

**CITY OF UNION CITY
COUNTY OF HUDSON, STATE OF NEW JERSEY
ORDINANCE NO. 22-02-01-9**

**ORDINANCE SETTING FORTH MAINTENANCE
REQUIREMENTS FOR MOLD INSPECTION AND REMEDIATION IN OCCUPIED
BUILDINGS AND STRUCTURES**

WHEREAS, pursuant to N.J.S.A. §40:48-2, the general “municipal police power” authorizes the regulation of local housing conditions for the preservation of the public health, safety and welfare; and

WHEREAS, the City of Union City (the “City”) is a municipality as defined by Title 40 of the New Jersey Statutes; and

WHEREAS, the City of Union City has determined that the visible or detectable presence of mold growing on interior surfaces or in ventilation ducts in occupied buildings or structures creates a public health hazard that results when regular mold inspection and detection services are not periodically performed; and

WHEREAS, the Board of Commissioners belief it to be in the best interest of the public to avoid and prevent the overgrowth of visible or detectable mold in occupied buildings or structures whenever possible; and

WHEREAS, the Board of Commissioners finds that occupied buildings and structures must be maintained in a habitable condition and mold inspection efforts be performed regularly to protect the health, safety, and general well-being of both residents and the public by preventing the development of public health hazards.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the City of Union City, County of Hudson, State of New Jersey, they being the Governing Body thereof, as follows:

SECTION ONE:

§ 311-12 shall be renamed “Lighting, ventilation, cleanliness, and mold remediation requirements”

SECTION TWO:

Article I, §311-12 shall be replaced with the following:

- A. No owner or lessee of any building or any part thereof shall lease or let or hire out the same or any portion thereof to be occupied by any person or allow the same to be occupied as a place in which or for anyone to dwell or lodge, except when such building or such part thereof is sufficiently lighted and ventilated and is in all respects in that condition of cleanliness and wholesomeness required by this code, any

- ordinance of the City of Union City or any law of this state or in which they require such premises to be kept.
- B. Owners of all occupied buildings shall be required to submit an annual certification form to the City of Union City Health Department certifying that there is no visible mold in any area of the building and there are no pending tenant complaints concerning the presence of mold.
 - C. A copy of the certification form shall be available on the City website and must be submitted annually no later than June 30th of each year.
 - D. In the event that there is visible mold or that there is a pending tenant complaint concerning the presence of mold, remediation efforts must be taken immediately in order to submit the annual certification form.

SECTION THREE:

Severability. If any term or provision of this Ordinance is held to be illegal, invalid, or unenforceable by a court of competent jurisdiction, in whole or in part, such determination shall not affect the validity of the remaining terms and provisions of this Ordinance.

SECTION FOUR:

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

SECTION FIVE:

In order to avoid accidental repeal of existing provisions, the City Clerk and the Corporation Counsel are hereby authorized to change any chapter numbers, article numbers and/or section numbers in the event that the codification of this Ordinance reveals that there is a conflict between those numbers and the existing Code.

SECTION SIX:

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

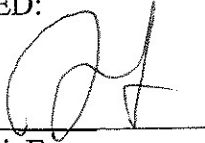
Commissioners	Yea	Nay	Abstain/Present	Absent
Lucio P. Fernandez	A			
Wendy A. Grullon	X			
Celin J. Valdivia	X			
Maryury A. Martinetti	X			
Mayor Brian P. Stack	Y			

I HEREBY CERTIFY this to be a true and correct Ordinance of the City of Union City Board of Commissioners, introduced on January 18, 2022 and was further considered and adopted after a Public Hearing held on February 1, 2022 at the at the Jose Marti Freshman Academy, 1800 Summit Avenue, Union City, New Jersey.

INTRODUCED:

ADOPTED:

ATTEST:



Angelo Auteri, Esq.
Corporation Counsel



DATE