

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

ORDINANCE NO. 2020-17

AN ORDINANCE TO RESCIND ORDINANCE NO. 2019-20 TO SUSPEND SECURITY DEPOSIT SUBMISSION REQUIREMENTS SET FORTH IN SECTION 329-32 ET SEQ. OF THE CODE OF THE CITY OF UNION CITY

WHEREAS, pursuant to N.J.S.A. 40:48-2, a municipality may amend 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 enacted Ordinance No. 2019-20 in an effort to address emergency conditions that arise in multiple family dwellings which affect the health, safety and welfare of the tenants within, and

WHEREAS, the Governor of the State of New Jersey declared a Public Health Emergency and State of Emergency in the State of New Jersey on March 9, 2020 due to the spread of the Coronavirus, a highly contagious and potentially fatal respiratory disease caused by SARS-CoV-2 (“COVID-19”); and

WHEREAS, the City declared a State of Emergency via resolution dated March 24, 2020; and

WHEREAS, in light of the financial troubles that many of the City’s residents are experiencing due to the COVID-19 pandemic, the City does not seek to cause an additional financial strain on the owners of the multiple family dwellings which would be required to submit a security deposit under Ordinance #2019-20

WHEREAS, in a good faith effort to alleviate this burden, the City seeks to suspend the security deposit program until further notice; and

WHEREAS, all funds which were submitted pursuant to Ordinance #2019-20 shall be returned to the appropriate parties; and

WHEREAS, the City remains steadfast in its approach to immediately addressing property violations which may affect the health and welfare of its community. However, during this pandemic time, the City will address these matters on an individual basis and pursue violations to the fullest extent of the law.

WHEREAS, pursuant to N.J.S.A. 40:41A-101 this ordinance will take effect immediately upon adoption as it is necessary to ensure the safety of the public.

NOW, THEREFORE, BE IT ORDAINED as follows:

SECTION ONE.

The Security Deposit Requirements set forth in Ordinance No. 2019-20 and Section 329-32 et seq. are hereby rescinded.

SECTION TWO.

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 affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remain in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION THREE.

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 in conflict or inconsistent with any provision of this Ordinance shall remain in effect.

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				
Wendy A. Grullon				
Celin J. Valdivia				
Maryury A. Martinetti				
Mayor Brian P. Stack				

I, ERIN M. KNOEDLER, HEREBY CERTIFY this to be a true and correct Ordinance of the City of Union City Board of Commissioners, introduced on July 28, 2020 and further considered and adopted after a Public Hearing held on August 18, 2020 at the Roosevelt School, 4507 Hudson Avenue, Union City, New Jersey.

INTRODUCED: July 28, 2020

ADOPTED: August 18, 2020

ATTEST:

Erin M. Knoedler
City Clerk

DATE