

**AN ORDINANCE AMENDING CHAPTER 223 "LAND DEVELOPMENT"
OF THE CODE OF THE CITY OF UNION CITY**

WHEREAS, Chapter 223 of the Code of the City of Union City (the "Code") sets forth the land development ordinances governing development within the City of Union City (the "City"); and

WHEREAS, Section 223-5 of the Code sets forth the definitions for development within all districts within the City; and

WHEREAS, the Board of Commissioners believe there is a need to amend Section 223-5 in order to clarify the STORY, HALF definition.

NOW THEREFORE, BE IT ORDAINED that the Mayor and Commissioners of the City of Union City, County of Hudson, State of New Jersey do hereby amend the ordinance as follows:

SECTION ONE

Chapter 223, Section 5, "Definitions" is hereby amended as to the definition of "STORY, HALF" to state as follows:

STORY, HALF -- Any space partially within the roof framing where the possible floor area with headroom of five feet or greater occupies less than 75% of the story directly beneath.

SECTION TWO

Severability. The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional, such decision shall not effect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remaining in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION THREE

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 All Ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only however, to the extent of such conflict or inconsistency, it being the legislative intent that all Ordinances or part of ordinances now existing or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 FOUR

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

I HEREBY CERTIFY this to be a true and correct Ordinance of the City of Union City Board of Commissioners, adopted on December 15, 2015 and will be further considered after a Public Hearing held on January 5, 2016 at the Jefferson Elementary School, 3400 Palisade Avenue at 7:00 p.m.

INTRODUCED: December 15, 2015

ADOPTED: JAN 5, 2016

ATTEST:



DOMINICK CANTATORE, Acting City Clerk

Date: 1-5-16

SUMMARY OF ORDINANCE

This ordinance amends Section 223-5 as to the definition of "STORY, HALF" of the Code of the City of Union City to be defined as any space partially within the roof framing where the possible floor area with headroom of five feet or greater occupies less than 75% of the story directly beneath.