

December 5, 2023

69-2023

AN ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF ORANGE TOWNSHIP, COUNTY OF ESSEX, STATE OF NEW JERSEY, AMENDING CHAPTER 4 OF THE MUNICIPAL CODE TO REPEAL VARIOUS PROVISIONS PREEMPTED BY REVISIONS TO THE NEW JERSEY CAMPAIGN CONTRIBUTIONS AND EXPENDITURES REPORTING ACT, N.J.S.A. 19:44A-1 ET SEQ., ENACTED THROUGH THE ELECTIONS TRANSPARENCY ACT, P.L.2023, C.30.

WHEREAS, under the New Jersey Campaign Contributions and Expenditures Reporting Act (“CCERA”), N.J.S.A. 19:44A-1 *et seq.*, municipalities and other local government agencies throughout the State of New Jersey, including the City of Orange Township (“City”), traditionally developed and maintained separate policies limiting political contributions by individuals and businesses with public contracts; and,

WHEREAS, the City’s “Political Contributions Policy” was adopted by the Municipal Council on February 19, 2013, through Ordinance No. 2-2013, and is currently set forth in the Municipal Code under Part I (Administrative Legislation), Chapter 4 (Administration of Government), Article XVIA (Purchasing and Contracting), §§ 70.20 through 70.30;

WHEREAS, The Elections Transparency Act (“TETA”), P.L.2023, c.30, enacted into law on April 3, 2023, but effective retroactively to January 1, 2023, expanded the CCERA to expressly regulate political contributions in the context of local public contracting; and,

WHEREAS, the CCERA was specifically amended to include a provision declaring that all local “pay-to-play” policies “shall cease to be in effect and shall expire” on January 1, 2023—TETA’s effective date; and,

WHEREAS, by virtue of this new provision, the City’s Political Contributions Policy was preempted by State law, rendering all relevant sections of the Municipal Code without further effect.

NOW, THEREFORE, BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE CITY OF ORANGE TOWNSHIP, ESSEX COUNTY, NEW JERSEY as follows:

SECTION 1 Amendment to Municipal Code.

Part I (Administrative Legislation), Chapter 4 (Administration of Government), Article XVIA (Purchasing and Contracting) of the Municipal Code, as amended, is hereby further amended to repeal § 4-70.20 through and including § 4-70.30.

SECTION 2 Severability of Ordinance Provisions.

Each Section of this Ordinance is an independent Section and any part hereof found unconstitutional, void or ineffective for any cause shall not affect the validity or constitutionality of any other parts hereof.

SECTION 3 Conflicts and Inconsistencies.

All other Ordinances and parts of Ordinances that conflict or are inconsistent with this Ordinance are hereby repealed, but only to the extent of such conflict or inconsistency.

SECTION 4 Effective Date.

Following final passage, this Ordinance shall take effect upon the expiration of 20 days after publication, unless otherwise provided by the Municipal Council.

PURPOSE: To comply with The Elections Transparency Act, P.L.2023, c.30.

FISCAL IMPACT: None.

Adopted: December 5, 2023

Joyce L. Lanier
City Clerk

Tency A. Eason
Council President

Approved:

Dwayne D. Warren, Esq., Mayor

Dated: _____