

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

ORDINANCE

**AN ORDINANCE AMENDING CHAPTER 122
OF THE CODE OF THE CITY OF UNION CITY
ENTITLED "CONSTRUCTION CODES, UNIFORM"**

WHEREAS, Chapter 122 of the Code of the City of Union City (the "Code") entitled "Construction Codes, Uniform," which among other things governs the requirements for construction permits, fees, violations and waivers of fees within the City of Union City ("City"); and

WHEREAS, the Board, as the governing body of the City is statutorily permitted to, among other things, 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," pursuant to N.J.S.A. 40:48-2; and

WHEREAS, the Board of Commissioners ("Board") believes there is a need to amend this Chapter of the Code in order to waive the permit fees for any buildings constructed after 2002 with ceramic tiles on the exterior.

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

That the Code of the City of Union City, Chapter 122, Construction Code, Uniform be amended and supplemented as follows:

AN ORDINANCE AMENDING AND SUPPLEMENTING THE CODE OF THE CITY OF UNION CITY; CHAPTER 122, CONSTRUCTION CODE, UNIFORM; SECTION 122-7, PERMIT FEES – OTHER WAIVERS.

SECTION TWO

PURPOSE AND INTENT.

The City of Union City (the "City") seeks to assist with the construction efforts and relieve a portion of the financial burden associated with improvements to any buildings constructed after 2002 with exterior ceramic tiles; and

The City seeks to encourage the construction of improvements to these buildings with exterior ceramic tiles and relieve a portion of the financial burden associated therewith; and

N.J.S.A. 40:48-1 permits the governing body of a municipality to make, amend, repeal and enforce ordinances to, among other things, manage, regulate and control the finances of the municipality and to regulate and control the construction, erection, alteration and repair of buildings and structures of every kind within the municipality; and

N.J.S.A. 40:48-2 permits a municipality to make, amend, repeal and enforce such other ordinances as it may deem necessary and proper for good government, among other things; and

The City shall waive all building construction permit fees for any buildings constructed after 2002 currently utilizing exterior ceramic tiles; and

Waiver of building construction permitting fees for promoting improvements to any buildings constructed after 2002, which currently utilize exterior ceramic tiles. No person shall be charged a building construction permitting fee for any construction, reconstruction, alteration, or improvement designed and undertaken solely to promote the construction efforts and relieve a portion of the financial burden undertaken with such buildings.

SECTION THREE

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 FOUR

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 FIVE


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 February 2, 2016 and will be further considered after a Public Hearing held on February 16, 2016 at the Union Hill Middle School at 7:00 p.m.

INTRODUCED: February 2, 2016

ADOPTED: 2-16-16

ATTEST:



Dominick Cantatore
Acting City Clerk

2-16-16

DATE

Summary of Ordinance

This ordinance institutes a waiver of all building construction permit fees for buildings constructed after 2002 with ceramic tiles on the exterior.