

CITY OF UNION CITY
COUNTY OF HUDSON, STATE OF NEW JERSEY

ORDINANCE NO. 2020-11

ORDINANCE AMENDING ORDINANCE NO. 2020-07 ENTITLED
“AN ORDINANCE AMENDING CHAPTER 334 TO PLACE A MORATORIUM ON
RENT INCREASES”

Recitals. The Union City Board of Commissioners incorporates by reference the recitals set forth in Ordinance No. 2020-07 and continues to find them to be true and correct.

Purpose and Intent. The purpose of this ordinance is to clarify the implementation of Ordinance No. 2020-07.

NOW, THEREFORE, BE IT ORDAINED, as follows:

SECTION ONE.

Section One of Ordinance No. 2020-07 is amended to read as follows:

- 1. A moratorium shall be effectuated to prohibit and stay any permitted rent increases otherwise allowable under §334-10 for the duration of the New Jersey Public Health Emergency and State of Emergency, declared in Executive Order No. 103 (2020) on March 9, 2020, any subsequent Executive Order, and any extension thereof, due to the pandemic caused by COVID-19, and remain in effect for no longer than two (2) months following the end of the Public Health Emergency and/or State of Emergency. The moratorium shall commence immediately and apply for the month of March 2020 and thereafter until the two (2) month period has expired.**
- 2. Nothing in Paragraph 1. of this Section shall bar the property owner from serving a lawful NOTICE of increase upon the tenant effective March 1, 2020 or thereafter, but the increase in rent shall be stayed and not collected by the landlord nor shall the tenant be responsible for said increase at any time. After the moratorium imposed hereunder ends, landlord shall be entitled to and tenant shall pay any permitted rent increases for the period going forward, but in no event, for the period covered by the moratorium.**
- 3. The NOTICE of increase that the Landlord serves upon the tenant in Paragraph 2. shall contain at least a 12 point in bold, capitalized and underlined statement which indicates as follows:**

**“SPECIAL NOTICE OF UNION CITY’S MORATORIUM OF RENT
INCREASE DURING COVID-19 STATE OF EMERGENCY”**

Any rent increase set forth in this notice is NOT to be paid by the tenant and shall be stayed and not collected by the landlord during the COVID-19 State of Emergency and for two (2) months after the State of Emergency has ended. You will only pay the increase in rent going forward from that date.”

4. Any Landlord who has served a rent increase notice at the time of the adoption of this ordinance, without the Special Notice set forth in Paragraph 3., shall within 14 days of the adoption of this ordinance, serve a written copy of this Special Notice, referencing the previous Notice of Rent Increase, by hand delivery or Certified Mail RRR.

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 effect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remain 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 in conflict or inconsistent with any provision of this Ordinance shall remain in effect.

SECTION FOUR:

In order to avoid accidental repeal of existing provisions, the City Clerk and the Corporation Counsel are hereby authorized to change any chapter numbers, article numbers and/or section numbers in the event that the codification of this Ordinance reveals that there is a conflict between those numbers and the existing Code.

| Commissioners | Yea | Nay | Abstain/Present | Absent |
|-----------------------|------------|------------|------------------------|---------------|
| Lucio P. Fernandez | ✓ | | | |
| Wendy Grullon | ✗ | | | |
| Celin J. Valdivia | ✗ | | | |
| Maryury A. Martinetti | ✗ | | | |
| Mayor Brian P. Stack | ✗ | | | |

I HEREBY CERTIFY this to be a true and correct Ordinance of the City of Union City Board of Commissioners, introduced on May 12, 2020 and was further considered and adopted after a Public Hearing held on May 26, 2020.

INTRODUCED: May 12, 2020

ADOPTION: May 26, 2020

ATTEST:



Erin M. Knoedler, City Clerk

May 26, 2020
Date