

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

ORDINANCE 2018-5

**ORDINANCE AMENDING CHAPTER 329, ARTICLE 5, SECTION 31,
“VIOLATIONS AND PENALTIES”**

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, building superintendents, management offices, and security personnel play a critical role in ensuring the health, safety, and welfare of the residents of multiple dwellings; and

WHEREAS, the City finds that the current penalty for failure to provide same is insufficient; and

WHEREAS, the City finds that it is in the best interest of the health, safety, and welfare of its residents to amend Chapter 329, Article 5, Section 31, “Violations and Penalties,” to increase the penalties; 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 329, Article 5, Section 31, “Violations and Penalties,” is hereby amended to read as follows:

A violation of any provision of this Article shall be punishable according to the following schedule:

First Offense	Fine of \$500.00
Second Offense	Fine of \$750.00
Subsequent Offenses	(1) Fine of \$1000.00; and/or (2) Imprisonment for a period not exceeding 90 days; and/or

(3) A period of community service not exceeding 90 days.

Upon receipt of a notice of violation of this Article,¹ an owner of a multiple dwelling shall have six (6) days to correct the violation. For each day an owner fails to cure the violation, the owner shall be fined an additional One Hundred Dollars (\$100.00).

If an owner fails to cure within the six (6) day period, on the seventh day, they shall be deemed to have committed an additional offense and will be charged pursuant to the above schedule. The offender shall then be given an additional six (6) days to cure. For each day an owner fails to cure the violation, the owner shall be fined an additional One Hundred Dollars (\$100.00). This process shall continue indefinitely until the owner cures the violation.

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.

Commissioners	Yea	Nay	Abstain/Present	Absent
Lucio P. Fernandez	X			
Tilo E. Rivas	X			
Celin J. Valdivia	X			
Maryury A. Martinetti	X			
Mayor Brian P. Stack	X			

¹ See Code of the City of Union City, Chapter 1, Article II, Sections 18 through 20.

I HEREBY CERTIFY this to be a true and correct Ordinance of the City of Union City Board of Commissioners, adopted on February 13, 2018 and was further considered and adopted after a Public Hearing held on February 27, 2018 at 7:00 PM at the Holy Cross Armenian Center, 2610 Bergenline Avenue, Union City, New Jersey.

INTRODUCED: February 13, 2018

ADOPTED: February 27, 2018

ATTEST:



Erin Knoedler
City Clerk

February 27, 2018
DATE

SUMMARY OF ORDINANCE

This Ordinance amends the fines for failure to provide a building superintendent, management office and/or security in multiple dwellings. Multiple dwellings, as referenced herein, are defined—pursuant to the relevant Article—as “Any building or structure and land appurtenant thereto containing three or more apartments rented or offered for rent to three or more tenants or family units.”