

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

**ORDINANCE**

**AN ORDINANCE AMENDING CHAPTER 109  
OF THE CODE OF THE CITY OF UNION CITY  
ENTITLED "BUSINESS HOURS OF OPERATION"**

**WHEREAS**, pursuant to N.J.S.A. 40:48-2, the City of Union City may, by ordinance, make, amend, repeal and enforce ordinances "as it may deem necessary and proper for the good government, 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**, Chapter 109 of the Code of the City of Union City (the "Code") entitled "Business Hours of Operation" sets forth the governing standards of the hours of operation for businesses and commercial establishments within the City; and

**WHEREAS**, the Mayor and Board of Commissioners believe it is in the best interests of the health, safety and welfare of the residents of this City, as well as the employees and patrons of such businesses and establishments, that the businesses and establishments regulated by this Section cease the conduct of their business, operations and activities at a reasonable hour.

**NOW, THEREFORE, BE IT ORDAINED**, by the Board of Commissioners of the City of Union City, County of Hudson, State of New Jersey as follows:

SECTION ONE

Chapter 109 entitled "Business Hours of Operation" of the Code of the City of Union City is hereby amended and revised as follows:

Subsection (vi) under Section B titled "Exclusions" is hereby deleted in its entirety and replaced with the following language:

- (vi) Movies and other theatrical performances provided that the final performance or featured film on any given date commences at or before 12 a.m. on that date.

Section B titled "Exclusions" is hereby amended to add subsection (ix):

- (ix) Fast food and quick service restaurants serving food to customers in a packaged form for on premises consumption, take-out/take-away and traditionally distinguished by their preheated or precooked ingredients and the ability to serve food via a drive-through.

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 effect 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.

**I HEREBY CERTIFY** this to be a true and correct Ordinance of the City of Union City Board of Commissioners, adopted on September 6, 2016 and will be further considered after a Public Hearing held on October 4, 2016 at the Emerson Middle School, 318 – 18<sup>th</sup> Street, Union City, New Jersey 07087 at 7:00 PM.

INTRODUCED: September 6, 2016  
ADOPTED:  
ATTEST:

\_\_\_\_\_  
Erin Knoedler  
Deputy City Clerk

\_\_\_\_\_  
DATE