

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

ORDINANCE

AN ORDINANCE AMENDING CHAPTER 261
OF THE CODE OF THE CITY OF UNION CITY
ENTITLED "NOISE" AND CHAPTER 296 ENTITLED "PEACE AND GOOD ORDER"

WHEREAS, Chapter 261 of the Code of the City of Union City (the "Code") entitled "Noise" and Chapter 296 entitled "Peace and Good Order" set forth the regulations of noise within the City of Union City (the "City"); and

WHEREAS, Chapter 261 entitled "Noise" required the City to utilize a sound measure meter in order to document impermissible sound levels which is not a viable option for the City; and

WHEREAS, the Board of Commissioners (the "Board") believes there is a need to amend both of these Chapters of the Code in order to clarify that the City will utilize the ordinance adopted on October 6, 2015, which sets forth a process to regulate noise as a nuisance in the City and therefore will eliminate the need for Chapter 261 entitled "Noise."

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

SECTION ONE

Chapter 261 entitled "Noise" of the Code of the City of Union City is hereby amended and revised to delete this Chapter in its entirety. It is the intent of the City to regulate noise through Chapter 296 of the Code of the City of Union City entitled "Peace and Good Order".

SECTION TWO

- 1) Section Four entitled "Applicability" of the Ordinance amending Chapter 296 entitled "Peace and Good Order" shall be amended to delete the following:

Applicability. The terms of this ordinance shall not be deemed and are not intended to impair the provisions and enforcement of Chapter 261 of this Code, which shall remain in full force and effect.

SECTION THREE:

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 All Ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only however, to the extent of such conflict or inconsistency, it being the legislative intent that all Ordinances or part of ordinances now existing or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

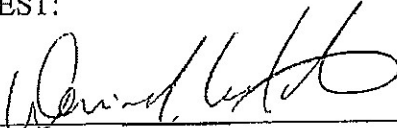
SECTION FIVE:

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 February 2, 2016 and will be further considered after a Public Hearing held on February 16, 2016 at the Union Hill Middle School at 7:00 p.m.

INTRODUCED: February 2, 2016
ADOPTED: 2-16-16

ATTEST:



Dominick Cantatore
Acting City Clerk

2-16-16

DATE

Summary of Ordinance

This ordinance deletes Chapter 261 "Noise" of the City Code and clarifies that noise issues shall be governed by the provisions of Chapter 296 "Peace and Good Order".