



BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



ORDINANCE NO. 23-CODE-906

AN ORDINANCE TO AMEND, SUPPLEMENT AND REVISE THE CODE OF THE BOROUGH OF OAKLAND, "LAND USE AND ZONING", CHAPTER 59, BY AMENDING ARTICLE VII ZONING

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Borough Council of the Borough of Oakland as follows:

Section 1. Chapter 59 "Land Use and Zoning", Article VII "Zoning", Section 59-44 "Definitions" shall be amended to eliminate and replace the definition of "Family" in its entirety as follows:

FAMILY:

One or more persons occupying a dwelling unit as a single non-profit housekeeping unit who are living together as a stable, permanent living unit, being a family unit or the functional equivalency thereof.

Section 2. Chapter 59 "Land Use and Zoning", Article VII "Zoning", Section 59-45 "Regulations Applicable to all Zones" shall be amended by adding new Subsections J and K as follows:

Section 59-45 Regulations applicable to all zones.

- J. The keeping of boarders or roomers and/or operation of a boarding or rooming house is hereby prohibited in any and all zones.
- K. Rental of dwelling units.

No house, dwelling, building, dwelling unit, structure or enclosure or any part of the same which is located in any residential district shall be used or permitted to be used or be rented for use as living quarters, sleeping quarters or for living purposes by or to any society, club, fraternity, sorority, association, lodge, commune or similar group, or other collection of persons who do not qualify as a family as defined in Section 59-44 of this chapter. This restriction shall not apply to hotels, motels or other places of public accommodation which are duly licensed by the Borough and/or the State of New Jersey or to convents, rectories or parish houses utilized in conjunction with any house of worship.

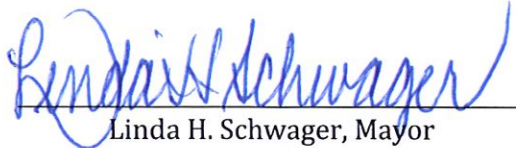
Section 3. Chapter 59 "Land Use and Zoning", Article VII "Zoning", Section 59-49 "Residential Zones" is amended by eliminating Subsection B.(3) "The keeping of not more than three boarders or lodgers".

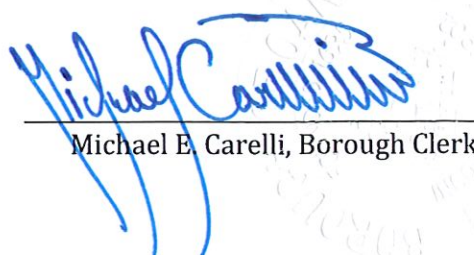
Section 4. Severability and Repealer

- A. If any provision or portion of a provision of this ordinance is held to be unconstitutional, preempted by federal or state law, or otherwise invalid by any court of competent jurisdiction, the remaining provisions of the ordinance shall not be invalidated.

- B. All ordinances or parts of ordinances which are inconsistent with any provisions of this ordinance are hereby repealed as to the extent of such inconsistencies.

Section 5. This ordinance shall take effect immediately upon: (i) adoption; (ii) publication in accordance with the laws of the State of New Jersey; and (iii) filing of the final form of adopted Ordinance by the Clerk with the Bergen County Planning Board pursuant to N.J.S.A. 40:55D-16.


Linda H. Schwager, Mayor

Adopted this 14 day of
June, 2023.

Michael E. Carelli, Borough Clerk

This is to certify that this is a true copy
as adopted by the Mayor and Council
of the Borough of Oakland at a meeting
held on June 14, 2023

Borough Clerk 