

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

ORDINANCE 2023-77

ORDINANCE TO AMEND CHAPTER 311 OF THE CODE TO REQUIRE PROPERTY OWNERS AND TENANTS TO CLEAN ANIMAL DROPPINGS ORIGINATING FROM THEIR PREMISES

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, the City has received complaints from residents of the City regarding pigeon droppings, including the unsightliness, odor and damage to property; and

WHEREAS, the City hereby finds that a large pigeon population is a health and safety hazard that presents a hazard to the residents in the City. These include, but are not limited to, spread of diseases, damage to property, and tarnish the appearance of the City; and

WHEREAS, the City is one of the most densely populated municipalities in the United States, which correlates to a large pigeon population; and

WHEREAS, the Mayor and Board of Commissioners seek to reduce exposure to pigeon droppings which may jeopardize the health and welfare of the citizens, damage property, or degrade the quality of life within the City.

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

SECTION ONE:

Chapter 311-15 Paragraph B of the Code of the City of Union City is hereby amended as follows:

- B. The owner, agent, lessee and occupant of any tenement house, apartment, house, commercial or residential building or dwelling or part thereof shall maintain the interior and exterior premises free of garbage, filth, decaying organic matter, organic waste, stagnant water, vermin, animal droppings originating from the premises,

including droppings from wild animals such as pigeons, or any condition that may become a detriment or menace to the health of the inhabitants of this municipality.

SECTION TWO:

All other provisions of Chapter 311 of the Code of the City of Union City shall remain unchanged.

SECTION THREE:

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 FOUR:

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 FIVE:

In order to avoid accidental repeal of existing provisions, the Acting 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 SIX:


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

BE IT FURTHER ORDAINED that the Mayor, the Acting City Clerk, and such other municipal officials as are appropriate are hereby authorized to execute such documents and undertake such action as is necessary to carry out the purpose of this ordinance.

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			

I HEREBY CERTIFY this to be a true and correct Ordinance of the City of Union City Board of Commissioners, introduced on November 8, 2023 and will be further considered after a Public Hearing held on November 21, 2023 AT 7:00 p.m. at the Academy for Advancement and Enrichment, 2210 Kerrigan Avenue, Union City, NJ 07087.

INTRODUCED: November 8, 2023
ADOPTED: November 21, 2023

ATTEST: 

Hilda T. Rosario
Acting City Clerk

11/21/2023

DATE

SUMMARY OF ORDINANCE

This Ordinance amends Chapter 311 of the City of Union City Municipal Code of Ordinances to require owners, agents, lessees, and occupants of any building within the City to maintain the interior and exterior of the premises free of animal droppings originating from the premises, including those from wild animals, such as pigeons.