

AN ORDINANCE AMENDING CHAPTER 15, SECTION 2.6 OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WEST ORANGE REMOVING TENANTS' APPEALS TO THE TOWNSHIP COUNCIL FROM FINDINGS OF THE RENT LEVELING BOARD

WHEREAS, The Mayor and Council of the Township of West Orange (the "Township"), have an interest in the efficient administration of government services; and

WHEREAS, Section 15-2.6 of the Revised General Ordinances of the Township of West Orange (the "Township Code") currently states that tenants residing in the Township of West Orange may appeal certain findings of the Rent Leveling Board to the Township Council; and

WHEREAS, the Township desires to amend Chapter 15, "Rent Control," Section 2.6, "Notice of Tenants' Rights," of the Township Municipal Code to eliminate tenant appeals of findings of the Rent Leveling Board to the Township Council; and

WHEREAS, the members of the Township Council wish to eliminate this provision so as to allow appeals of findings of the Rent Leveling Board be heard by the courts; and

WHEREAS, pursuant to N.J.S.A. 40:48-1, the governing body of a municipality may make, amend, repeal, and enforce such other ordinances, regulations, rules and by-laws not contrary to the laws of this State or Federal Government, as it may deem necessary and proper for the good of government, order and protection of person and property, and for the preservation of the public health, safety and welfare of the municipality and its inhabitants, and as may be necessary to carry into effect the powers and duties conferred and imposed by this subtitle, or by any law; and

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Township Council of the Township of West Orange, in the County of Essex, State of New Jersey, being the governing body thereof, that Section 2.6, "Notice of Tenants' Rights," of Chapter 15 "Rent Control," of the Revised General Ordinances of the Township of West Orange shall be amended as follows.

Section 1. RECITALS. The foregoing whereas clauses are incorporated herein by reference and made a part hereof.

Section 2. Chapter 15 "Rent Control," Section 2.6, "Notice of Tenants' Rights," to eliminate appeals to the Township Council of findings of the Rent Leveling Board shall be amended as follows.

Note: Additions are shown in **bold and underline** and deletions are shown as ~~striketrough~~.
Additions are indicated in bold and underline; ~~deletions are delineated via striketrough~~

Chapter 15, Rent Control

§ 2.6 Notice of Tenants' Rights

- a. Every lease shall contain a provision which shall advise the tenant in a conspicuous manner of the name and address of the Rent Leveling Board, the maximum rent allowable, the tenant's right to object to a proposed rental increase, **and** the tenant's right to a hearing before the Rent Leveling Board if objection is filed within 30 days of notification of any proposed rental increase. This notice of tenants' rights shall be given at the inception of every lease and annually in the case of renewals.

In the case of a periodic tenant, the same notice of tenant's rights shall be given at the inception and at the anniversary of each tenancy.

- b. Appeals of findings of the Rent Leveling Board may be made to a court of competent jurisdiction within forty-five (45) days of receipt of the formal Board resolution pursuant to New Jersey Court Rule 4:69**

Section 3. Any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

Section 4. This Ordinance shall take effect upon final passage and publication according to law.

Susan McCartney, Mayor

Susan Scarpa, Council President

Karen J. Carnevale, R.M.C.
Municipal Clerk

INTRODUCED: March 10, 2026

ADOPTED: March 24, 2026

LEGISLATIVE HISTORY

To follow