

# **Bond Case Briefs**

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## **MUNICIPAL ORDINANCE - NEW JERSEY**

### **Timber Glen Phase III, LLC v. Township of Hamilton**

**Superior Court of New Jersey, Appellate Division - August 6, 2015 - A.3d - 2015 WL 4643551**

Owners of apartment buildings brought action in lieu of prerogative writs challenging an ordinance adopted by township assessing an annual licensing fee on residential apartment units. The Superior Court granted summary judgment in favor of township. Owners appealed.

The Superior Court of New Jersey, Appellate Division, held that Licensing Act did not grant township authority to adopt ordinance assessing annual licensing fee on residential apartment units, where Act limited municipalities' licensing authority to temporary residential uses, not permanent dwellings, such that municipalities could not mandate by ordinance licensure of residential rentals for 175 days or more.