



COURT RULES MUNICIPAL ZONING CANNOT EXCLUDE FAMILIES

Decision Requires Christie Administration to Cease Approving Municipal Policies that Discriminate Against Families

May 23, 2011 – Trenton, NJ - The Appellate Division of the New Jersey Superior Court today invalidated a state agency decision that allowed municipalities to pass zoning ordinances excluding up to one-third of all families in the state. As a result of the decision, families of New Jersey's hardworking waitresses, school bus drivers, and nursing home aides will have greater opportunities to live in municipalities that previously adopted policies that barred them from living in the towns where they work.

"Governor Christie's parents moved from Newark to Livingston at the age of five to seek a better life for their children. He has said that he wouldn't have become Governor without having made that move. Yet Gov. Christie's administration to date has shut the door on other families looking for the same opportunities the Governor had," Fair Share Housing Center attorney Adam M. Gordon said. "Today's court decision requires the Christie Administration to reverse its anti-family policies, a change that will help create new jobs in building and rehabilitating homes."

The decision reverses a policy instituted by the Council on Affordable Housing (COAH) under the Corzine Administration and continued and defended in court by the Christie Administration. When COAH approved Blairstown Township's housing plan in July 2009, it did so despite the fact that Blairstown had not included opportunities for families working at entry-level jobs. The agency had previously required municipalities to adopt zoning policies that included those families, but backed down from enforcing that requirement in response to pressure from wealthy municipalities.

The Christie Administration, which expanded this policy, argued before the Appellate Division in March 2011 that municipalities should be able to exclude working families from their towns. This position is in keeping with the governor's goal of equipping municipalities with the authority to exclude working families, people with special needs, and lower-income seniors from their towns. The Court rejected that position as contrary to laws requiring inclusion of families.

"Today's decision is good for families," Gordon said. "Parents should be able to live in towns where they work and send their kids to good schools. The dreams of New Jersey's children — and the jobs that come from helping fulfill those dreams — should not be dashed because they are excluded by wealthy towns' zoning ordinances."

Fair Share Housing Center, founded in 1975, is based in Cherry Hill. It is the only public interest organization devoted entirely to defending the housing rights of New Jersey's poor through implementing the Mount Laurel doctrine, which requires that each municipality provide its fair share of housing affordable to low- and moderate-income people.

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