

SENATE COMMUNITY AFFAIRS COMMITTEE

STATEMENT TO

SENATE COMMITTEE SUBSTITUTE FOR **SENATE, No. 296**

STATE OF NEW JERSEY

DATED: JUNE 3, 1996

The Senate Community Affairs Committee reports favorably a Senate Committee Substitute for Senate Bill No. 296.

The committee substitute would remove the authorization of rooming and boarding houses to operate on a year-round basis which was otherwise provided under P.L.1989, c.67. That law authorizes certain hotels, guest houses, rooming or boarding houses situated in shore municipalities in Monmouth, Ocean, Atlantic and Cape May counties to operate year-round under certain circumstances.

Specifically, P.L.1989, c.67 provides that as long as one such establishment functions on a year-round basis within the municipality, any other operator within the municipality would be entitled to operate an establishment throughout the year. Prior to the enactment of that law, many shore communities considered full-year operation on the part of these concerns to be a non-conforming use.

The substitute would allow any rooming house or boarding house which opened on a year-round basis pursuant to P.L.1989, c.67, to continue operating. Hotels and guest houses would continue to be authorized to operate year-round if they fulfill the conditions set forth pursuant to P.L.1989, c.67.

The substitute would also change the procedure by which the owner of any hotel or guest house who proposes to increase operation to a full-year basis applies for this authorization. Under current law, the Commissioner of Community Affairs makes this determination, upon the submittal of certain documentation by the operator of the facility. This committee substitute would require that the owner instead apply to the local zoning officer, and submit copies of the documentation to the Commissioner of Community Affairs.

The provisions of the substitute and P.L.1989, c.67 will not apply to any hotel or guest house which was determined by the Superior Court prior to June 30, 1996, to have been used as a rooming house or boarding house subsequent to the enactment of P.L.1989, c.67, in violation of a municipal ordinance, resolution, seasonal license or other municipal rule or regulation as determined by the Superior Court prior to June 30, 1996. Any such hotel or guest house shall comply with all municipal ordinances, resolutions, seasonal licenses and other

municipal rules and regulations.

This bill was prefiled for introduction in the 1996 session pending technical review. As reported, the bill includes the changes required by technical review which has been performed.