

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

ORDINANCE

**AN ORDINANCE AMENDING CHAPTER 87 OF THE CODE OF THE CITY OF UNION CITY
ENTITLED "BRUSH, GRASS, WEEDS and TREES" AND
ARTICLE II ENTITLED "WEED CONTROL CODE"**

WHEREAS, Chapter 87 of the Code of the City of Union City ("Code") entitled "Brush, Grass, Weeds and Trees" and Article II entitled "Weed Control Code," declaring ragweed and poison ivy to be a nuisance, providing for removal or abatement thereof and recovery of expenses incurred by the Division of Health in removing or abating such nuisance within the City of Union City ("City"); and

WHEREAS, currently the penalty for violation of this ordinance is a minimum fine of \$100.00 per offense and up to \$2500.00 maximum and possible imprisonment or community service for 90 days, which should be amended to a penalty commensurate with the offense; and

WHEREAS, the Mayor and Commissioners believe that the violation and penalties exceed the requisite penalty for such offense and wish to provide a penalty consistent with a violation of this section of the ordinance.

NOW THEREFORE BE IT ORDAINED by the Board of Commissioners of the City of Union City, County of Hudson, State of New Jersey that Chapter 87 entitled "Brush, Grass, Weeds and Trees" and Article II entitled "Weed Control Code" of the Code of the City of Union City shall amend Section 87-9, which is entitled "Violations and Penalties" to read as follows:

SECTION ONE

Section 87-4 entitled "Violations and Penalties" shall be amended to delete the following:

Any person who violates or neglects to comply with any provision of this chapter or code established herein, or notice issued pursuant thereto, shall, upon conviction thereof, be liable to a penalty as provided in Chapter 1, Article IV, General Penalty.

The following shall be substituted therefor:

Any person who violates or neglects to comply with any provision of this chapter or code established herein, or notice issued pursuant thereto, shall, upon conviction thereof, be liable to a penalty of \$250.00 per offense.

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

SECTION FOUR

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

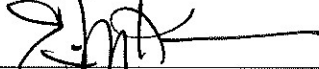
Commissioners	Yea	Nay	Abstain/Present	Absent
Lucio P. Fernandez	X			
Tilo E. Rivas	X			
Celin J. Valdivia	X			
Maryury A. Martinetti	X			
Mayor Brian P. Stack	X			

I HEREBY CERTIFY this to be a true and correct Ordinance of the City of Union City Board of Commissioners, introduced on May 16, 2017 and was further considered after a Public Hearing held on June 7, 2017 at the Colin Powell Elementary School, 1500 New York Avenue, Union City, NJ at 7PM.

INTRODUCED: May 16, 2017

ADOPTED: June 7, 2017

ATTEST:



Erin Khoedler, Deputy City Clerk

June 7, 2017
DATE

Summary of Ordinance

This purpose of this ordinance is to amend the violation and penalties section of the Article entitled, "Weed Control Code" and provide a penalty consistent with a violation of the ordinance.