

**BOROUGH OF WOODLAND PARK  
COUNTY OF PASSAIC, STATE OF NEW JERSEY**

**ORDINANCE NO. 12-19**

**AN ORDINANCE TO ESTABLISH THE MAXIMUM INCREASE ALLOWED FOR  
RENTAL HOUSING UNITS IN THE BOROUGH OF WOODLAND PARK**

**BE IT ORDAINED**, by the Borough Council of the Borough of Woodland Park, in the County of Passaic and State of New Jersey as follows:

**I. AUTHORITY**

This ordinance is adopted pursuant to the authority established within the Borough of Woodland Park, pursuant to N.J.S.A. 59: 1-1, et. seq.

**II. PURPOSE**

IT IS DEEMED NECESSARY BY THE MAYOR AND MUNICIPAL COUNCIL THAT A MECHANISM FOR THE CONTROL OF RENTAL INCREASES BE AMENDED, TO PROTECT THE RESIDENTS OF WOODLAND PARK FROM ABNORMAL AND UNWARRANTED INCREASES IN DWELLING RENTS. THIS ORDINANCE WILL SUPERCEDE ANY AND ALL ORDINANCES THAT WERE PREVIOUSLY ADOPTED IN THIS BOROUGH, REGARDING RENT INCREASES.

**III. DEFINITIONS**

As used in this chapter:

Available for rent to tenants shall mean fit for habitation as defined by the statutes, codes and ordinances in full force and effect in the State of New Jersey, County of Passaic and Borough of Woodland Park and occupied or unoccupied and offered for rent.

*Dwelling* shall mean any building or structure or garage space which may be rented or offered for rent, to one (1) or more tenants or family units. Exempted from this chapter are dwellings containing two (2) units of housing space providing the landlord occupies a unit, and standalone garage spaces that are not associated with another housing unit on the same lot. Also exempted from this chapter is any motel, hotel or other premises primarily serving transient persons within the Borough of Woodland Park.

*Housing space* shall mean that portion of a dwelling rented or offered for rent for living and dwelling purposes to one (1) individual or family unit together with all privileges, services, furnishings, furniture, equipment, facilities and improvements, including, but not limited to parking space, garage space, storage space connected with the use or occupancy of such portion of the property.

*Landlord* shall mean any person, firm, partnership, association, corporation or other entity and any officer, agent or employee, or any of the foregoing, which is the owner, rental agent, manager of, or otherwise has authority to rent any rental unit to a tenant.

*Tenant* shall mean any occupant of a rental unit.

**IV. RENTAL INCREASES**

- a. Increase – when void. Any rental increase at a time other than at the expiration of a lease or termination of a periodic lease will be void.
- b. Unauthorized increases prohibited. No landlord shall after the effective date of this chapter charge any rents in excess of what he or she was receiving from the effective date of this chapter, except for increases authorized by this chapter.
- c. Violations and Penalties. A willful violation of any provision of this chapter, including, but not limited to a landlord charging a tenant with inappropriate rents, will be charged with a violation of this ordinance, and fined One Thousand (\$1,000.00) Dollars for each violation. Thereafter, the tenant is entitled to advance a civil action in the Superior Court of New Jersey’s Special Civil Part, seeking any and all damages that the Court deems appropriate.
- d. Interpretation of this chapter. This chapter shall be necessary for the welfare of the Borough and its inhabitants, and shall be liberally construed to effectuate the purposes thereof.
- e. Severability. If any provision of this chapter or the application for such provision to any person or circumstances is declared invalid, such invalidity shall not effect other provisions of this chapter which are declared to be severable.
- f. Effective date. This chapter is to take effect immediately upon passage and publication according to the laws of the state of New Jersey, and shall remain in full force and effect until such time that this ordinance is changed.

**V. MAXIMUM INCREASE ALLOWABLE**

Establishment of rent between a landlord and a tenant to whom this act is applicable shall hereafter be determined by the provisions of this chapter. At the expiration of a lease or determination of this increase by a periodic tenant, no landlord may receive or request a percentage increase in rent greater than two and one-half (2.5%) percent in any calendar year.

**VI. ENFORCEMENT**

This Ordinance may be enforced by any properly qualified New Jersey Code Enforcement Officer.

**VII. INCONSISTENCIES**

If any part of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portion(s) of the Ordinance.

Introduced: November 21, 2012  
Adopted: December 5, 2012