

**TOWNSHIP OF LIVINGSTON - DEPARTMENT OF PLANNING**

**RESIDENCE-BASED BUSINESS REGISTRATION FORM**

ADDRESS: \_\_\_\_\_ BLOCK: \_\_\_\_\_ LOT: \_\_\_\_\_

NAME OF OWNER IN FEE: \_\_\_\_\_ PHONE #: \_\_\_\_\_

BUSINESS NAME (IF APPLICABLE): \_\_\_\_\_

Ordinance 1-2000, adopted on January 24, 2000, permits certain Residence-Based Businesses to be conducted in the Residential Districts of the Township, upon issuance of a Residence-Based Registration Form and payment of a one-time fee of \$150.00 for a business of a professional nature or \$50.00 for a business of a creative or artistic nature.

Permitted Residence-Based Businesses are:

ACTIVITIES OF A CREATIVE / ARTISTIC NATURE: Tutoring, fine arts instruction, music instruction, composing, writing, painting or sculpting; or

ACTIVITIES OF AN OFFICE NATURE: A business activity which does not involve on-premises retailing, wholesaling, jobbing, manufacturing, repairing, altering, assembling, storing, warehousing, or distributing any products or goods, or the on-premise provision of serviced directly to other persons or creatures.

DESCRIPTION OF ACTIVITIES TO BE CONDUCTED:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I hereby certify that I have read Ordinance No. 1-2000 and Ordinance No. 28-2008 of the General Ordinances for the Township of Livingston, and that the activities to be conducted will be in conformance with the requirements of these Ordinances.

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

IF THE RESIDENT / OPERATOR IS NOT THE OWNER OF THE PROPERTY, COMPLETE THE FOLLOWING:

OWNER'S NAME: \_\_\_\_\_

OWNER'S ADDRESS: \_\_\_\_\_

I hereby certify that I am the owner of the property, and that I consent to the activities to be conducted.

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

**FOR OFFICE USE ONLY**

APPROVED: \_\_\_\_\_ DENIED: \_\_\_\_\_ SIGNATURE & DATE: \_\_\_\_\_

RECEIPT NUMBER: \_\_\_\_\_

ORDINANCE No. 28-2008

ORDINANCE OF THE TOWNSHIP OF LIVINGSTON AMENDING CHAPTER 170  
OF THE CODE OF THE TOWNSHIP OF LIVINGSTON INCREASING FEES FOR  
THE REGISTRATION OF RESIDENTS BUSINESSES

WHEREAS, the Township intends to revise the fees associated with approval of applications to register a resident-based business according to the nature of the use; and

WHEREAS, it is in the public interest to increase these fees based upon the increased time and cost expended with respect to the processing of such applications.

NOW THEREFORE, BE IT RESOLVED by the Township Council, the Township of Livingston, County of Essex, State of New Jersey as follows:

*New language is in bold and italicized, [Bracketed language is deleted]*


**SECTION 1. § 170-96C(7)**

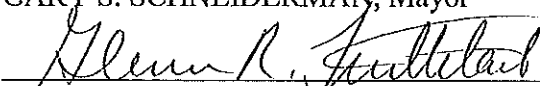
Registration. No residents-based business, except when telecommuting is the sole activity, shall commence or continue unless the person or persons engaged in such use activity have registered at the Planning/Building Department of the Township of Livingston and paid a one time fee [~~\$25.00~~] *as follows:*

- a. *Businesses of a creative or artistic nature: \$50.00;*
- b. *Business of a profession nature: \$150.00*

**SECTION 2.** Except as here and by amended and supplemented the code of the Township of Livingston shall remain in full force and effect.

**SECTION 3.** This Ordinance shall take effect upon final passage and twenty (20) days after publication in accordance with the law.

  
GARY S. SCHNEIDERMAN, Mayor

  
GLENN R. TURTLETAUB  
Township Clerk

Approved as to form:

  
SHARON L. WEINER, Township Attorney

Introduced: 8/4/08

Approved: 9/2/08

ORDINANCE NO. 1-2000

AN ORDINANCE AMENDING AND SUPPLEMENTING  
CHAPTER 16 OF THE REVISED GENERAL ORDINANCES OF  
THE TOWNSHIP OF LIVINGSTON TO REVISE ZONING  
REGULATIONS FOR PROFESSIONAL OFFICES IN  
RESIDENTIAL ZONES AND TO ESTABLISH ZONING  
REGULATIONS FOR RESIDENCE-BASED BUSINESS

BE IT ORDAINED, by the Township Council of the Township of Livingston, in the County of Essex and State of New Jersey as follows:

SECTION 1. Section 16-3 of the Revised General Ordinances of the Township of Livingston is hereby amended to add the following three definitional paragraphs in their proper locations by alphabetical order:

**Activity of a creative/artistic nature** means residence-based business activity of tutoring, fine arts instruction, music instruction, composing, writing, painting or sculpting.

**Activity of an office nature** means residence-based business activity which does not involve on-premises retailing, wholesaling, jobbing, manufacturing, repairing, altering, assembling, storing, warehousing or distributing any products or goods, or on-premises activity of a creative/artistic nature, or on-premises provision of any services directly to persons or other creatures.

**Telecommuting** means working at home, by a resident, one or more days a week, utilizing telephonic, electronic or other technology to perform work which would otherwise regularly be performed by the resident at a workplace elsewhere than at the person's residence.

SECTION 2. Section 16-89(a)(1) and (a)(2) of the Revised General Ordinances of the Township of Livingston are hereby amended to read as follows:

**16-89. R-1 Residence District**

(a) **Primary intended use.** The R-1 Residence District is designed for single-family residential use, but in addition thereto, the following structures and uses shall be permitted:

(1) Accessory uses customarily incident to such single-family residential use, provided that they do not include any activity commonly conducted for gain unless specifically permitted in this section.

(2) No more than one of any of the following additional accessory uses:

(i) The professional office of an accountant, architect, attorney, chiroprapist, chiropractor, dentist, engineer, optometrist, social worker, physician, psychologist or surveyor, provided that:

[a] The professional using such office resides in the building, and the office use is incidental and subordinate to the use of the building as a single-family residence by such person;

[b] Such office is accessory to and part of such building and no more than forty percent (40%) of the floor area of such residence building or seven hundred fifty (750) square feet thereof, whichever is less, is devoted to such office use;

[c] Said building is located on a lot or parcel of land fronting on Livingston Avenue, Mount Pleasant Avenue, Northfield Road, Old Short Hills Road, Passaic Avenue, South Orange Avenue, or Walnut Street; and

[d] Parking and parking facilities conforming to Section 16-88 shall be provided.

(ii) A residence-based business for the conduct of either activity of an office nature only, or activity of a creative/artistic nature only, each performed for pecuniary gain in or from a residence or dwelling unit by one or more residents of that residence or dwelling unit and which:

[a] Is not inconsistent with the otherwise exclusively residential character of the residence or dwelling unit and presents no outside appearance of business use;

[b] Does not entail any external modification of a structural nature;

[c] Displays no signs;

[d] Uses no equipment, material or process that creates noise, vibration, glare, fumes, odors, radiation, electrical or electronic interference (including interference with radio or television reception), which affects any neighbor;

[e] In the case of a residence or dwelling unit which is part of a common interest ownership community, does not cause an increase in common expenses that can be attributable to a business activity;

[f] Does not involve use, storage, or disposal of any grouping or classification of materials that the federal government or any state or local governing body designates as explosive or hazardous;

[g] Is conducted within no more than twenty percent (20%) or 325 square feet, whichever is less, of the floor area of the residence or dwelling unit;

[h] Is conducted in, or directed from, the residence or dwelling unit solely by residents of the residence or dwelling unit and has no other employees on the premises;

[i] Does not have deliveries to or shipments from, or cause vehicular traffic to or from the premises, in excess of that normally related to residential use in the neighborhood; and

[j] Has no customers, patients or other business invitees to the premises, except that up to two (2) students at a time may be on the premises for tutoring, fine arts instruction or music instruction.

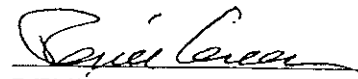
SECTION 3. Section 16-89 (c) of the Revised General Ordinances of the Township of Livingston is hereby amended to add a new paragraph to read as follows:

**Registration.** No residence-based business, except when telecommuting is the sole activity, shall commence or continue unless the person or persons engaged in such use shall have obtained a Home Office Registration in such form and upon payment of such one-time fee as the Township Counsel shall have prescribed.

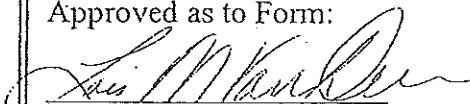
SECTION 4. Except as hereby amended and supplemented, the Revised General Ordinances of the Township of Livingston shall remain in full force and effect.

SECTION 5. This Ordinance shall take effect upon final passage and publication in accordance with the law.

  
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DAVID B. KATZ, Mayor

  
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RENÉE GREEN, Township Clerk

Approved as to Form:

  
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LOIS M. VAN DEUSEN  
Township Attorney

Approved: January 24, 2000