

**FILED**

AUG 12, 2021

**JOSEPH A. TURULA, P.J. Cv.**

**Fair Share Housing Center**

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**Fair Share Housing Center, Inc.,**

**Plaintiff,**

**v.**

**The City of Jersey City and The  
Municipal Council of the City of  
Jersey City,**

**Defendants.**

SUPERIOR COURT OF NEW JERSEY  
Law Division, Hudson County  
Docket No. HUD-L-4499-20

**CIVIL ACTION**

**Order Granting FSHC's  
Motion for Summary Judgment**

**THIS MATTER** having been brought before the Court on the June 25, 2021 application of Movant Fair Share Housing Center (FSHC), through its counsel, Bassam F. Gergi, Esq., for an Order granting summary judgment in favor of FSHC, pursuant to Rule 4:46-2, on Counts 1 and 2 of its Complaint, declaring the City of Jersey City Ordinance No. 20-089 invalid and void as a matter of law, and for such further relief as the Court may deem equitable and just, and the Court having considered the matter, including all moving and responsive papers submitted, and having heard oral argument, if any, and for good cause shown:

**IT IS** on this 12th day of AUGUST,

2021, **ORDERED** as follows:

1. FSHC's Motion for Summary Judgment is hereby

**GRANTED.**

X

~~2. It is hereby found and adjudged that the City of Jersey City Municipal Council failed to comply with the Municipal Land Use Law's statutorily-mandated procedure that required Ordinance No. 20-089 to be referred to the City's Planning Board for consistency review prior to adoption.~~

~~3. It is hereby found and adjudged that the City of Jersey City Municipal Council's adoption of Ordinance No. 20-089 was an ultra vires act, untethered to any legitimate exercise of its delegated authority, and that said adoption violated the Municipal Land Use Law and the public policy of the State of New Jersey.~~

2. City of Jersey City Ordinance No. 20-089 is hereby declared null and void and of no force or effect.

3. Copies of this Order shall be served ~~through~~ upon all parties who who did not receive an electronic notice of this filing within 7 days of the date hereof.  
eCourts.

  
Hon. Joseph A. Turula, P.J.Cv.

Opposed  
 Unopposed

\* The motion is GRANTED for the reasons set forth by the Court on the record on August 12, 2021 at approximately 3:20 PM.