of the Township of Vernon has determined that the short-term rental of private residential swimming pools on an hourly, daily, weekly, or seasonal basis can create adverse impacts on surrounding residential neighborhoods, including increased traffic, noise, parking congestion, and potential safety concerns; and

WHEREAS, the Township currently lacks a specific ordinance addressing the rental of private residential swimming pools; and

WHEREAS, it is in the interest of the public health, safety, and general welfare of the residents of the Township of Vernon to regulate and prohibit such rentals;

NOW, THEREFORE, BE IT ORDAINED, by the Township Council of the Township of Vernon, County of Sussex, State of New Jersey, as follows:

"SECTION 1. Purpose.

The purpose of this Ordinance is to regulate, control, and prohibit the rental of private indoor and outdoor swimming pools located on residential properties within the Township of Vernon in order to protect the public health, safety, and welfare of the Township's residents and to preserve the residential character of neighborhoods.

SECTION 2. Definitions.

As used in this article, the following terms shall have the meanings indicated.

ADVERTISE OR ADVERTISING - Any form of solicitation, promotion, and communication for marketing, used to solicit, encourage, persuade, or manipulate viewers, readers, or listeners into contracting for goods and/or services in violation of this article, as same may be viewed through various media, including, but not limited to, newspapers, magazines, flyers, handbills, pamphlets, commercials, radio, direct mail, internet websites, or test or other electronic messages for the purpose of establishing occupancies or uses of rental property for consideration which are prohibited by this article.

CONSIDERATION - Soliciting, charging, demanding, receiving or accepting any legally recognized form of consideration including a promise or benefit, a quid pro quo, rent, fees, other form of payment, or thing of value.

EXEMPTION PROPERTY - Hotel, field club, commercial establishments and rental of home.

OWNER - Any person(s) or entity(ies), association, trust, fiduciary, limited liability company, corporation or partnership, or any combination who legally use, possess, own, lease, sublease or license (including an operator, principal, shareholder, director, agent, or employee, individually or collectively) that has charge, care, control, or participates in the expenses and/or profit of a dwelling unit pursuant to a written or unwritten agreement, rental, lease, license, use, occupancy agreement or any other agreement.

PERSON - An individual, firm, corporation, association, partnership, limited liability company, association, entity, and any person(s) and/or entity(ies) acting in concert or any combination thereof.

A. It shall be unlawful for an owner, lessor, sublessor, any other person(s) with possessory or use right(s) to offer or obtain actual or anticipated consideration for soliciting, advertising, offering and/or permitting, allowing or failure to discontinue the use of a private indoor and outdoor swimming pool on an hourly, daily, weekly or seasonal basis. Swim clubs, field clubs, hotel and like facilities are hereby exempt from this prohibition. The use of a pool by the tenant of a residential rental dwelling is permitted; however, the pool may not be rented to third parties.

SECTION 3. Advertising prohibited.

It shall be unlawful to advertise, solicit or promote by any means actions in violation of this article.

SECTION 4. Enforcement; violations and penalties.

A. The provisions of this article shall be enforced by the Code Official or Police Department, as their jurisdiction may arise, including legal counsel for the Township or other persons designated by the Council to issue municipal civil infractions directing alleged violators of this article to appear in court or file civil complaints.

B. A violation of this article is hereby declared to be a public nuisance, a nuisance per se, and is hereby further found and declared to be offensive to the public health, safety and welfare.

C. Any person found to have violated any provision of this article, without regard to intent or knowledge shall be liable for the maximum civil penalty, upon adjudicated violation or admission of a fine not exceeding $1,250. Each day of such violation shall be a new and separate violation of this article.

D. The penalty imposed herein shall be in addition to any and all other remedies that may accrue under any other law, including, but not limited to, eviction proceedings, and/or injunction, reasonable attorney's fees or other fees and costs in the Township's Municipal Court or the Superior Court of New Jersey, Sussex County, or in such other court or tribunal of competent jurisdiction, by either summary disposition or by zoning or construction code municipal proceeding."

SECTION 5. All other Ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed as to such inconsistency. This section is not intended to alter the current or later enacted amendments to the Township's Zoning Code.

SECTION 6. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of this Ordinance shall be deemed valid and

effective. This article is not intended to alter the current or later enacted amendments to the Township's Zoning Code.

SECTION 7. This Ordinance shall take effect upon its passage and publication according to law.

CERTIFICATION

This is to certify that the above Ordinance was introduced and passed on first reading at the special meeting of the Township Council held on September 14, 2026 and the same came up for final passage and was adopted at the meeting of the Township Council held on September 28, 2026 at which time all persons interested were given an opportunity to be heard. The above ordinance will be in full force and effect in the Township of Vernon according to law.

Marcy Gianattasio, Clerk
Township of Vernon

Anthony Rossi, Mayor

Township of Vernon

INTRODUCED: September 14, 2026

NAME	M	S	YES	NO	ABSTAIN	ABSENT
Contino C.		X	X			
Ooms S.			X			
Rizzuto R.			X			
Sparta, B.	X		X			
Higgins W.			X			

ADOPTED: September 28, 2026

NAME	M	S	YES	NO	ABSTAIN	ABSENT
Contino C.		X	X			
Ooms S.			X			
Rizzuto P.	X		X			
Sparta, B.			X			
Higgins W.			X			