

**CITY OF UNION CITY  
COUNTY OF HUDSON, STATE OF NEW JERSEY**

**ORDINANCE AMENDING CHAPTER 244 SECTION 5(B)(1) TO REQUIRE THAT  
FENCING AROUND VACANT LOTS INCLUDE A PRIVACY MECHANISM**

**WHEREAS**, pursuant to N.J.S.A. 40:48-2, a municipality may make, amend, repeal and enforce ordinances not contrary to the laws of this State or of the United States, as it may deem necessary and proper for order and protection of persons and property, and for the preservation of the public health, safety and welfare of the municipality and its inhabitants; 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 finds that it is in the best interest of the health, safety, and welfare of its residents to amend Chapter 244 Section 5(B)(1) to require that fencing around vacant lots contain fence slats, fence privacy tape, or an equivalent visibility-obscuring mechanism; and

**NOW, THEREFORE, BE IT ORDAINED**, by the Board of Commissioners of the City of Union City, County of Hudson, State of New Jersey that the Code of the City of Union City is hereby amended and revised as follows:

**SECTION ONE:**

Chapter 244 Section 5(B)(1), entitled “Abatement by owner; construction of fence” is hereby amended to include subsection (i), which shall read as follows:

- (i) Fences must contain fence slats, fence privacy tape, or an aesthetically and functionally equivalent visibility-obscuring mechanism.

**SECTION TWO:**

**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 THREE:**

**Repealer.** To the extent that any provision of the Code of the City of Union City is found to conflict with this Ordinance, in whole or in part, this Ordinance shall control.

**SECTION FOUR:**

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 FIVE:**

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, introduced on August 8, 2018 and was further considered and adopted after a Public Hearing held on September 4, 2018 at 7:00 PM at the Union City Welcome Center, 303-47<sup>th</sup> Street, Union City, New Jersey.

INTRODUCED: August 8, 2018

ADOPTION: September 4, 2018

ATTEST:

Erin Knoedler  
City Clerk

## **SUMMARY OF ORDINANCE**

Amends Chapter 244 Section 5(B)(1) to require fence slats, fence privacy tape, or an aesthetically and functionally equivalent visibility-obscuring mechanism.