



## Legislation Text

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File #: 19-1446, Version: 1

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**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-c, adopted on First Reading by the Municipal Council on September 5, 2019, which amends and supplements Title XIX, Rent Control of the Revised General Ordinances of the City of Newark, New Jersey by amending Chapter 3, Provision of Legal Services in Eviction Proceedings, to expand the pool of eligible providers of legal services, to become effective after being adopted upon Second Reading and Final Passage on September 18, 2019.

**Ordinance No(s):** Ordinance 6F-c is scheduled for a Public Hearing, Second Reading and Final Passage on September 18, 2019.

**Additional Information:**

**WHEREAS**, the Municipal Council adopted Ordinance 6PSF-I December 19, 2018, creating the Office of Tenant Legal Services (hereinafter "OTLS") to provide and coordinate free legal assistance to Newark's low income tenants facing eviction or the threat thereof; and

**WHEREAS**, it is necessary to give the OTLS the flexibility to utilize the appropriate procurement processes as authorized under the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) necessary for the successful implementation and operation of the OTLS and in order for it to better serve Newark's tenants in need; and

**WHEREAS**, it was necessary to amend Ordinance 6PSF-I December 19, 2018, to allow the OTLS to utilize multiple appropriate procurement processes in order to expand the OTLS's pool of eligible providers of Legal Services to Newark's tenants in need; and

**WHEREAS**, on August 20, 2019, the Administration introduced Ordinance **6F-c** (hereinafter "the Ordinance"), to broaden the manner in which Legal Services can be procured, thereby expanding the pool of eligible providers of Legal Services; and

**WHEREAS**, the Ordinance was adopted on First Reading by the Municipal Council on September 5, 2019 and is scheduled for a Public Hearing, Second Reading and Final Passage on September 18, 2019; and

**WHEREAS**, there is an exigent need for the ordinance to be effective to allow for the expansion of the means by which Legal Services can be procured by the OTLS; and

**WHEREAS**, the delay of the procurement of effective Legal Services to serve Newark's needy population could lead to unnecessary evictions of tenants from their homes; 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 effective legal representation can be assigned to tenants facing eviction in Landlord Tenant Court; 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 is adopted on September 18, 2019 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 XIX, entitled Rent Control of the Revised General Ordinances of the City of Newark, New Jersey, 2000, as amended and supplemented, by amending Chapter 3, Entitled Provision of Legal Services in Eviction Proceedings, to expand the pool of eligible providers of Legal Services, 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 provide effective legal representation to Newark's needy tenant population facing eviction in Landlord Tenant Court.

### **STATEMENT**

This resolution hereby authorizes an emergency to be declared, and further authorizes the Ordinance, amending Title XIX entitled Rent Control of the Revised General Ordinances of the City of Newark, New Jersey, 2000, as amended and supplemented, by amending Chapter 3 Entitled Provision of Legal Services in Eviction Proceedings, to expand the pool of eligible providers of Legal Services, to become effective once adopted by the Municipal Council after Second Reading and Final Passage and signed by the Mayor and published, in accordance with N.J.S.A. 40:69A-181(b) due to the exigent need to provide effective legal representation to Newark's needy tenant population facing eviction in Landlord Tenant Court.