

**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**

WHEREAS, The Mayor and Council of the Township of West Orange (the “Township”), have an interest in the efficient administration of government services; and

WHEREAS, pursuant to N.J.S.A. 40:48-1, the governing body of a municipality may make, amend, repeal, and enforce such other ordinances, regulations, rules and by-laws not contrary to the laws of this State or Federal Government, as it may deem necessary and proper for the good of government, order and protection of person and property, and for the preservation of the public health, safety and welfare of the municipality and its inhabitants, and as may be necessary to carry into effect the powers and duties conferred and imposed by this subtitle, or by any law; and

WHEREAS, the Township has received complaints from residents in various neighborhoods throughout the Township regarding parties, events, and/or gatherings wherein the attendees have purchased tickets or wristbands for entry into residential homes within the Township.

WHEREAS, the Township desires to amend Chapter 25, Article I, Section 9.13, of the Revised General Ordinances of the Township of West Orange banning “pop-up” parties to define and clarify the penalties for violations of Section 9.13, and to remove language that was inadvertently included in Section 9.13, that should have only been incorporated by reference.

NOW THEREFORE, BE IT ORDAINED, by the Township Council of the Township of West Orange, in the County of Essex, State of New Jersey, as follows:

SECTION 1. RECITALS. The foregoing whereas clauses are incorporated herein by reference and made a part hereof.

SECTION 2. Section 9.13 “Pop-Up Parties” of the Revised General Ordinances of the Township of West Orange is hereby supplemented and amended as follows:

Note: Additions are shown in **bold and underline** and deletions are shown as ~~strikethrough~~.

a. ~~Scope and purpose. The Township of West Orange (the “Township”) has received numerous complaints from residents in various neighborhoods throughout the Township regarding parties, events, and/or gatherings wherein the attendees of the events have purchased tickets or wristbands for entry into residential homes within the Township. The purpose of this subsection is to provide recourse for the Township if such “pop-up” parties (defined herein) occur in the future~~

and to put the public on notice that the same are prohibited as a health and safety concern for the general welfare of the public.

a. Definitions.

As used in this Section of the Code, the following terms shall be prescribed the following meanings:

ADVERTISE, ADVERTISEMENT, AND/OR ADVERTISING

Shall be defined for the purposes of this subsection to include the creation of any flyer, social media posting, text message, or other form of electronic or other communication soliciting guests to a residential home for payment of any amount.

POP-UP PARTY(IES)

Shall be defined as a party including any event and/or gathering occurring in ~~a~~ any residential home, apartment or other location (excluding commercial establishments such as licensed restaurants, bars, or other event halls where such activity is permitted) whereby the owner, occupant and/or operator of the residence solicits or advertises the use of any residence or residentially zoned property within the Township for an event, party, or gathering for remuneration or and where the guests are subject to payment for tickets, wristbands, or other mode of entry into the residence, or for food, alcoholic or non-alcoholic beverages, other than events held exclusively for the benefit of bona fide charitable organizations located within the Township of West Orange or political campaigns for public office.

REMUNERATION

Shall be defined as money, profit, income, compensation or other thing of value, received in exchange for access to an individuals residence, and/or food, alcohol and/or non-alcoholic beverage therein, for a profit. This term does not include donations to not-for-profits, charitable organizations, political candidates, or political organizations.

b. Scope and Purpose. The provisions of this section govern the prohibition of Pop-Up Parties and their advertisement within the Township of West Orange, and the enforcement of penalties to those who violate this section.

c. Prohibitions.

1. It is unlawful for ~~Any~~ person, owner, occupant, or operator of a residence or residentially zoned property located ~~in the residential zoning district of~~ anywhere in the Township of West Orange ~~shall be prohibited from to~~ advertising or otherwise soliciting monies for entry into their home, food, or beverages to attend any pop-up party as defined

herein, and the same shall be considered a violation of this subsection, subject to the penalties provided for herein.

2. It is unlawful for ~~Any person, owner, occupant, or operator of a residence or residentially zoned property located anywhere in the Township of West Orange~~ who ~~to~~ rents or otherwise loans their property in the residential district of the Township of West Orange to a person for a pop-up party, and the same shall be considered ~~is in~~ a violation of this subsection, subject to the penalties provided for herein.

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

- ~~4. Exemptions: Activities, gatherings, or other events that may constitute a pop-up party under this subsection shall be exempted where the proceeds for the same shall be used for any bona fide charitable organization licensed in the State of New Jersey and/or for political contributions to any bona fide local, state, or federal campaign which has been properly registered with the appropriate authority.~~

d. Enforcement. The Township Police Department, the Township Health Department, the Township Zoning Official, the Township Fire Department, their agents, employees, officers, or assigns shall have the power to enforce the provisions of this subsection.

e. Penalties. All penalties for violation of any provision of this subsection shall be the maximum penalty of \$2,000.00, as governed by the provisions of § 1-5.1 et seq. of the Revised General Ordinances of the Township of West Orange.

f. Severability. ~~Each section, subsection, sentence, clause and phrase of this subsection is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this subsection to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this subsection.~~

g. Repealer. ~~All other ordinances or parts of ordinances inconsistent with this subsection are hereby repealed.~~

h. ~~Effective date. This subsection shall be in full force and effect from and after its adoption and any publication as required by law.~~

SECTION 2. Severability. Each section, subsection, sentence, clause and phrase of this subsection is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or

holding of any such portion of this subsection to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this subsection.

SECTION 3. Repealer. All other ordinances or parts of ordinances inconsistent with this subsection are hereby repealed.

SECTION 4. Effective date. This subsection shall be in full force and effect from and after its adoption and any publication as required by law.

NOTICE

NOTICE IS HEREBY GIVEN, that the above Ordinance was introduced and passed on first reading at the regular meeting of the Township Council of the Township of West Orange, County of Essex, State of New Jersey held in the Municipal Building on the ____th day of _____, 2026, and the same came up for final passage at the regular meeting of the Township Council held on the ____ day of _____, 2026, at which time, after persons interested were given the opportunity to be heard concerning said Ordinance, the same was passed and will be in full force and effect in the Township of West Orange after approval by the Mayor or in accordance with law.

Susan McCartney, Mayor

Karen J. Carnevale, R.M.C.
Municipal Clerk

Susan Scarpa, Council President

Introduced: August 18, 2026

Adopted: September 1, 2026

~~2988~~-26

Deleted: _____

Legislative History

The Township of West Orange (the “Township”) has received numerous complaints from residents in various neighborhoods throughout the Township regarding parties, events, and/or gatherings wherein the attendees of the events have purchased tickets or wristbands for entry into residential homes within the Township. The purpose of this Section is to provide recourse for the Township if such “pop-up” parties occur in the future and to put the public on notice that the same are prohibited as a health and safety concern for the general welfare of the public.