THE TOWN OF

MORRISTOWN

Starting a Business

in Morristown, NJ

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The Place to Be in Business

Morristown is north-central New Jersey's center for commerce. We are a home base and a destination, at the nexus of the Midtown Direct rail line, I-287 and NJ-24.

The town's commercial base is diverse: our walkable downtown has been designated one of New Jersey's Great Places by the APA-NJ because it is alive with a vibrant mix of housing, dining, fitness/wellness studios, entertainment venues and retail shops. On-street and structured parking spaces number in the thousands. Above historic storefronts, condominiums and apartments are interspersed with sought-after commercial office space. All are within walking distance of at least one of four specialty grocers, including Kings and Whole Foods Market. Along Madison Avenue and around the pre-Revolutionary Morristown Green, Class A office buildings house major corporations and are flanked by the County of Morris' headquarters and the renowned Morristown Medical Center.

Morristown Welcomes You

To help you locate your business in Morristown we have created a Step-by-Step Guide to walk you through the essential processes required of all businesses. Even if you are "just" taking over an existing business these steps are required so that we can better serve you and the community as a whole.

We encourage you to use this Guide to ensure sure you have prepared all of the necessary information which will be needed to process your applications efficiently the first time around. Your thorough planning and preparation can help you avoid mid-project changes which could cost you time and re-application fees.

This guide is comprehensive but we are here to help answer your questions along the way. The **Morristown Zoning Office** can help you by phone, email or with an in-person meeting by appointment. If your location is within the Special Improvement District, **The Morristown Partnership** also offers guidance and marketing support.

Big Ambitions

Prior to embarking on a mixed-use or larger scale development project, we encourage you to contact the Town Planner and/or the Zoning Officer. They can offer helpful advice as to improvements, completeness and likely waivers or variances so that you can make a more informed decision about how you would like to proceed.

For a more in-depth discussion which includes the Town's Land Use and Engineering professionals, you may also apply for a Concept Plan Review from the Technical Coordinating Committee prior to submitting your Land Use Development Application to the Zoning or Planning Board.

Food Businesses

If you intend to sell or distribute any food or beverage, please **contact the Health Division**. Whether your business has a vending machine, sells candy at the counter, hands out samples to customers or offers bagged ice from a freezer, State and Local Retail Food Licensing requirements apply.

Even if you are taking ownership of an existing retail food establishment, if you will sell, serve or provide any food or drink, **you must go through Plan Review** with the Health Department which may require retroactively bringing your facilities up to new Codes per State Law. We invite you to schedule a free "*Courtesy Walk-Through in Advance of Renovations*" with the Health Division before finalizing your plans.

Health requirements are in addition to any necessary Building Department reviews and inspections. You will need to present proof that you have obtained a **Retail Food License application** from the Health Division before your Zoning Permit application will be accepted.

Step-By-Step Guide

Zoning Permit Application

Whether you are buying a building, taking over an existing turnkey business, making modest renovations or doing major construction, your first step is to **apply for a Zoning Permit**. This allows the Town to confirm whether yours is a Permitted Use in the Zoning District of your desired location. The Town has 10 business days to process your application and will notify you when your Zoning Permit is ready for pickup.

Zoning regulates land use by designating districts where specific uses are Permitted, subject to Conditions, or Prohibited. The aim is to enhance and preserve the livability of our community and protect the value of your investment.

There are a handful of **ordinary maintenance items** for which a Zoning Permit is not required. Building permits will still be needed for most.

For a preliminary understanding of Permitted Uses in your location, you should check the **Zoning Map**, **Use Regulations** and **Bulk Regulations**. The Zoning Officer will then review your application and assist in making the final determination.

If your intended use is not permitted in the zone, the following options are available:

- If your use is Conditional or Prohibited, you may **apply to the Zoning Board** of Adjustment for a Use Variance.
- In the rare instance that there is a gray area (or your use is novel) you may submit a “request for interpretation” to the Zoning Board of Adjustment.

Doing Site Work

Once your Use has been approved and your Zoning Permit issued, the next determination is whether local land use law requires that your proposed site improvements be sent to the Planning Board for consideration.

If you intend to make changes to your building/property or to construct a new building, the Zoning Officer may determine that you need to **apply to the Planning Board** for "major" or "minor" site plan approval. This is to make sure that parking, signage, landscaping, any necessary site improvements and other needs are addressed.

The Boards are composed of trained volunteers who are advised by a team of consulting professionals. Your ability to get on an agenda will depend on the Board's caseload. The process of applying to either Board can be lengthy. Only applications which have been deemed "complete" will be heard by the Board. The Zoning Officer can meet with you by appointment to ensure that you have all of the materials and information which the Board will need in order to process your application as efficiently as possible. If yours is an incorporated business, you are required to be represented by Counsel that can help you with the application requirements (?)

The fees associated with this process correspond to the scale, scope and complexity of your application.

Construction Permits

For sites requiring construction, after your Site Plan Approval (if applicable) and your Zoning Permit have been issued you may need **Construction Permits** before you begin remodeling or construction work such as interior or exterior demolition and electric, fire, building or plumbing work.

The information needed to obtain a construction permit includes, but is not limited to:

1. Applicable permit fees
2. Permit application folder and construction permit form
3. Appropriate sub-code form(s)
4. 3 sets of signed architectural plans
5. Estimated construction costs for all alterations
6. Vendor information for equipment, appliance, etc.

As well, if there is a change in use per the Uniform Construction Code (UCC) for example, changing an office building into a restaurant, a CO or CA (Certificate of Approval) must be obtained to ensure that the site meets the UCC regulatory requirements. a NJ Uniform Construction Code (UCC) code analysis is required. Depending on the scope and/or magnitude of the project, a CO (Certificate of Occupancy) or CA (Certificate of Approval) will be issued after all required UCC inspections are approved.

NJ State Law requires architectural drawings for renovations or alterations to commercial spaces. We recommend you work with professionals who are knowledgeable in all the State and Local codes for your specific type of business. State law provides up to 20 business days for Town officials to review your plans each time you submit or revise them. initial permit submission and 7 business days after resubmission of revised plans, as applicable. We recommend that you and your professionals meet with the Building Department early in the design process for input on the NJ Uniform Construction Code (UCC) UCC compliance of plans. All electrical, and plumbing and mechanical HVAC work must be performed by NJ licensed contractors.

Once you have obtained Construction Permits and begun work, you or your contractor is responsible for contacting the Building Department to schedule inspections of the work at various stages. As well, the Health Department may require a health inspection to be done prior to a CO being issued to comply with any necessary **Health licensing or permit requirements**.

Once all work is complete and has passed inspection, the Building Department will help you apply for and obtain the final required document, your CO or CA so that you can open for business!

Commerical Certificates of Occupancy (CCCO)

Town Code requires a Commercial Certificate of Occupancy (CCCO) permit whenever an existing commercial business space gets a new tenant, if the space is to be reoccupied without any NJ-UCC regulated construction improvements. The CCCO inspection is not a UCC inspection and would not be applicable for a UCC "Change of Use" project.

All businesses must display a Certificate of Occupancy or Approval to operate. If your business did not require any construction permits which would have led to a CO or CA, you only need to apply for a CCCO. A Morristown inspector will meet you onsite to conduct the CCCO inspection which is a visual observation of safety and property maintenance conditions.

The CCCO application, checklist and guidance document are available **here**.

Please note there are **fees associated with CO and CCCO applications**, *as well as for inspections and other functions. Each project is unique, so the permit needs and associated fees vary and are to be determined on a case by case basis.*

Special Licenses

Several types of businesses require a local license to protect public health and safety. You will need to obtain a Health License application from the Health Division before your Zoning Permit application will be accepted. Licenses required in Morristown include, but are not limited to:

Licenses Issued by the Health Division

- **Beauty Salons, Barbershops, Nail Salons**
- **Body Art, Tattoo, Permanent Cosmetics, Piercing**
- **Camps**
- Daycares, Schools
- **Demolition Permits**
- **Massage, Bodywork and Somatic Therapy**
- **Mobile "itinerant" food vendors**
- Nursing Homes
- **Prepackaged food and beverages**
- Recreational Bathing Facilities: Pools, Spas, wading pool, splash pads
- **Retail Food and Beverage**
- **Special Events providing food/drink**
- **Vending Machines**

Licenses Issued by the Clerk's Office

- Alcoholic Beverage Control licensing
- Door-to-door solicitors
- Landlord Registration
- Limousine services
- Lotteries, raffles and bingo
- Precious Metals/Gems (also requires Police authorization)
- Poolrooms (2 or more tables)
- Sidewalk Cafes
- Taxicab services
- Towing for private lots
- Towing for public entities
- Vendors at St. Patrick's Day Parade

Signs & Awnings

We know signage is vital to your business. To save yourself money and time please review the full **Sign Ordinance** which governs sign and banner placement, size and duration of display. Whenever you are changing a sign or installing a new one, even temporarily, a Sign Permit is required. All permanent signs require a Zoning Permit. Your **Zoning Permit application** must include renderings and dimensions. Ground signs may also require a survey to show proper installation.

Keeping Morristown beautiful is up to all of us. Some common signage questions are answered below, and you can contact the Zoning Office for more information.

Prohibited Signs

- ***"Sandwich Boards"*** and other signs which would be freestanding on the ground or sidewalk are not permitted along any public road or sidewalk. However, if you have a Town-licensed outdoor dining area, a freestanding sign is permitted within it.
- No ***"Backlit Translucent Awning"*** is permitted, except where an awning contains lettering the letters themselves may be translucent.
- ***"Flashing Signs"*** – are prohibited; there is to be no lettering or lighting that flashes or changes.

Permitted Signs

- ***Window signs*** – are allowed for up to 30 days and limited to no more than two square feet in size. The total sign area can cover no more than 15% of the glazing area of your storefront.
- ***Temporary Banners*** require a Zoning Permit and can be displayed for no more than 20 days. The size limit is ten square feet for all other than non-profit organizations. Your Zoning Permit Application must be accompanied by a color rendering of the banner showing size and location on your site.
- ***Awning Signs*** – Lettering on an awning is included in the total allowable signage calculation.

Residential Rentals

If you plan to invest in residential rental property in Morristown, there are a few things you need to know.

Before any residential property sale is completed, the seller must submit a **Residential Property Sale Application**. This will include obtaining a Certificate of Habitability (CH) from the Property Maintenance Division and a Zoning Review from the Zoning Office. Both help protect you from "buyers' remorse" code compliance issues down the road.

As a landlord, prior to each new tenancy you must submit a **Residential Tenancy Change Application** and a Fires Safety Certification form to obtain a Certificate of Habitability (CH) for each unit you are renting. In addition, the State of New Jersey requires Landlord Registration within 30 days of taking ownership of or creating new rental housing. Only owner-occupied, 2-unit buildings are exempt from Landlord Registration.

- 1 or 2 residential units, not owner-occupied must file **Landlord Registration** with the Municipal Clerk.
- 3 or more residential units - file **Landlord Registration** with the Bureau of Housing Inspections in the NJ Dept. of Community Affairs (DCA). DCA will send a copy of the files statement to the Morristown Clerk for the public record.

Morristown has Rent Control

If your home or multi-family dwelling was built before 1981 you must **register with Rent Leveling** within 30 days of renting out your first unit and annually thereafter. Morristown's **Rent Control Ordinance** has a De-control/Re-control provision which applies to all such properties. This applies even if you are renting out your own single-family home in your absence. Only owner-occupied, 1-to-4 unit buildings are exempt from Rent Control Registration.

Home-based Businesses

Operating a business out of your home *may* be allowed depending on several factors (Morristown Land Use Regulations, 30-802).

Any Home Occupation is a "conditional use" which requires a Zoning Permit and Planning Board approval. Purchase of a home with a prior Home Occupation does not guarantee the use will be allowed to continue; a new Zoning Permit and Planning Board approval are required. ***In every case the business owner must live onsite - as their primary residence***. The Board will evaluate the benefits and detriments of the proposed Home Occupation to the surrounding neighborhood and seek to minimize negative impacts.

Note: Any sale of food prepared in non-commercial kitchens is prohibited. NJ Law requires that any/all food offered for sale be prepared in a Licensed Commercial Kitchen.

Fire Safety & Your Business

Morristown's Fire Marshal, located at the Speedwell Avenue Fire Department headquarters, is your partner for ensuring fire safety. That is why every business owner is required to register with the Fire Prevention Bureau within 30 days of commercial occupancy. Commercial Building Fire Safety Registration ensures that the Fire Marshal has your business' current emergency contact information, alarm company information, clear Fire Lanes and access to your up-to-date Key Box. Building plans may also be requested to assist firefighters at high-occupancy locations.

Each space will be inspected by a Fire Inspector as per the New Jersey Uniform Fire Code. Once a business has been found to be in full compliance, a "Certificate of Inspection" is issued and shall be posted in a conspicuous place that can be seen at all times.

All Life Hazard Uses (i.e. schools, nursing homes, daycares, gas/auto repair/auto body shops, places of assembly and large retailers) must be inspected annually and must be registered with the State and the Town. Life Hazard Use is defined as the use of a building or structure that may constituted a potential risk to human life, public welfare or firefighters.

Note: one and two-family homes in which the owner resides are inspected by the Property Maintenance Division.

Fire Safety Permits

Fire Safety Permits are issued by the Fire Prevention Bureau, following an inspection, for such items as kitchen suppression systems, bonfires, welding and cutting torch usage and the storage of flammable materials. Please complete and submit the **Fire Safety Permit application** along with a check for the appropriate fee and mail or bring it to the Morristown Fire Marshall, 161 Speedwell Avenue, Morristown NJ 07960. All establishments serving beverages/food submit the **Fire Department Registration for Eating/ Drinking Establishments.**

Key Boxes

The Fire Marshal may require a key box (sometimes called "Knox Box") to be installed when a property is protected by an automatic alarm system, when access to or within the premises is unduly difficult because of secured openings, and where immediate access is necessary for life-saving or firefighting purposes.

The key box shall be of a type and installed in a location approved by the Fire Marshal. It must contain:

1. Keys to locked points of ingress, whether in the interior or exterior of such buildings;
2. Keys to locked mechanical equipment rooms;
3. Keys to locked electrical rooms;
4. Keys to elevator controls;
5. Keys to such other areas as are directed by the Fire Marshal.

Parking for Customers and Employees

Parking is plentiful in Morristown. Our modern curbside meters ensure turnover of spaces so that your customers get a convenient spot. For longer term visitors and employees, off-street lots and parking garages are just a short walk away. Most are operated by the **Morristown Parking Authority**. Contact the MPA about cost-saving employee parking permits and customer parking validation programs. There are additional decks for paid parking at the NJTransit train station and the Headquarters Plaza complex.

If your business is in a mixed-use residential district, your street may have 2-hour curbside parking during the workday. We encourage you to **contact the MPA** if you have special requests or questions. The Town takes its enforcement obligation seriously; parking regulations are in place to make sure this valuable resource is available to all.

Garbage and Recycling

Each commercial establishment is responsible for handling and removal of garbage and recyclables pursuant to **Local Code** and **State Health Regulation**. The Town of Morristown does not provide these services. Regulations include but are not limited to:

Solid Waste

- No refuse, recycling or other waste generated by a business shall be placed or stored on any public street or sidewalk, except that waste for removal may be placed curbside no more than 2 hours prior to scheduled pick up. Covered, leak-proof containers must be used. (Local Code 19-3).
- Curbside public receptacles are not to be used for commercial nor household waste.

Recycling is Mandatory

- All commercial establishments must separate designated recyclables from all other solid waste. For more information, please see Local Code 19:7.6 through 19:8 or contact Public Works.
- Food service establishments are required to collect and recycle grease and/or cooking oil and maintain records as required.
- New developments of commercial properties over 1,000 square feet and/or multi-family (3+ units) must provide a recycling plan when applying for the mandatory Certificate of Occupancy.
- Your annual **Recycling Tonnage Report form** must be supplied to the Town by January 31st.

Property Maintenance

The Town strives to create a vibrant, safe and clean environment. Every property owner and commercial tenant is responsible for **maintaining** the sidewalks and tree wells in front of their establishment.

- Your sidewalks must be swept and/or washed daily and kept in good repair.
- Chewing gum and cigarette butts are litter and must be disposed of as such.
- The tree wells adjacent to your location must be kept free of litter including cigarette butts.
- Snow and ice must be cleared from sidewalk and walkways within 12 hours after each storm. Morristown takes pedestrian safety seriously. Failure to shovel generates a Payable Summons of $100 for the first ticket, $124 for the second. A third ticket requires a court appearance and carries a fine up to $500.

Noise Control

Morristown offers downtown living in the midst of our thriving business district. Please see **Chapter 3-1 Police Regulations of the Morristown Code** for complete details. Restrictions include but are not limited to:

- ***The Considerate Curfew*** - No deliveries by truck/equipment and no collection of garbage/recycling between 10 p.m. and 6 a.m. for any commercial property located within 200' in any direction of the property line of any residence or residential building.
- ***Knox Box*** - If your business has a Fire Alarm, it **must be registered with the Morristown Fire Bureau** and a Key Box provided on the outside of the premises so that any alarm can be investigated even when the premises are vacant.
- ***"Keep it Down, Please"*** - It shall be unlawful for a person to make, cause or permit to be made or caused upon any premises owned, occupied or controlled by him, or upon any public street, alley or thoroughfare within the Town, any disturbing or unnecessary noise or sound, by means of a manual, mechanical or electronic device or by any other means or methods which are physically annoying to persons or which are so harsh, prolonged, unnatural or unusual in their use or time or place of their occurrence as to cause physical discomfort or mental upset or which endanger the lives, health, peace and comfort of the inhabitants of the Town. (1980 Code § 140-1; Ord. No. O-28-2014).
- **Cut the Engine** - NJ State Law limits idling of vehicles to 3 minutes. Please help keep the air clean and the shopping environment pleasant. Let your delivery vehicle drivers, tour operators and parents bringing students to any school know about this State law.

Street Trees

Tree-lined streets entice customers to shop and dine in Morristown. Contact our volunteer **Shade Tree Commission** and professional arborist if you have questions about the health of any Town tree. Street trees are valuable public property and protected as such; posting notices, tying ribbons and locking bicycles to trees is not permitted. If you are planning construction near any public trees, Morristown's Tree Protection Standards must be followed. New tree plantings may also be available upon request.

History in the Making

Since pre-Revolutionary times, Morristown has been a center for "history in the making". You can leverage this history and associated tourism events to draw customers.

Our advisory Historic Preservation Commission is on call to help you enhance the value of your façade and property. Resources include:

- **Morris Tourism Bureau**
- **Morristown Library Historical Digital Collection**
- **Historic Properties Design Guidelines**
  This manual provides generalized historical, architectural, and preservation guidelines for the community. This manual was funded by the Geraldine R. Dodge Foundation through the Morristown Partnership and prepared by Westfield Architects & Preservation Consultants..
- Central Business District Façade **Design Guidelines**

The Morristown Partnership

The Morristown Partnership is the management entity for the Special Improvement District (SID) in downtown Morristown. Here you can see the **boundaries of the SID**. The Morristown Partnership's mission is to make downtown Morristown an even more attractive environment in which to live, work, dine and shop. If you are seeking a location, planning your grand opening, or need other assistance call (973) 455-1133 or email Jennifer Wehring, Executive Director **jwehring@morristown-nj.org**

Since 1995, the Morristown Partnership has been responsible for the revitalization and general upkeep of the town's central business district. Along with recruiting businesses and keeping them here, the Partnership maintains a social media presence, gathers statistical data and helps connect business owners to one another. All properties, businesses and organizations in the SID are eligible to receive these services. Please apply to have your business listed in the Partnership's Business Directory.