

**CITY OF UNION CITY
COUNTY OF HUDSON, STATE OF NEW JERSEY
ORDINANCE NO. 2017-29**

**ORDINANCE AMENDING CHAPTER 58-2 ENTITLED "CONSUMPTION
PROHIBITED IN PUBLIC PLACES" TO ALSO PROHIBIT OPEN CONTAINERS OF
ALCOHOL IN PUBLIC PLACES**

WHEREAS, the City of Union City (the "City") has determined it is in the interest of public safety to ban the consumption of alcohol, with certain exceptions, in public places and to prohibit the possession of open containers of alcohol in public places;

WHEREAS, Chapter 58-2 prohibits the consumption of alcoholic beverages in public places and the Board of Commissioners of the City of Union City, County of Hudson, State of New Jersey, finds it in the interest of public safety to amend this ordinance to ban open or unsealed containers of alcoholic beverages in public places; and

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 58-2 Consumption prohibited in public places is amended to provide as follows:

No person shall consume alcoholic beverages nor have in their possession open containers of alcohol in public places, as herein defined, parking lots which are open to the public at large, whether publicly or privately owned, school yards, playgrounds or other outdoor facilities owned and operated by the City Board of Education, shopping plazas or any thoroughfare open to general vehicular or pedestrian traffic in the City.

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 is held to be invalid or unconstitutional, such decision shall not effect 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 All Ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only however, to the extent of such conflict or inconsistency, it being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 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, adopted on December 5, 2017 and was further considered and adopted after a Public Hearing held on December 19, 2017 at Jefferson Elementary School, 3400 Palisade Avenue, Union City, New Jersey at 7:00 PM.

INTRODUCED: December 5, 2017

ADOPTED: December 19, 2017

ATTEST:



Erin Knoedler
Deputy City Clerk

December 19, 2017
DATE

SUMMARY OF ORDINANCE

This ordinance, which prohibits individuals from consuming alcoholic beverages in public places, is hereby amended to also bar any person from possessing an open or unsealed container of alcohol in public places.