



Legislation Text

File #: 19-1970, **Version:** 2

Dept/Agency: Law

Action: () Ratifying (X) Authorizing () Amending

Type of Service: Waiving 20-day period for an ordinance effective date

Purpose: This resolution hereby authorizes an emergency to be declared and further authorizes Ordinance 6F-b, adopted on First Reading by the Municipal Council on December 10, 2019, which amends and supplements Title XVIII, Housing Code of the Revised General Ordinances of the City of Newark, New Jersey, 2000, as amended and supplemented, by amending Chapter 6, Housing and Zoning Regulations (Certificate of Code Compliance), Section 10, Certificate of Code Compliance Required Upon A New Tenancy, to become effective after being adopted after Second Reading and Final Passage on January 8, 2020.

Ordinance No(s): Ordinance 6PSF-c is scheduled for a Public Hearing, Second Reading and Final Passage on January 8, 2020.

Additional Information:

Invitation: Corporation Counsel

WHEREAS, it came to the Mayor's and the Municipal Council's attention that many rental units in the City of Newark have become unsafe, with some nearing uninhabitable conditions for Newark residents, requiring the passage of a strong Rental Inspections Ordinance; and

WHEREAS, the Municipal Council adopted Ordinance 6PSF-a November 18, 2019, amending Title 18, Housing Code, Chapter 6, Housing and Zoning Regulations (Certificate of Code Compliance), by adding a Section 10, Certificate of Code Compliance Required Upon a New Tenancy; and

WHEREAS, Ordinance 6PSF-a, adopted on November 18, 2019, is necessary to protect the residents of the City of Newark by requiring that every landlord apply for a Certificate of Code Compliance upon the start of all tenancies and require yearly inspections of rental units; and

WHEREAS, on December 10, 2019, the Administration introduced Ordinance 6F-b (hereinafter "the Ordinance"), because it became necessary to amend Ordinance 6PSF-a, adopted on November 18, 2019, to correct certain terms and make various amendments to strengthen the Ordinance; and

WHEREAS, the Ordinance was advanced and adopted on First Reading by the Municipal Council on December 10, 2019, and is scheduled for a Public Hearing, Second Reading and Final Passage on January 8, 2020; and

WHEREAS, there is an exigent need for the Ordinance to be effective to allow for the immediate start of inspections of rental units throughout the City of Newark in order to ensure the safety of current and prospective tenants; and

WHEREAS, the delay of the effective date of the Ordinance will halt the start of the inspection of rental units mandated by the Ordinance and continue to expose some Newark tenants to inhabitable conditions; and

WHEREAS, N.J.S.A. 40:69A-181(b) authorizes a Governing Body to adopt a resolution declaring an emergency and authorizing that an Ordinance take immediate effect so long as at least two-thirds of all the members of the Governing Body vote in favor of such resolution; and

WHEREAS, the Municipal Council recognizes the exigent need for the Ordinance to take immediate effect so that the inspections of rental units can begin throughout the City; and

WHEREAS, the Municipal Council has determined that it is therefore necessary and appropriate to adopt this resolution pursuant to N.J.S.A. 40:69A-181(b), declaring an emergency and determining that the Ordinance if adopted on January 8, 2020, shall take immediate effect upon the Mayor's signature and publication.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY, THAT:

1. As a result of the reasons set forth herein and the important public policies enunciated, an emergency is hereby declared to exist and the Ordinance, amending Title XVIII, Housing Code, Chapter 6, Housing and Zoning Regulations (Certificate of Code Compliance), Section 10, Certificate of Code Compliance Required Upon a New Tenancy of the Revised General Ordinances of the City of Newark, New Jersey 2000, as amended and supplemented, to become effective once adopted by the Municipal Council after Second Reading and Final Passage, in accordance with N.J.S.A. 40:69A-181(b) due to the exigent need to begin the inspections of rental units in the City of Newark.

STATEMENT

This resolution hereby authorizes an emergency to be declared and further authorizes the Ordinance amending Title XVIII Housing Code, Chapter 6, Housing and Zoning Regulations (Certificate of Code Compliance), Section 10, Certificate of Code Compliance Required Upon a New Tenancy, of the Revised General Ordinances of the City of Newark, New Jersey 2000, as amended and supplemented, to become effective once adopted by the Municipal Council after Second Reading and Final Passage, in accordance with N.J.S.A. 40:69A-181(b) due to the exigent need to begin the inspections of rental units in the City of Newark.