

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

ORDINANCE NO. 2023-78

ORDINANCE AMENDING CHAPTER 290 ENTITLED “PARKS AND RECREATION AREAS” TO RESTRICT CERTAIN INAPPROPRIATE CONDUCT AND ACTIVITIES

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. 40:61-1, a municipality is similarly authorized to make and enforce rules and regulations for the government, use and policing of all such public parks, open spaces, playgrounds, beaches, waterfronts, and places for public resort and recreation to provide penalties for violations thereof; 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 regarding certain conduct, activities, and inappropriate attire observed in public parks and recreation areas throughout the City of Union City; and

WHEREAS, the Mayor and the Board of Commissioners seek to restrict certain conduct, activities, and inappropriate attire to promote the family-friendly atmosphere of the public parks and recreation areas throughout the community and to prevent the disturbance and annoyance of persons in the public streets and parks within the City of Union 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, do hereby authorize Chapter 290 entitled “Parks and Recreation Areas” to be amended as set forth below.

SECTION ONE

The following subsections (Paragraphs K, N and O) of §290-1 entitled “Prohibited Activities” shall be deleted and replaced to provide as follows:

- K. Ride a bicycle, scooter, e-bike, e-scooter, or utilize roller skates in any public parks or recreation areas within the City of Union City.
- N. Consumption of food and/or beverages (other than water) is prohibited in public parks and recreation areas within the City of Union City. No person shall picnic or lunch in any location within any public park or recreation area. Park Attendants

shall have the authority to enforce these restrictions to ensure the comfort and convenience of all. This provision shall not be applicable to infants/small children, persons with diabetes, and/or any other medical necessity.

- O. No person shall set up tents, shacks, or any other temporary shelter for the purpose of overnight camping, not shall any person leave any movable structure or special vehicle to be used or that could be used for such person in any park after closing hours, including but not limited to house trailers, camping trailers, camp wagons, or any similar movable structure or vehicle, except as approved in those areas designated by the Park Commission for those purposes. No person shall set up any tables and/or chairs in any public parks and/or recreation areas, except on special written permit issued hereunder.

SECTION TWO

§290-1 entitled “Prohibited Activities” shall be amended to include an addition provision as follows:

- Q. Children must be supervised at all times by a parent, adult, or guardian in any public park or recreation area within the City of Union City.

SECTION THREE

§290-2 entitled “Proper Conduct” shall be amended as follows:

While in a public park or recreation area, all persons shall conduct themselves in a proper and orderly manner, and, in particular, no person shall:

- E. Appear at any public park or recreation area in anything other than proper and appropriate clothing. Visitors must wear clothing and swimwear considered appropriate for a family-friendly atmosphere. “Tongas” and any other clothing/swimwear that reveals a person’s nudity are prohibited.

SECTION FOUR

All other provisions as set forth in Chapter 290 entitled “Parks and Recreation Areas” of the City of Union City Municipal Code of Ordinances shall remain in full force and effect unless specifically amended or updated as set forth in this Ordinance.

SECTION FIVE

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 SIX

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

SECTION SEVEN

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 EIGHT

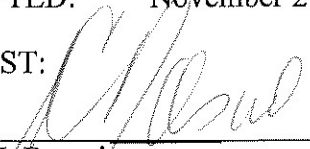
This Ordinance shall take effect upon passage and publication as required by law.

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 I. Rosario
Acting City Clerk

11/21/2023

DATE