

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

**ORDINANCE ESTABLISHING CHAPTER 427 TO PROHIBIT THE USE OF A
THREE-DIMENSIONAL PRINTER IN ORDER TO MANUFACTURE A FIREARM,
UNDER CERTAIN TERMS AND CONDITIONS**

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, pursuant to N.J.S.A. 40:48-1(18), a municipality may make, amend, repeal and enforce ordinances to regulate and prohibit the sale and use of guns, pistols, firearms, and fireworks of all descriptions; 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 establish Chapter 427 to prohibit the manufacturing of firearms by means of a three-dimensional printer; 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 to include Chapter 427 as follows:

SECTION ONE:

Chapter 427, Articles I-III, § 427-1 through -3 of the Code shall read as follows:

§ 427-1. Definitions.

(1) Firearm. Any device designed, made or adapted to expel a projectile through a barrel by using the energy generated by an explosive or burning substance or any device readily convertible to that use.

(2) Three-dimensional printer. A computer-driven machine capable of producing a three-dimensional object from a digital model.

§ 427-2. Restriction on Use.

No person shall use a three-dimensional printer to create any firearm, or any piece or part thereof, unless such person possesses a license to manufacture firearms under Federal law, 18 U.S.C. § 923(a), and state law, N.J.S.A. 2C:58-1.

§ 427-3. Penalties.

A violation of this Chapter shall be subject to the penalty provisions of the Code of the City of Union City, § 1-30.

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 will be further considered after a Public Hearing held on September 4, 2018 at 7:00 PM at the Union City Welcome Center, 303-47th Street, Union City, New Jersey.

INTRODUCED: August 8, 2013

ATTEST:

Erin Knoedler
City Clerk