

**AN ORDINANCE
2126-2023**

AN ORDINANCE TO REPEAL CHAPTER 98 ENTITLED "PUBLIC CONTRACTING" (ORDINANCE NO. 1427-2008 AND AMENDMENTS) ADOPTED JUNE 25, 2008 ALSO KNOWN AS CHAPTER 98 SEQ OF THE CODE OF THE CITY OF PERTH AMBOY

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PERTH AMBOY:

SECTION 1. That **CHAPTER 98 PUBLIC CONTRACTING**, adopted June 25, 2008, is hereby repealed in its entirety in accordance with the provisions of P.L. 2023, c.30, known as the Elections Transparency Act (the "ETA"), effective as of April 2023. The ETA prohibits the imposition of pay-to-play provisions that are more restrictive than those in State law. Further, the ETA repealed *N.J.S.A. 40A:11-51*, which authorized the adoption of local pay-to-play ordinances, retroactive to January 1, 2023.

SECTION 2. REPEAL OF PREVIOUS ORDINANCE.

All ordinances or part of ordinances inconsistent with or in conflict with this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 3. SEVERABILITY.

The provisions of this Ordinance are declared to be severable, and if any section, subsection, sentence, clause or phrase hereof shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses or phrases of this Ordinance, but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 4. EFFECTIVE DATE.

This Ordinance shall take effect immediately upon passage, publication and approval according to law.

MILADY TEJEDA
Council President

ATTEST:
VICTORIA ANN KUPSCH
City Clerk

APPROVED AS TO FORM:
WILLIAM P. OPEL
Director of Law

Adopted on Second and Final Reading: November 20, 2023