

Sponsored by: _____

Seconded by: _____

CITY OF HOBOKEN
ORDINANCE NO. _____

**AN ORDINANCE TO CREATE CHAPTER 12 ENTITLED
“ASSESSMENT OF REAL PROPERTY”**

WHEREAS, in 2014, the City of Hoboken completed the first revaluation of its property values in 25 years; and

WHEREAS, the failure to conduct a revaluation for 25 years resulted in significant tax inequities in which taxpayers owning property with similar fair market values were being taxed at widely disparate levels; and

WHEREAS, the failure to conduct a revaluation for 25 years also resulted in extremely large single year tax increases for some taxpayers, creating an enormous burden for those taxpayers;

WHEREAS, the Mayor and City Council wish to ensure that property revaluations occur at regular intervals in order to avoid a recurrence of the unacceptable consequences that occurred as a result of the City’s past failure to conduct such revaluations;

WHEREAS, the Mayor and City Council wish to ensure that the next revaluation occur by the year 2020 and that revaluations are thereafter conducted every six years;

WHEREAS, the City of Hoboken wishes to ordain municipal standards and requirements relating to the administration of municipal assessment of real property.

NOW, THEREFORE, the City Council of the City of Hoboken does hereby Ordain as follows (additions noted in underline, ~~deletions noted in strikethrough~~):

SECTION ONE: CREATION OF CHAPTER 12 OF THE ADMINSTRATIVE CODE OF THE CITY OF HOBOKEN

CHAPTER 12 – ASSESSMENT OF REAL PROPERTY

1. Revaluation of real property by the municipality
 - a. Unless otherwise ordered by the State, County, Tax Board, or a court of competent jurisdiction, the City Administration shall administer a revaluation of all real property within the municipal boundaries at a minimum of once every six (6) years; said revaluation being in accordance with all applicable laws, including specifically the procedures of N.J.A.C. 18:12A-1.14(a).
 - b. A violation of this Section 12-1 shall be deemed to have occurred immediately upon the mailing by the City of Hoboken of property tax bills

based upon assessments that have not been subject to a revaluation within the prior six years as required under this Section 12-1a.

- c. A violation of this Section 12-1 as described above shall result in the availability of a private civil right of action against the City, for injunctive relief only, by any City of Hoboken taxpayer or City of Hoboken group or taxpayers.

SECTION TWO: REPEAL OF INCONSISTENT PROVISIONS

All ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only to the extent of such conflict or inconsistency, it being the legislative intent that all such ordinances or part of ordinances now existing or in effect unless the same are in conflict or inconsistent with any provision of this Ordinance shall remain in effect.

SECTION THREE: 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 by a court of competent jurisdiction, such decision shall not affect 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 FOUR: EFFECTIVE DATE

This Ordinance shall take effect immediately upon passage and publication as provided by law.

SECTION FIVE: CODIFICATION

This ordinance shall be a part of the Code of the City of Hoboken as though codified and fully set forth therein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Code.

The City Clerk and the Corporation Counsel are authorized and directed to change any Chapter, Article and/or Section number of the Code of the City of Hoboken in the event that the codification of this Ordinance reveals that there is a conflict between the numbers and the existing Code, and in order to avoid confusion and possible accidental repealers of existing provisions not intended to be repealed.

SECTION SIX: STATE REVIEW

This ordinance, immediately upon adoption, shall be forwarded by the Director of the Division of Taxation to the Hudson County Tax Board and the Presiding Judge of the Hudson County Tax Court.

Date of Introduction: December 3, 2014

Introduction:

Councilperson	Yea	Nay	Abstain	No Vote
Ravi Bhalla				
Theresa Castellano				
Jen Giattino				
James Doyle				
Elizabeth Mason				
David Mello				
Tim Occhipinti				
Michael Russo				
Peter Cunningham				

Final Reading:

Councilperson	Yea	Nay	Abstain	No Vote
Ravi Bhalla				
Theresa Castellano				
Jen Giattino				
James Doyle				
Elizabeth Mason				
David Mello				
Tim Occhipinti				
Michael Russo				
Peter Cunningham				

Approved as to Legal Form:

Mellissa Longo, Corporation Counsel

Adopted by the Hoboken City Council
By a Vote of ____ Yeas to ____ Nays
On the ____ day of _____, 2014

James Farina, City Clerk

Vetoed by the Mayor for the following reasons: _____

-or-

Approved by the Mayor
On the ____ day of _____, 2014

Dawn Zimmer, Mayor