

ORDINANCE OF THE CITY OF EAST ORANGE, NEW JERSEY

1st Reading: 3, 24, 2025
Public Hearing: 4, 14, 2025
Final Reading: / /

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

Approved as to Form and Legality
On Basis of Facts Set Forth:

Factual Contents Certified to By: [Signature]
Department Head

Corporation Counsel
Appropriations: [Signature]
Comptroller

Tabled: / /
Removed From Table: / /

Councilman/Councilwoman Presents the following Ordinance:

ORDINANCE NO. 10 OF 2025

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 159 OF THE CITY CODE ENTITLED, "HOUSING STANDARDS, PROPERTY MAINTENANCE"

WHEREAS, the City of East Orange established an ordinance to provide reasonable requirements and standards for multiple-dwelling units in the City, through Chapter 159 of the City Code; and

WHEREAS, the City of East Orange agrees that there is a need to revise Chapter 159 (the "Chapter"); and

NOW, THEREFORE BE IT ORDAINED by the City Council of the City of East Orange that Chapter 159 of the City Code is hereby amended and supplemented as follows:

SECTION 1. (Amended Section Only)

Article I. General Provisions

§ 159-1 Definitions.

B. Terms defined.

BATHROOM

Enclosed space containing one or more bathtubs or showers, or both, and which shall also include toilets, lavatories or fixtures serving similar purposes- and bathroom accessories including but not limited to toilet paper holders, towel rack, mirror or medicine cabinet.

SECTION 2. (Amended Sections Only)**Article V. Violations; Notices and Abatement; Certificates****§ 159-44 Fines and penalties for violations of general housing and property maintenance standards.**

Upon conviction of any provision of this chapter, the Court shall impose a minimum fine of not less than ~~\$250~~ \$2,000 or a maximum fine not to exceed ~~\$2,000~~ \$10,000 for each offense, imprisonment for a term not exceeding 90 days, or a period of community service for not more than 90 days, or any combination thereof. ~~If a fine greater than \$1,250 is imposed, the property owner shall be afforded a thirty-day period in which to cure or abate the violation and afforded a hearing before a court of competent jurisdiction for an independent determination concerning the violation. Subsequent to the expiration of said thirty-day period, a fine greater than \$1,250 may be imposed if a court determines that the owner remains in violation or, upon reinspection of the property, it is determined that the abatement has not been substantially completed.~~

§ 159-45. Certificate of habitability required.

It shall henceforth be unlawful for any property owner, tenant placement organization, landlord or tenant to rent, make rental payments, accept rental payments or otherwise assist with the rental or 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~~ their designee. Any rent withheld by the tenant should be saved and deposited in an escrow account with the State Court of New Jersey or accessible in case the court requires the tenant to pay the outstanding rent to avoid eviction. In such case, it shall be the duty of the Public Officer or ~~his~~ their 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. Any safety concerns noted during inspection shall be reported to and signed by the landlord. Minor issues within dwellings that do not compromise the health or safety within shall be issued a certificate of habitability at the discretion of the City Inspector/Public Official.

SECTION 3. (Amended Section Only)**Article VII. General Maintenance and Appearance****§ 159-81. Garbage and refuse containers at exterior of residences.**

The owner of a residential dwelling shall supply, at the exterior of the premises, receptacles provided with fitted covers constructed to prevent spillage or leakage of contents in a number sufficient to contain the refuse accumulated, pending collection. Receptacles are required to be in good condition and without holes. Dwellings of eight (8) units or more shall have 95-gallon receptacles with fitted covers. Where the owner of a residence chooses to employ the use of a refuse container (mechanical pickup) to contain the refuse accumulated pending collection, the location of such container on the exterior of the residence shall be in an area which shall not create a nuisance, shall not be placed closer than five feet to any property line or building and shall be screened from public view as required by the Director. The container shall be equipped with fitted covers and maintained in a sanitary condition. The container shall be serviceable in a manner which would not require the vehicle to cross any curb on any street except where such curb has been lowered in compliance with applicable provisions of § [238-1](#) and other City ordinances. Receptacles shall not overflow. All garbage and refuse shall be placed inside of receptacles with fitted covers only.

SECTION 4. 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 of constitutionality of any other sections or parts thereof.

SECTION 5. INCONSISTENCIES

All ordinances and parts of ordinances in conflict or that are inconsistent with this ordinance are hereby repealed but only to the extent of such conflict or inconsistency.

SECTION 6. EFFECTIVE DATE

This ordinance shall take effect after final passage and upon expiration twenty (20) days following publication unless otherwise provided by resolution of this City Council.

FIRST READING

Councilmember	AYE	NAY	NV	AB	VETO
GOMEZ	<input checked="" type="checkbox"/>				
MONK	<input checked="" type="checkbox"/>				
LENEUS			<input checked="" type="checkbox"/>		
LEWIS			<input checked="" type="checkbox"/>		
FAUNTLEROY			<input checked="" type="checkbox"/>		

Councilmember	AYE	NAY	NV	AB	VETO
HOLMAN	<input checked="" type="checkbox"/>				
GARRETT-WARD	<input checked="" type="checkbox"/>				
AWE	<input checked="" type="checkbox"/>				
JAMES	<input checked="" type="checkbox"/>				
PULLINS, JR.	<input checked="" type="checkbox"/>				

RECORD OF COUNCIL VOTE ON SECOND READING & FINAL PASSAGE

Councilmember	AYE	NAY	NV	AB	VETO
GOMEZ					
MONK					
LENEUS					
LEWIS					
FAUNTLEROY					

Councilmember	AYE	NAY	NV	AB	VETO
HOLMAN					
GARRETT-WARD					
AWE					
JAMES					
PULLINS, JR.					

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

ACTION ON VETO: ✓ to Sustain ✓✓ to Override

Passed on First Reading: _____ / _____ / _____

Adopted on Final Reading: _____ / _____ / _____

Presented to Mayor: _____ / _____ / _____

Approved: _____ / _____ / _____ Vetoed: _____ / _____ / _____

Reconsidered by Council: _____ / _____ / _____

Council Chairman/Chairwoman

Mayor

City Clerk