

**BOROUGH OF PARAMUS  
COUNTY OF BERGEN**

**ORDINANCE 18-09**

**ORDINANCE AMENDING CHAPTER 191 TO UPDATE BUSINESS LICENSES FOR  
VIRTUAL OFFICE SPACE**

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**Section 1. Purpose & Authority.** The purpose of this ordinance is to amend Chapter 191 of the Paramus Code pursuant to N.J.S.A. 40:52-1 and 2 to update Paramus' business licensing to incorporate virtual office space.

**Section 2. Amendments.**

Chapter 191 of the Borough Code is hereby amended as follows [changes in strikethrough; additions highlighted]:

**§ 191-14. Definitions.**

A. Word usage. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number, and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

B. Definitions. For the purposes of this chapter, the following terms, phrases, words and their derivations shall have the meanings given herein:

**VIRTUAL OFFICE**

The operational domain of any business or organization whose workforce includes a significant proportion of workers using technology to perform work away from the domain of the address(es) of the business or organization. "Significant" means where the good or service provided by the business or organization is primarily provided from somewhere other than the domain of the address(es) of the business or organization; a virtual or electronic connection to the address(es) is not sufficient for provision of the goods or services to be physically from the address(es).

**§ 191-18. License fees.**

A. License fees shall become payable to the Borough Clerk on or before the 15th day of July in each year, and all such licenses shall expire on the 14th day of July of the following year. The license fee for all such businesses shall be payable in full, without proration, for all or any part of each year. Upon payment of the required fee, the Borough Clerk shall issue a decal which shall be displayed at the entrance to the licensed premises. It shall be the responsibility of both lessees and lessors to insure that each business obtains and display a current license.[Amended 3-22-2011 by Ord. No. 11-08]

**BOROUGH OF PARAMUS  
COUNTY OF BERGEN**

**ORDINANCE 18-09**

B. All businesses, except those specifically enumerated below, shall pay a basic annual license fee of \$100.

(11) The landlord of a property, building, or premises that contains a virtual office shall pay \_\_\_\_\_ per virtual office unless the virtual office obtains and pays for the license directly. The physical partitioning of a property, building, or premises shall not determine how many licensing fees a landlord is subject to for virtual office space. A landlord is subject to a separate licensing fee for every virtual office at its property, building, or premises that is associated with a distinct business or organization from any other virtual office at the property, building, or premises.

**§ 191-22. Application of regulations.**

A. Acts considered conduct of business.

(1) For the purpose of this chapter, a person conducting a business shall become subject to the requirements of this chapter when such person does one act of:

(a) Selling any goods or service;

(b) Soliciting business or offering goods or services for sale; or

(c) Acquiring or using any vehicle or any premises in the Borough for business purposes.

(2) Canvassers, solicitors, hawkers, peddlers, transient merchants and itinerant vendors, as defined in the ordinances of the Borough of Paramus, shall, however, be governed by provisions of the ordinances heretofore adopted by the Borough of Paramus providing for the regulating and licensing of such business activities.

(3) Opens a virtual office or is the landlord of a property, building, or premises that has at least one virtual office.

B. Agents responsible for compliance. The agents or other representatives of nonresidents who are doing business in this Borough shall be personally responsible for the compliance of their principals and of the businesses they represent under this chapter.

(1) A landlord of a property, building, or premises with a virtual office is responsible for the licensing of the virtual office unless the virtual office obtains and pays for the license directly.

**§ 191-23. Enforcement; violations and penalties.**

[Amended 3-14-2006 by Ord. No. 06-2]

**BOROUGH OF PARAMUS  
COUNTY OF BERGEN**

**ORDINANCE 18-09**

A. Enforcing authority. If necessary to enforce the provisions of this article, the Mayor and Council may appoint a person or persons whose responsibility it shall be to enforce the provisions of this article.

B. Violations. Any person who violates any provision of this chapter, shall, upon conviction, be subject to a penalty of not less than \$200 nor more than \$2,000. A separate offense shall be deemed committed on each day during which a violation occurs or continues.[Amended 3-22-2011 by Ord. No. 11-08]

(1) A landlord of a property, building, or premises with a virtual office shall be subject to this violation and penalty where the Borough is unable to serve the virtual office with a citation or, if served, the virtual office fails to pay the citation, either voluntarily or after a conviction. Each unlicensed virtual office within a property, building, or premises shall be a separate offense.


**Section 3. Repealer.** All prior ordinances that are inconsistent with this ordinance are repealed. All ordinances are hereby amended to be consistent with this ordinance and all ordinances, including this one, shall be construed consistent with the express purpose of this ordinance.

**Section 4. Savings and Construction.** This ordinance shall be construed consistent with the purpose stated in Section 1 hereof. Any ambiguities in this ordinance shall be construed in accordance with the purpose of this ordinance. If any part of this ordinance is invalidated by a court of competent jurisdiction, the remainder of this ordinance shall be saved to the full extent possible. This ordinance repeals provisions of the Paramus Code only where stated herein; otherwise this ordinance is amendatory and supplementary to existing provision of the Paramus Code.

**Section 5. Codification.** This ordinance shall be codified as amendments to the chapters set forth herein.

**Section 6. Effective Date.** This ordinance shall take effect immediately upon approval and publication of notice of adoption as provided by law.

Attest:  
  
ANNEMARIE KRUSZNIS, RMC  
Borough Clerk

Approved:  
  
RICHARD A. LABARBIERA  
Mayor

Introduced: April 24, 2018  
Adopted: June 12, 2018