



TO: Township of West Orange Planning Board

CC: Geniece Gary-Adams, Director of Planning and Development/Zoning Official
Jamilet Baquerizo Vite, Planning Board Secretary

FROM: Malvika Apte, PP, AICP, Planning Board Planner 
Langley Oudemans, Associate Planner

RE: Master Plan Consistency Review: Ordinance 2968-26 “An Ordinance Amending Chapter 25, Article I, Section 9.13 of the Revised General Ordinances of the Township of West Orange Banning ‘Pop-Up’ Parties”

DATE: May 15, 2026

1. Purpose:

This memo provides a review of the consistency of proposed Ordinance 2986-26 with the Township of West Orange’s Master Plan. The 2019 Master Plan Reexamination Report’s goals and objectives were reviewed, and the findings are presented in the body of this report.

2. Statutory Basis for the Master Plan Consistency Review

According to the New Jersey Municipal Land Use Law (“MLUL”), specifically N.J.S.A. 40:55D-62a, all municipal land use regulations are required to “either be substantially consistent with the land use plan element and the housing plan element of the master plan or designed to effectuate such plan elements.”

Additionally, per N.J.S.A. 40:55D-26, “prior to the adoption of a development regulation, revision, or amendment thereto, the planning board shall make and transmit to the governing body, within 35 days after referral, a report including identification of any provisions in the proposed development regulation, revision or amendment which are inconsistent with the master plan and recommendations concerning these inconsistencies and any other matters as the board deems appropriate.” This report aims to satisfy this requirement by evaluating whether the above-mentioned ordinance amendment is consistent with the Township’s Master Plan.

If necessary, land development regulations that do not conform to the above consistency requirement can nonetheless be adopted by the Township Council, but this can only be achieved by way of a majority vote of the full membership and "with the reasons of the governing body for so acting set forth in a resolution and recorded in its minutes..."

3. Master Plan Consistency Review

The amended ordinance defines and clarifies penalties for “pop-up” parties and removes language that should have only be incorporated by reference but was inadvertently included. The language that was removed includes the scope and purpose of the ordinance, which describes the complaints from residents regarding hosting paid events and parties in residential homes. Other text removed addressed some of the practical language regarding the severability of the ordinance, the repeal of other ordinances that are inconsistent, and the effective date. The language that was added includes the following bolded and underlined text:

c. Prohibitions.

*3. Any person who creates, submits, **publicizes** or otherwise posts an advertisement for a pop-up party shall be considered in violation of this subsection and the same shall be considered a separate violation under this subsection, subject to the penalties provided for herein.*

*e. Penalties. **Each violation of any provision of this subsection shall carry a penalty of one or more of the following: a fine not exceeding \$2,000 or imprisonment for a period not exceeding 90 days; or a period of community service for a period not exceeding 90 days.***

This amendment provides more straightforward enforcement standards and removes superfluous text, thus increasing its effectiveness and clarity.

In relation to the 2019 Master Plan Reexamination, Ordinance 2986-26 is consistent with the following objectives. The relevant objectives include:

- ***“Improve and maintain existing residential neighborhoods.”***
 - While this goal of the Master Plan highlights mainly structural strategies for maintaining residential neighborhoods, such as the rehabilitation of dwellings, a critical component of improving and maintaining a strictly



residential neighborhood involves managing the nature of activities which occur there. This amendment improves the effectiveness of an ordinance to ensure that events that are more commercial in nature do not permeate into a residential neighborhood and disrupt the desired character.

4. Conclusion

The proposed amendment is noted to be substantially consistent with the Township of West Orange's Master Plan, as it provides for clearer enforcement of the ban on "pop-up parties," which disrupt the general public welfare and the long-term character of the Township's residential neighborhoods.