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

**ORDINANCE**

**AN ORDINANCE AMENDING CHAPTER 296 OF THE CODE OF THE CITY OF UNION CITY ENTITLED "PEACE AND GOOD ORDER"**

**WHEREAS,** the City of Union City adopted an ordinance on December 15, 2015 to prohibit the short term rentals of residential properties; and

**WHEREAS,** it has been determined that the fines established for this ordinance are too lenient and will not have the effect of deterring the establishment of the short term rental properties; and

**WHEREAS,** operations of vacation rentals, where residents of the City rent-out entire units to visitors and are not present during the visitors' stays are detrimental to the community's welfare and are prohibited by local law, because occupants of such vacation rentals, when not hosted, do not have any connections to the City community and to the residential neighborhoods in which they are visiting; and

**WHEREAS,** the City seeks to increase the minimum fines for violations of the ordinance to prohibit short term rental of residential properties; and

**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:

Chapter 296 **Section 296-13** entitled **"Short Term Vacation Rentals in Residential Properties - Prohibited"** be amended as follows:

SECTION ONE

Section Four of the ordinance entitled "Enforcement" section b. which reads as follows shall be deleted:

b. Violation of the provisions of this chapter shall be punishable as provided in Chapter 1, General Provisions, Article IV, General Penalty, except that with each violation there should be a minimum fine of two hundred and fifty ($250.00) dollars payable through the Municipal Court Violations Bureau.

The following shall be substituted therefore:

b. Violations of the provisions of this chapter shall be punishable for the first offense of a minimum fine of five hundred ($500.00) dollars. Every subsequent offense shall be punishable by a minimum fine of one thousand ($1,000.00) dollars payable through the Municipal Court Violations Bureau.

## 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

When Effective. 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 _____ 2016 and will be further considered after a Public Hearing held on _____ at the at _____ _m.

INTRODUCED:
ADOPTED:
ATTEST:

_____ _____

Dominick Cantatore DATE
Acting City Clerk

## Summary of Ordinance

This ordinance revises the penalties for short term vacation rentals in residential properties throughout the City.

4853-1009-4125, v. 1