

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

File No. Ord. 25-099
Agenda No. 3.5 (1st Reading)
Agenda No. 4.4 (2nd Reading and Final Passage)



AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 260 (RENT CONTROL) OF THE CODE OF ORDINANCES OF THE CITY OF JERSEY CITY TO CLARIFY THE SCOPE OF STATE-LEVEL EXEMPTIONS.

COUNCIL AS A WHOLE offered and moved adoption of the following ordinance:

WHEREAS, the New Jersey Newly Constructed Multiple Dwellings Act, N.J.S.A. 2A:42-84.1 et seq., provides a temporary and limited exemption from certain municipal rent control provisions to encourage new construction; and

WHEREAS, the plain language of N.J.S.A. 2A:42-84.2 explicitly limits said exemption to only "those provisions of the ordinance which limit the periodic or regular increases in base rentals"; and

WHEREAS, statutory exemptions are construed according to their plain text and cannot be enlarged by private actions, omissions or reliance, and no contrary understanding overrides the chapter or state law as written; and

WHEREAS, the Legislature in L.1999, c.291 explicitly required "full compliance" with all filing requirements, thereby rejecting any substantial compliance doctrine; and

WHEREAS, the City Council intends to clarify that the city code is in total agreement with the state statutes; and

WHEREAS, this Ordinance is intended to clarify, for the benefit of tenants, landlords, and municipal officials, the correct and enforceable scope of any exemption claimed under state law, and to ensure the faithful execution of the law.

NOW, THEREFORE, BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY THAT:

Chapter 260 of the Municipal Code is hereby amended, and supplemented by the addition of new section 260-21 as follows:

260-6. - Exemptions for new dwellings and new housing space-and for dwellings vacant as of July 1, 1998

A. No Change

B. No Change

C. In accordance with N.J.S.A. 2A:42-84.1 et seq., L. 1987, c. 153, the provisions of this chapter which limit the periodic or regular increases in base rentals of dwelling units shall not apply to a newly constructed dwelling which is constructed between June 25, 1987, through June 25, 1992, and which is not "constructed for occupation by senior citizens" as defined by N.J.S.A. 2A:42-84.1, for a period of time not to exceed the period of amortization of any initial mortgage loan obtained for the dwelling, or for 30 years following completion of construction, whichever is less. In the event that there is no initial mortgage financing, the period of exemption from a rent control or rent leveling ordinance shall be 30 years from the completion of construction. This exemption applies only where an owner complied with all requirements contained in N.J.S.A. 2A:42-84.1 et seq., including the filing with the municipal construction official required by N.J.S.A. 2A:42-84.4 and the service of a written statement upon the tenant required by N.J.S.A. 2A:42-84.3.

D. No Change

§ 260-21. Scope of Exemptions from Rent Increase Limitations.

a. In accordance with the Newly Constructed Multiple Dwellings Act, N.J.S.A. 2A:42-84.2, Jersey City affirms that exemptions granted thereunder apply only to those provisions of Chapter 260 which directly limit the periodic or regular increases in base rentals, and do not extend to any other administrative, disclosure, or registration requirement of Chapter 260. Likewise, except for the sole provisions of Chapter 260 which directly

APPROVED AS TO LEGAL FORM

Business Administrator

Corporation Counsel

An Ordinance amending and supplementing Chapter 260 (Rent Control) of the Code of Ordinances of the City of Jersey City to clarify the scope of state-level exemptions.

limit the periodic or regular increases in base rentals, no dwelling, landlord, or owner, regardless of rent control status, is exempt from any other provision of Chapter 260.

i. For purposes of subsection (a), the provisions of Chapter 260 that limit the periodic or regular increases in base rentals are § 260-3(A) and § 260-3(B).

b. Subsequent compliance is effective only prospectively and does not legalize or validate any rent increase taken during noncompliance

c. This section describes existing law. The administrative requirements in subsection (a) have been continuously in effect and enforceable since their respective dates of enactment. Consistent with N.J.S.A. 2A:42-84.6, this section operates within the limitations imposed by the State act.

An Ordinance amending and supplementing Chapter 260 (Rent Control) of the Code of Ordinances of the City of Jersey City to clarify the scope of state-level exemptions.

RECORD OF COUNCIL VOTE ON INTRODUCTION – Sep 10 2025						
RIDLEY	AYE	SALEH	AYE	DEGISE	AYE	9-0
HULINGS	AYE	SOLOMON	AYE	RIVERA	AYE	
BOGGIANO	AYE	GILMORE	AYE	WATTERMAN, PRES	AYE	

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING – Sep 24 2025						
RIDLEY	AYE	SALEH	AYE	DEGISE	AYE	9-0
HULINGS	AYE	SOLOMON	AYE	RIVERA	AYE	
BOGGIANO	AYE	GILMORE	AYE	WATTERMAN, PRES.	AYE	

SPEAKERS:
Kevin Weller , Anna Medyukh, Jessica Brann, Michele Hirsch & Brendan Coughlin

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY –						
RIDLEY		SALEH		DEGISE		
HULINGS		SOLOMON		RIVERA		
BOGGIANO		GILMORE		WATTERMAN, PRES.		

RECORD OF FINAL COUNCIL VOTE – Sep 24 2025						
RIDLEY	AYE	SALEH	AYE	DEGISE	AYE	9-0
HULINGS	AYE	SOLOMON	AYE	RIVERA	AYE	
BOGGIANO	AYE	GILMORE	AYE	WATTERMAN, PRES.	AYE	

Adopted on first reading of the Council of Jersey City, N.J. on **Sep 10 2025**
Adopted on second and final reading after hearing on **Sep 24 2025**

This is to certify that the foregoing Ordinance was adopted
by the Municipal Council at its meeting on Sep 24 2025



City Clerk



Joyce E. Watterman, President of Council
Approved: Sep 24 2025



Steven M. Fulop, Mayor
Date to Mayor: Sep 25 2025
Approved: Sep 25 2025

An Ordinance amending and supplementing Chapter 260 (Rent Control) of the Code of Ordinances of the City of Jersey City to clarify the scope of state-level exemptions.

FACT SHEET -

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

Project Manager

James Solomon, Councilperson		201-547-5315	jsolomon@jcnj.org
Department	Municipal Council		
Division	Municipal Council		

Note: Project Manager must be available by phone during agenda meeting (Wednesday prior to council meeting @ 1:00 p.m.)

Meeting	Regular Meeting of Municipal Council - Sep 10 2025
---------	--

Purpose

Ordinance Amending Chapter 260

Cost (Identify all sources and amounts)

N/A

Contract term (include all)

--

Approved by
John McKinney, Attorney
John Metro, Business Administrator

Status:
Approved - Sep 03 2025
Approved - Sep 04 2025