

ORDINANCE OF THE CITY OF EAST ORANGE, NEW JERSEY

1st Reading: 3, 9, 2020  
Public Hearing: 4, 13, 2020  
Final Reading: 4, 13, 2020

Referred to Planning Board: / /  
Received from Planning Board: / /

Approved as to Form and Legality  
On Basis of Facts Set Forth:  
*[Signature]*  
Corporation Counsel

Factual Contents Certified to By:  
\_\_\_\_\_  
Department Head

Appropriations:  
\_\_\_\_\_  
Comptroller

Tabled: / /  
Removed From Table: / /

Councilman/Councilwoman *PULLINS*

Presents the following Ordinance:

ORDINANCE NO. 11 of 2020

AN ORDINANCE TO AMEND AND SUPPLEMENT ARTICLE V, OF THE CITY CODE ENTITLED "VIOLATIONS; NOTICES AND ABATEMENT CERTIFICATES"

WHEREAS, the City of East Orange has been plagued by property owners that seek to rent apartments without first obtaining a certificate of habitability.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

SECTION 1. (Amended Section Only)

§ 159-45 Certificate of habitability required.  
[Amended 4-12-1971 by Ord. No. 15-1971; 11-25-1974 by Ord. No. 61-1974; 11-9-1981 by Ord. No. 26-1981]

It shall henceforth be unlawful for any property owner, landlord or tenant to rent, lease or in any way deliver up for occupancy any building, premises, apartment or any other dwelling unit until a certificate of habitability to the effect that said building, premises, apartment or any other dwelling unit conforms to the provisions of this chapter shall have been issued by the Public Officer or his designee. In such case, it shall be the duty of the Public Officer or his designee to issue a certificate of habitability upon inspection and approval by a housing inspector within 15 days after a written request for such certificate shall have been filed with the Public Officer by a property owner, landlord or tenant of a building, premises, apartment or any other dwelling unit. Such certificate of habitability shall be effective for a period of time that the premises again becomes occupied and for as long as occupancy remains unchanged. If no inspection has been made within ~~15~~ 30 days after a written request for same, then a temporary certificate of habitability shall be deemed to have been issued. A temporary certificate of habitability shall not be issued if the City is ready willing and able to inspect a property and the property either fails the inspection or the property owner declines to make the property available for inspection. Temporary Certificates of habitability shall expire after 30 days. Property owners that violate the provisions of this chapter shall be charged with a disorderly person's offense.

SECTION 2. Severability of Ordinance Provisions.

Each section of this ordinance is an independent section, and the holding of any section or part thereof to be unconstitutional, void or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other sections or parts thereof.

**SECTION 3.** That all ordinances and parts of ordinances and conflicts that are inconsistent with this ordinance are hereby repealed but only to the extent of such conflict or inconsistency.

**SECTION 4.** That this ordinance shall take effect upon final passage upon expiration of twenty (20) days following publication unless otherwise provided.

**FIRST READING**

Councilmember	AYE	NAY	NV	AB	VETO
GOMEZ	X				
BRENT				X	
PULLINS	X				
GARRETT- WARD	X				
LENEUS				X	

Councilmember	AYE	NAY	NV	AB	VETO
HOLMAN	X				
AWE				X	
LEWIS	X				
CLAYBROOKS				X	
JAMES	X				

**RECORD OF COUNCIL VOTE ON SECOND READING & FINAL PASSAGE**

Councilmember	AYE	NAY	NV	AB	VETO
GOMEZ					
BRENT					
PULLINS					
GARRETT- WARD					
LENEUS					

Councilmember	AYE	NAY	NV	AB	VETO
HOLMAN					
AWE					
LEWIS					
CLAYBROOKS					
JAMES					

X - Indicates Vote    AB - Absent    NV - Not Voting (Abstain/Excused)

**ACTION ON VETO:**    ✓ to Sustain    ✓✓ to Override

Passed on First Reading: 3, 9, 2020

Adopted on Final Reading: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_

Presented to Mayor: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_

Approved: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_    Vetoed: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_

Reconsidered by Council: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_

\_\_\_\_\_  
Council Chairman/Chairwoman

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk