

City Clerk File No. Ord. 18-097

Agenda No. 3.E. 1st Reading

Agenda No. 4.E. 2nd Reading & Final Passage



## ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE

offered and moved adoption of the following ordinance:

CITY ORDINANCE *18-097*

**TITLE: AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 3 (ADMINISTRATION OF GOVERNMENT), ARTICLE X (DEPARTMENT OF HOUSING, ECONOMIC DEVELOPMENT & COMMERCE), § 3-74, § 3-78, AND § 3-82.2 OF THE JERSEY CITY MUNICIPAL CODE**

**THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:**

**WHEREAS**, the past two decades have witnessed a sharp increase in housing costs, both for the construction of new housing and the rehabilitation of existing housing; and

**WHEREAS**, this increase in housing costs has resulted in both an increase in rents and tightening of the rental market; and

**WHEREAS**, these changing economic conditions have required the City of Jersey City to devote increasing financial and staff resources to the creation and preservation of affordable homes and rental housing within the City; and

**WHEREAS**, because of these expanding needs of Jersey City residents, the Mayor and Council have concluded that residents can be better served by the creation of a new Division of Housing Preservation under a single director, which will be responsible for the preservation of existing housing and the construction of new housing, the regulation of rents and assistance to tenants and landlords.

**NOW, THEREFORE, BE IT ORDAINED** by the Municipal Council of the City of Jersey City that:

A. The following amendments and supplements to CHAPTER 3 (Administration of Government), Article X (Department Of Housing, Economic Development & Commerce), § 3-74, § 3-78 and §3-82.2 are hereby adopted:

**§3-74.- Organization of Department.**

Within the Department of Housing, Economic Development and Commerce, there shall be the following divisions, offices, bureaus, and boards:

- A. Division of Economic Development.
- B. Division of Construction Code Official.
  - (1) Bureau of Plumbing Subcode Official.
  - (2) Bureau of Electrical Subcode Official.
  - (3) Bureau of Building Subcode Official.
- C. Division [~~of Tenant/Landlord Relations.~~] Housing Preservation.
  - (1) ~~Rent Leveling Board.~~ Office of Housing Code Enforcement
  - (2) Office of Rent-Leveling Landlord/Tenant Relations.
    - (a) Bureau of Rent Leveling

(b) Rent Leveling Board

~~{(3) Bureau of Tenant Assistance.}~~

- D. Division of Community Development.
- E. Division of City Planning.
  - (1) Urban Research and Design.
  - (2) Planning Board.
- F. Division of the Zoning Officer.
- G. Division of Commerce.

§ 3-75 – Division of Construction Code Official – No change

§ 3-76 – Division of Economic Development – No change

§ 3-77 – (Reserved) – No change

**§ 3-78. - Division of Tenant/Landlord Relations, Division of Housing Preservation.**

- A. Creation of the Division of Housing Preservation; Tenant/Landlord relations; Director of Housing Preservation Tenant/Landlord Relations in charge. There is hereby created within the Department of Housing, Economic Development and Commerce the Division of Housing Preservation, Tenant/Landlord Relations, the head of which shall be the Director of Housing Preservation, Rent Regulation Officer.
- B. Division of Housing Preservation Tenant/Landlord Relations; functions. Under the supervision of the Director of Housing Preservation Housing, Economic Development and Commerce, the Division of Housing Preservation Tenant/Landlord Relations shall administer the following:
  - (1) Through the Bureau Office of Housing Code Enforcement, administer and enforce the Property Maintenance Code Chapter 254 and ordinances which relate to housing and neighborhoods as may be assigned to it for administration.
  - (2) Through the Bureau of Rent Leveling Office of Landlord/Tenant Relations, administer and enforce the Rent Control Ordinance Chapter 260; provide education, information and referrals to city residents in connection with Landlord/Tenant related issues; provide appropriate personnel to attend all meetings of the Rent Leveling Board; and assist the Rent Leveling Board in its duties.
    - ~~(1) The Bureau of Rent Leveling.~~
    - ~~(2) The Rent Leveling Board.~~
    - ~~(3) The Bureau of Tenant Assistance.~~
      - ~~(a) The Tenant Interim Lease Program.~~
- C. ~~Bureau of Rent Leveling. There is a Bureau of Rent Leveling within the Department of Housing, Economic Development and Commerce which shall administer and enforce Chapter 260, Rent Control.~~
- D. ~~Rent Leveling Board. There is a Rent Leveling Board within the Department of Housing, Economic Development and Commerce, which shall administer and enforce Chapter 260, Rent Control.~~
- E. ~~The Bureau of Tenant Assistance; functions of the Bureau of Tenant Assistance. There is hereby established within the Department of Housing, Economic Development and Commerce and under the direction of the Division of Tenant/Landlord Relations the Bureau of Tenant Assistance, which shall:~~
  - ~~(1) Provide and distribute information to landlords and tenants regarding federal, state and municipal laws affecting the rights and duties of landlords and tenants.~~
  - ~~(2) Distribute information specifically dealing with tenants' legal rights.~~

- ~~(3) Write and publish information pamphlets, leaflets and/or booklets providing information on tenant/landlord rights and duties.~~
- ~~(4) Operate a tenant hot line to provide advice to tenants.~~
- ~~(5) Promote, sponsor and organize tenants' rights workshops to disseminate information.~~
- ~~(6) Train tenants and tenant groups and assist tenants and tenant groups in tenants' rights and organization to protect tenants' rights.~~
- ~~(7) Establish a tenant resource library.~~
- ~~(8) Assist tenant groups to publish information, including newsletters, flyers, etc.~~
- ~~(9) Develop individual budget counseling programs for the purpose of assisting tenants and landlords in public and private rental housing to:
  - ~~(a) Develop better rent-paying habits.~~
  - ~~(b) Make regular payments or consolidate payments of other financial obligations.~~
  - ~~(c) Improve and stabilize their financial condition.~~
  - ~~(d) Improve their personal credit records.~~~~
- ~~(10) Assist tenant groups in the purchase, ownership, rehabilitation and management of their own buildings or of city-owned buildings.~~
- ~~(11) Develop a budget management program for tenant-owned and managed buildings.~~
- ~~(12) Receive and forward to appropriate agencies of the city complaints from tenants and landlords relating to the administrative action or inaction of any city departments.~~
- ~~(13) Refer individuals and groups to appropriate city agencies for information and assistance.~~
- ~~(14) Identify illegal and/or discriminatory housing practices.~~
- ~~(15) Refer specific complaints of housing discrimination to the Human Rights Commission of the City of Jersey City.~~
- ~~(16) Create and maintain a registry of rental tenants who are displaced by state or city action, cooperative or condominium conversion or rental increases.~~
- ~~(17) Assist the above rental tenants in securing new residences.~~

§ 3-79. - Division of Community Development - No change

§ 3-80. - Division of City Planning - No change

§ 3-81. - Division of the Zoning Officer - No change

§ 3-82. - (Reserved) - No change

§ 3-82.1. - Division of Commerce - No change

~~§ 3-82.2. - Division of Housing Code Enforcement.~~

~~A. Creation of the Division of Housing Code Enforcement; Director of Housing Code Enforcement in charge. There is hereby created within the Department of Housing, Economic Development and Commerce, the Division of Housing Code Enforcement, the head of which shall be the Director of Housing Code Enforcement.~~

~~B. Division of Housing Code Enforcement; functions. Under the supervision of the Director of the Division of Housing Code Enforcement shall administer and enforce the Property Maintenance Code and ordinances which relate to housing and neighborhoods as may be assigned to it for administration.~~

~~C. Bureau of Rent Receivership.~~

- ~~(1) Director of Housing Code Enforcement in charge.~~
- ~~(2) Bureau of Rent Receivership; functions. Under the supervision of the Director of Housing Code Enforcement, the Bureau of Rent Receivership shall administer and enforce the Receivership Program.~~

~~D. Housing Clinic; functions.~~

- ~~(1) There is hereby established a Housing Clinic, the head of which shall be the Coordinator of the Housing Clinic.~~
- ~~(2) Under the supervision of the Coordinator of the Housing Clinic, the Housing Clinic shall perform the following functions:~~
  - ~~(a) Inspect properties for Housing Court violations, prepare reports for the Municipal Court and present evidence to the Court.~~
  - ~~(b) Establish and administer schedules for the abatement of Housing Court violations in cooperation with the Municipal Court.~~
  - ~~(c) Establish inspection procedures for the Division of Housing Code Enforcement.~~
  - ~~(d) Handle references from other municipal agencies.~~
  - ~~(e) Provide technical assistance to both the general public and City officials.~~

- B. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- C. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
- D. This ordinance shall take effect at the time and in the manner as provided by law.
- E. The City Clerk and the Corporation Counsel may change any chapter numbers, article numbers and section numbers if codification of this ordinance reveals a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

**Note:** All new material is underlined; words in [brackets] are omitted.  
For purposes of advertising only, new matter is **boldface** and repealed matter by *italics*.

*NS/SS/mma*  
*8/8/2018*

APPROVED AS TO LEGAL FORM

  
\_\_\_\_\_  
Corporation Counsel

APPROVED: \_\_\_\_\_

  
APPROVED: \_\_\_\_\_  
Business Administrator

Certification Required   
Not Required

**ORDINANCE FACT SHEET –**

This summary sheet is to be attached to the front of any resolution that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the resolution.

**Full Title of Ordinance/Resolution**

**ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 3 (ADMINISTRATION OF GOVERNMENT), ARTICLE X (DEPARTMENT OF HOUSING, ECONOMIC DEVELOPMENT & COMMERCE), § 3-74, § 3-78 AND § 3-82.2 OF THE JERSEY CITY MUNICIPAL CODE**

**Initiator**

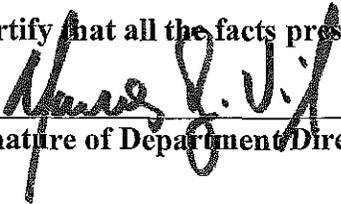
Department/Division	HEDC/Division of Housing Preservation	
Name/Title	Dinah Hendon, Esq.	Director of Housing Preservation
Phone/email	201-547-4637	<a href="mailto:DHendon@jcnj.org">DHendon@jcnj.org</a>

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

**Ordinance Purpose**

**ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 3 (ADMINISTRATION OF GOVERNMENT), ARTICLE X (DEPARTMENT OF HOUSING, ECONOMIC DEVELOPMENT & COMMERCE), § 3-74, § 3-78 AND § 3-82.2 OF THE JERSEY CITY MUNICIPAL CODE**

I certify that all the facts presented herein are accurate.

  
\_\_\_\_\_  
Signature of Department Director

8-6-2018  
Date

# **Department of Housing, Economic Development & Commerce**

## Division of Housing Code Enforcement / Division of Tenant/Landlord Relations

**Date:** August 8, 2018

**To:** Council President Lavarro and Municipal Council

**From:** Dinah E. Hendon, Esq.

**Subject:** Ordinance Amending and Supplementing Chapter 3 (Administration of Government), Article X (Department of Housing, Economic Development & Commerce), Article 3 § 3-74, § 3-78, and § 3-82.2 of the Jersey City Municipal Code

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The purpose of the Amendment and Supplement to Chapter 3 of the Jersey City Municipal Code is to create the Division of Housing Preservation (the "Division"), which Division will be responsible for enforcing Chapters of the Municipal Code that affect the lives of residents literally where they live, the Property Maintenance Code (Chapter 254) and the Rent Control Ordinance (Chapter 260). Under the current Code structure, two Divisions, the Division of Housing Code Enforcement and the Division of Tenant/Landlord Relations are responsible for enforcing these Chapters. The proposed restructuring will provide for the work of these two divisions through the Office of Housing Code Enforcement, the Office of Landlord/Tenant Relations (the "Offices") and, within the Office of Landlord/Tenant Relations the Bureau of Rent Leveling and the Rent Leveling Board.

The proposed restructuring will provide the residents of Jersey City with immediate as well as long-term benefits. Residents who have issues with their landlords are often uncertain about which division to call for assistance. With one central telephone number for the Division, residents' inquiries and complaints will be easily forwarded to personnel best able to assist. This streamlining of initial telephone contact for our constituents will alleviate much of the frustration experienced under the current structure. For example, currently a call mistakenly placed to Tenant/Landlord Relations involving a potential Housing Code violation, has to be placed on hold while the intake person at Tenant/Landlord Relations, calls Housing Code Enforcement. In the best case, the call is then transferred to Housing Code Enforcement. Unfortunately, this does not always happen and such a caller is routinely given the telephone number for Housing Code Enforcement and told to call back him/herself. In either case, the caller has to repeat the issue and assistance is

delayed unnecessarily. With one new Division, personnel will quickly learn the roles of all staff and will be able to forward calls to the appropriate staff member. This same streamlining will also improve response time to issues coming into the Division through SeeClickFix.

In addition, the work of Housing Code Enforcement and Tenant/Landlord Relations often affects the same tenants, landlords, and property. In many cases, tenants complaining about illegal rents are living in substandard buildings where there are Housing Code violations. In other circumstances, a complaint by a tenant of a Housing Code violation leads to retaliatory conduct constituting a violation of the Rent Control Ordinance which provides penalties for harassment by landlords. The Division's staff, Housing Code inspectors along with case workers in the Office of Landlord/Tenant Relations, will be able to coordinate with the Municipal Prosecutor to ensure complete and speedy prosecutions of all Code violations.

The Division of Housing Preservation will be moving to a one-story building, formerly a retail building, on Martin Luther King Drive, south west of the City Hall Annex at One Jackson Square. This move will accomplish several important goals. With large storefront windows, residents will soon learn that the Division is housed near the Annex and that walk-ins are welcome and easily accommodated. A trained receptionist will be able to make proper referrals to personnel within the Division.

Additionally, with the staff of both Offices working from workstations in one large office, if a constituent is meeting with a staff member from one Office and an issue arises that falls under the enforcement power of the other Office, staff from the latter Office will be called into the meeting immediately without the constituent having to return for a separate meeting.

In very short order, the Division will become a cohesive agency. Once the Division is under one roof, the personnel will learn firsthand the types of matters that each Office handles. When personnel work in the same space, they naturally share information about their work. This easy flow of information within the Division, from one Office to the other, can only serve to help in addressing the often critical issues facing the City's constituents.

# Ordinance of the City of Jersey City, N.J.



ORDINANCE NO. Ord. 18-097  
 TITLE: 3.E AUG 15 2018 4.E SEP 12 2018

An ordinance amending and supplementing Chapter 3 (Administration of Government), Article X (Department of Housing, Economic Development & Commerce), § 3-74, § 3-78 and § 3-82.2 of the Jersey City Municipal Code.

RECORD OF COUNCIL VOTE ON INTRODUCTION <span style="float: right;">AUG 15 2018 8-0</span>											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
RIDLEY	✓			YUN	✓			RIVERA	✓		
PRINZ-AREY	✓			SOLOMON	✓			WATTERMAN	✓		
BOGGIANO	ABSENT			ROBINSON	✓			LAVARRO, PRES.	✓		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING <span style="float: right;">SEP 12 2018 8-0</span>											
Councilperson <u>SOLOMON</u>				moved, seconded by Councilperson <u>WATTERMAN</u> to close P.H.							
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
RIDLEY	✓			YUN	✓			RIVERA	✓		
PRINZ-AREY	✓			SOLOMON	✓			WATTERMAN	✓		
BOGGIANO	✓			ROBINSON	ABSENT			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

MIKE KULOWSKI  
 DAN SICARDI  
 MARIA SCARIATI  
 PEI SICARDI

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
Councilperson _____				moved to amend* Ordinance, seconded by Councilperson _____ & adopted							
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
RIDLEY				YUN				RIVERA			
PRINZ-AREY				SOLOMON				WATTERMAN			
BOGGIANO				ROBINSON				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE <span style="float: right;">SEP 12 2018 8-0</span>											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
RIDLEY	✓			YUN	✓			RIVERA	✓		
PRINZ-AREY	✓			SOLOMON	✓			WATTERMAN	✓		
BOGGIANO	✓			ROBINSON	ABSENT			LAVARRO, PRES.	✓		

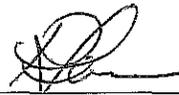
✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on AUG 15 2018  
 Adopted on second and final reading after hearing on SEP 12 2018

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on SEP 12 2018

  
 Robert Byrne, City Clerk

APPROVED:   
 Rolando R. Lavarro, Jr., Council President

Date SEP 12 2018

\*Amendment(s):

APPROVED:   
 Steven M. Fulop, Mayor

Date SEP 14 2018

Date to Mayor SEP 13 2018