

NOTICE
CITY OF BURLINGTON

ORDINANCE NO. 02-2026

Title: AN ORDINANCE OF THE CITY OF BURLINGTON REPEALING AND REPLACING CHAPTER 70 OF THE CODE OF THE CITY OF BURLINGTON TO ADDRESS THE REQUIREMENTS OF THE FAIR HOUSING ACT (FHA) AND THE UNIFORM HOUSING AFFORDABILITY CONTROLS (UHAC) REGARDING COMPLIANCE WITH THE CITY OF BURLINGTON'S AFFORDABLE HOUSING OBLIGATIONS

Background & Purpose: The City of Burlington Land Use Board adopted a Fourth Round Housing Element and Fair Share Plan on May 28, 2025, pursuant to the Municipal Land Use Law at N.J.S.A. 40:55D-1, et seq. The Amended Housing Element and Fair Share Plan was endorsed by the Mayor and City Council on June 17, 2025. This Ordinance implements and incorporates the adopted and endorsed Fourth Round Housing Element and Fair Share Plan and addresses the requirements of N.J.A.C. 5:93-1, et seq., as amended and supplemented, N.J.A.C. 5:99, et seq., as amended and supplemented, N.J.A.C.5:80-26.1, et seq. as amended and supplemented, and the New Jersey Fair Housing Act of 1985.

This Ordinance will replace Chapter 70 of the Code of the City of Burlington will to include provisions addressing Burlington's constitutional obligation to provide for its fair share of low- and moderate-income housing, as directed by the Superior Court and consistent with N.J.A.C. 5:93-1, et seq., as amended and supplemented, N.J.A.C. 5:99, et seq., as amended and supplemented, N.J.A.C. 5:80-26.1, et seq., as amended and supplemented, and the New Jersey Fair Housing Act of 1985. This Ordinance is intended to provide assurances that low- and moderate-income units ("affordable units") are created with controls on affordability over time and that low- and moderate-income households shall occupy those units. This Ordinance shall apply except where inconsistent with applicable law.

The foregoing Ordinance was introduced at a Regular Meeting of the Common Council of the City of Burlington held on Tuesday, February 17, 2026, and was read for the first time.

NOTICE IS HEREBY GIVEN that this ordinance will further be considered for final passage by the Common Council of the City of Burlington at a meeting to be held on Tuesday, March 3, 2026, beginning at 7:00 PM, at the City Hall Building, 525 High Street, Burlington, New Jersey. All persons interested will be given the opportunity to be heard concerning such ordinance.

A copy of the ordinance can be obtained without cost from the Office of the Municipal Clerk. Anyone in need of special accommodations or access due to disability, should contact the Municipal Clerk's Office at (609)386-0200 x101, prior to the meeting.

Cindy A. Crivaro, RMC
Municipal Clerk