

**CITY OF HACKENSACK
ORDINANCE NO. 05-2019**

**AN ORDINANCE ADDING CHAPTER 3B TO THE CODE OF
THE CITY OF HACKENSACK TO ESTABLISH A STIGMA-
FREE ADVISORY BOARD**

WHEREAS, the National Institute of Mental Health reports that 1 in 4 adults experiences mental illness in a given year, 1 in 17 adults live with a serious mental illness such as schizophrenia, major depression or bipolar disorder, and 20% of youth ages 13-18 and 13% of youth ages 8 to 15 experience severe mental disorders in a given year; and,

WHEREAS, despite its prevalence in our society, society often attaches a stigma upon persons suffering from mental illness; and,

WHEREAS, the stigma which society attaches to mental illness results in experiences and feelings of shame, embarrassment, distress and hopelessness in individuals having mental disorders and is identified as the primary reason individuals fail to seek the help they need to recover from the disease; and,

WHEREAS, the establishment of “Stigma Free Zones” aims to inspire public interest and open dialogue about the effects of stigma, raise awareness of the disease of mental illness, create a culture in which individuals having the disease of mental illness feel supported by their communities and neighbors, and encourage such individuals to seek treatment for the disease without fear of being subjected to stigma and thereby begin recovery, restore hope and avoid tragedies; and,

WHEREAS, the City Council of the City of Hackensack finds that the designation of Hackensack as a “Stigma Free Zone” and the establishment of an advisory board to raise the awareness of resources and encourage individuals suffering from mental health disorders to seek care will assist in eliminating the stigma which society attaches to mental health disorders and will promote better mental health within the City of Hackensack; and,

WHEREAS, the City Council further finds that stigmas associated with suffering from sexually transmitted diseases, including HIV, being discriminated against on the basis of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, and being subjected to harassment, intimidation and bullying must also be addressed and eliminated.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HACKENSACK, as follows:

Section 1:

A new Chapter 3B of the Code of the City of Hackensack (“Code”) is hereby established to read as follows:

Chapter 3B Stigma Free Advisory Board

§3B-1. Establishment; membership.

The City of Hackensack is hereby declared as a “Stigma Free Zone” and, in furtherance thereof, there is hereby established a Stigma Free Advisory Board (“Board”). The membership of the Board shall consist of not less than ten (10) persons, the majority of whom shall be residents, officials or employees of the City and the remainder consisting of persons associated with local community groups, faith communities, local businesses, schools, mental health organizations, hospitals,

physicians, attorneys, health care professionals, and social service organizations expressing a commitment to promoting a stigma-free Hackensack.

§3B-2. Terms; position to be uncompensated.

This Ordinance is intended to formalize and codify the existing Board that was previously established by Resolution with its membership appointed by the City Manager. Accordingly, all appointees to that existing Board currently serving as of the date this Ordinance is adopted shall remain in office until their successors are appointed. The City Council shall appoint or reappoint, as the case may be, the members of the Board so that no less than three (3) and no more than five (5) of the members shall serve for a one-year term; no less than three and no more than five (5) of the members shall serve for two-year terms; and the remainder of the members shall serve for three-year terms. Following such initial appointments, all future appointments shall be for three (3) years, and vacancies shall be filled for the unexpired term only. Board members shall receive no compensation for their services.

§3B-3. Chairperson and deputy chairperson.

The Council shall appoint a chairperson and deputy chairperson from among the membership each year. The chairperson shall be a Hackensack resident or an official or employee of the City.

§3B-4. Purposes.

The purposes of the Board are to raise public awareness of the stigmas associated with mental illness, sexually transmitted diseases, including HIV, being discriminated against on the basis of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, and being subjected to harassment, intimidation and bullying with the goal of eliminating such stigmas and encouraging individuals suffering from the disease of mental illness and sexually transmitted diseases to seek treatment and to urge individuals who are subjected to discrimination, harassment, intimidation and bullying to report same to the appropriate authorities.

§3B-5. Powers and Duties.

The Board may, subject to the availability of adequate funds, undertake a stigma free campaign, participate in public awareness programs to eliminate stigmas, host stigma free forums, distribute stigma free promotional materials, coordinate stigma free events with local community service organizations, advise the Council as to additional stigma free programs, and perform such other functions in furtherance of the purposes to eliminate stigmas within the City of Hackensack.

§3B-6. Attendance.

In the event that any member of the Board shall miss three consecutive meetings, the chairperson of the Board (or deputy chairperson, if it is the chairperson who is so absent) shall report such absences to the City Council. If the City Council, after due inquiry, is satisfied that the absences were not occasioned by reasonable cause, it may remove the member by resolution.

Section 2:

Repeal of Inconsistent Provisions. 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 3:

Severability. The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason is 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 this Ordinance shall stand notwithstanding the invalidity of any part.

Section 4:

Codification. This Ordinance shall be a part of the Code of the City of Hackensack 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 City Attorney are authorized and directed to change any Chapter, Article and/or Section number of the Code of the City of Hackensack 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 5:

This Ordinance shall take effect upon passage, adoption, and publication in the manner prescribed by law.

Introduced: January 8, 2019
Adopted: January 29, 2019

ATTEST:

CITY OF HACKENSACK

By: _____
Deborah Karlsson, City Clerk

By: _____
John Labrosse, Mayor