

**CITY OF UNION CITY
ORDINANCE
AN ORDINANCE AMENDING CHAPTER 334
“Rent Stabilization” as follows:**

BE IT ORDAINED by the Board of Commissioners of the City of Union City, County of Hudson, State of New Jersey, that Chapter 334, Section 2(B) 2 is amended and replaced, as follows:

SECTION ONE

A. Units in four-family buildings that are owner-occupied. Owners of four-family buildings, claiming exception from this ordinance, as part of their registration, must file an affidavit stating that they reside in the building and comply with the regulations established by the Rent Stabilization Board, which regulations shall set forth criteria to establish proof of residency. The affidavit shall be in a form provided by the office of the Rent Board Administrator. Additional criteria may be requested by the Board at any hearing regarding this section. The burden remains on the owner to demonstrate residency. Rental units in four-family owner-occupied buildings shall only become exempt from the protections of the rent control ordinance, upon the tenant, who resided in one of the other units in the building prior to the occupancy by the owner, vacating the unit. This amendment specifically provides that Osoria v. West New York Rent Control Board, 410 N.J. Super. 437 (App. Div. 2009), does not apply to owner occupied four-family buildings.

B. Five and Six Unit buildings that are currently owner-occupied are still exempt from the rent control ordinance, as long as the owner occupies the building as of the date of this ordinance. Upon the owner vacating the building, the property will no longer be exempt from this ordinance.

SECTION TWO:

Severability. The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remaining in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION THREE:

Repealer. All Ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only however, to the extent of such conflict or inconsistency, it being the legislative intent that all Ordinances or part of ordinances now existing or in effect unless the same being conflict or inconsistent with any provision of this Ordinance shall remain in effect.

SECTION FOUR:

This Ordinance shall take effect upon passage and publication as required by law.

I HEREBY CERTIFY this to be a true and correct Ordinance of the City of Union City Board of Commissioners, introduced on July 6, 2017 and was further considered after a Public Hearing held on August 2, 2017 at the William V. Musto Cultural Center, 420 15th Street, Union City, NJ at 7PM.

INTRODUCED: July 6, 2017

ADOPTED: August 2, 2017

ATTEST:

Erin Knoedler, Deputy City Clerk