

*Adoption- Effective 3/12/19

CITY OF UNION CITY, NEW JERSEY

ORDINANCE NO. 2019-5

ORDINANCE OF THE CITY OF UNION CITY, COUNTY OF HUDSON, NEW JERSEY, CANCELLING CERTAIN APPROPRIATION BALANCES HERETOFORE PROVIDED FOR VARIOUS CAPITAL PROJECTS

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the City of Union City, County of Hudson, New Jersey (not less than two-thirds of all the members thereof affirmatively concurring), pursuant to the provisions of the Local Bond Law, Chapter 169 of the Laws of 1960 of the State of New Jersey, as amended and supplemented ("Local Bond Law"), as follows:

Section 1. The following appropriation remains as a balance in Ordinance 2017-30 ("Ordinance"), as set forth below, and is hereby cancelled:

<u>Ordinance</u>	<u>Amount of Funded Appropriation to be Cancelled</u>	<u>Amount of Unfunded Appropriation to be Cancelled</u>
2017-30	\$63,345.62	\$0

Section 2. The remaining funded or unfunded appropriation balances as authorized by the Ordinance shall be unaffected by this ordinance and shall remain available for the uses set forth therein.

Section 3. The Capital Budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith, and the resolution promulgated by the Local Finance Board showing full detail of the amended Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, is on file with the City Clerk and available for inspection.

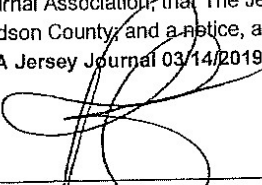
Section 4. All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 5. This ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

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

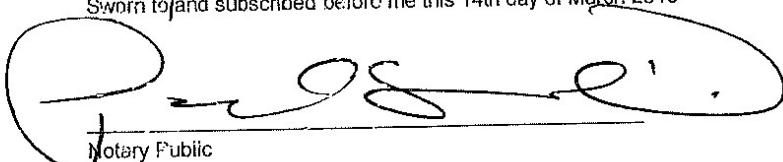
State of New Jersey,) ss
County of Hudson)

Perline Garcia, of full age and being duly sworn according to law, deposes and says that he/she is an advertising clerk for The Evening Journal Association; that The Jersey Journal is a public newspaper published in the Town of Secaucus, with general circulation in Hudson County; and a notice, a true copy of which is annexed, was published in The Jersey Journal on the following date(s):
EJA Jersey Journal 03/14/2019


Principal Clerk of the Publisher

Sworn to and subscribed before me this 14th day of March 2019

PAUL N. MAGNANI
NOTARY PUBLIC OF NEW JERSEY
Comm. # 50092592
My Commission Expires 10/23/2023


Notary Public

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

required under this section must be in cash. Additionally, a developer may provide more than 10% of a performance guarantee in cash.

ORDINANCE 2019-6

SECTION TWO:

ORDINANCE AMENDING CHAPTER 370

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.

WHEREAS, N.J.S.A. 40:55D-37 et seq. empowers a municipality to adopt an ordinance governing (1) the approval of subdivision plats and (2) the approval of site plans as a condition for the issuance of a permit for any development except that subdivision or individual lot applications for detached one or two dwelling-unit buildings shall be exempt from such site plan review and approval; and

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.

WHEREAS, the City of Union City (the "City") is a municipality as defined by Title 40 of the New Jersey Statutes; and

SECTION FOUR:

WHEREAS, N.J.S.A. 40:55D-53, the Municipal Law Use Law, ("MLUL") also empowers a municipality to adopt an ordinance which requires performance or maintenance guarantees "as a condition of final site plan approval;" and

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.

WHEREAS, N.J.S.A. 40:55D-53.3 allows a municipality to require that 10% of performance bonds be in cash; and

SECTION FIVE:

WHEREAS, the Code of the City of Union City, Chapter 370, Section 13 requires submission of a performance guarantee as part of the procedure for filing a final site plan; and

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

WHEREAS, the City has determined that it is in the best interest of its residents to impose performance bonds on private construction projects, in order to ensure public safety; and

I HEREBY CERTIFY this to be a true and correct Ordinance of the City of Union City Board of Commissioners, introduced on February 19, 2019 and was further considered and adopted after a Public Hearing held on March 5, 2019.

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:

INTRODUCED: February 19, 2019
ADOPTED: March 5, 2019
ATTEST:

SECTION ONE:

Erin Knoedler
City Clerk

Chapter 370, Section 13 of the Code of the City of Union City is hereby amended to include the following subsection:

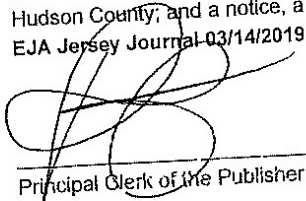
03/14/19

\$270.45

(E) Pursuant to N.J.S.A. 40:55D-53.3, a minimum of 10% of all performance guarantees

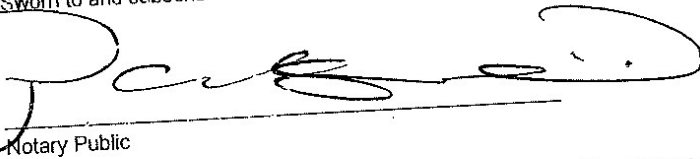
State of New Jersey,) ss
County of Hudson)

Perline Garcia, of full age and being duly sworn according to law, deposes and says that he/she is an advertising clerk for The Evening Journal Association; that The Jersey Journal is a public newspaper published in the Town of Secaucus, with general circulation in Hudson County; and a notice, a true copy of which is annexed, was published in The Jersey Journal on the following date(s):
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Principal Clerk of the Publisher

Sworn to and subscribed before me this 14th day of March 2019

PAUL N. MAGNANI
NOTARY PUBLIC OF NEW JERSEY
Comm. # 50092592
My Commission Expires 10/23/2023


Notary Public

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

the Code of the City of Union City is found to conflict with this Ordinance, in whole or in part, this Ordinance shall control.

ORDINANCE 2016-7

SECTION FOUR:

**ORDINANCE AMENDING CHAPTER 40
AFFORDABLE HOUSING**

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.

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

SECTION FIVE:

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

WHEREAS, the City of Union City (the "City") is a municipality as defined by Title 40 of the New Jersey Statutes; and

I HEREBY CERTIFY this to be a true and correct Ordinance of the City of Union City Board of Commissioners, introduced on February 19, 2019 and was further considered and adopted after a Public Hearing held on March 5, 2019.

WHEREAS, the City of Union City deems it necessary to revise the provisions in Chapter 40, Affordable Housing, to require the payment of development fees prior to the issuance of building permits; and

INTRODUCED: February 19, 2019
ADOPTED: March 5, 2019

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:

ATTEST:
Erin Knoedler
City Clerk

\$234.42

SECTION ONE:

03/14/19

Chapter 40: Affordable Housing, Article 1 Section 40-6(H) is hereby amended as follows:

H. The developer shall pay 100% of the calculated development fee amount prior to the municipal issuance of a building permit for the subject property.

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