

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

**ORDINANCE**

**AN ORDINANCE AMENDING THE CODE OF THE CITY OF UNION CITY  
CREATING A CITY OF UNION CITY IDENTIFICATION CARD PROGRAM FOR  
RESIDENTS OF THE CITY OF UNION CITY**

**WHEREAS**, the Mayor and Board of Commissioners recognize that many residents within the City of Union City ("City") often times do not have access to various forms of identification and thus have difficulty obtaining services such as banking accounts, access to health care services, as well as public/government buildings; and

**WHEREAS**, there are also many undocumented immigrant residents who are unable to produce acceptable documentation and thus, as a result thereof, have great difficulty in obtaining services; and

**WHEREAS**, it has also been documented in New Haven, Connecticut, that there was a dramatic decrease in robberies/armed robberies against undocumented immigrant workers after the implementation of city identification cards in New Haven, Connecticut; and

**WHEREAS**, the availability of City identification cards will be helpful to displaced youth in addition to many residents and immigrants; and

**WHEREAS**, the Mayor in conjunction with the Board of Commissioners of the City of Union City believe the availability of City identification cards will be positive and productive for so many residents of the City of Union City.

**NOW, THEREFORE, BE IT ORDAINED**, by the Board of Commissioners of the City of Union City, County of Hudson, State of New Jersey that the Code of the City of Union City is hereby amended and revised as follows:

SECTION ONE

The Code of the City of Union City New Jersey, as amended and supplemented, shall include the following:

City of Union City Identification Card Program.

The City of Union City hereby establishes a City of Union City Identification Card Program, which shall be issued to individuals who can prove their identity and residency, in accordance with the terms of this ordinance, which shall be liberally interpreted.

I. Administering Department

- a. The City of Union City Clerk's Office (hereafter referred to as the "Administering Department" or "Department of Administration") shall be designated as the department to administer the City of Union City Identification Card Program.
- b. The City's Administration Department shall issue such policies and procedures necessary to effectuate the purposes of this ordinance; including, the designation of access sites where applications for such cards shall be made available for pick-up and submission. The Department of Administration shall also make the applications available online.

II. Definitions

**"City of Union City Municipal Identification (I.D.) Card" or "City of Union City Identification Card"** shall mean an identification card issued by the City of Union City that shall, at a minimum, display the card holder's photograph, name, date of birth, address, signature, issuance and expiration date. Such card shall also, at the cardholder's option; display the cardholder's self-designated gender. Such identification card shall be designed in a manner to deter fraud.

**"Administrator"** shall mean the Mayor or his designee.

**"Department of Administration"** shall mean the City's Department of Administration, including the Mayor or his designee and/or the Administering Department.

applicants who lack a permanent address. Such card shall also, at the cardholder's option; display the cardholder's self-designated gender. Such identification card shall be designed in a manner to deter fraud which may include: bar codes, serial numbers, watermarks, City Seal, and other security protections to deter fraud. The City of Union City Identification Card is valid for two (2) years from date of issuance. Residents age fourteen (14) or over may apply for a card. Relocation out of the City invalidates the City of Union City Identification Card and shall be returned to the City for destruction.

- c. The fee for the issuance of the City of Union City Identification Card shall be \$15.00 for adults and \$7.00 for children, veterans, disabled and senior citizens. Renewal of cards shall be \$15.00 and change of information shall be \$7.00. The City may adopt rules permitting residents who cannot afford to pay such fee(s) to make a hardship application and to be granted a full or partial waiver of the fee. The City Administrator may file for a hardship exception waiver during application's intake process. In order for an applicant to be granted a hardship waiver, the applicant must demonstrate and have proof of one of the following circumstances:
  - i. Applicant is currently homeless; or
  - ii. Applicant has proof of eviction within the last three (3) months; or
  - iii. Applicant has recently experienced reported domestic violence; or
  - iv. Applicant has proof of substantial debt caused by medical expenses within the last twelve (12) months; or
  - v. Applicant is currently unemployed; or
  - vi. Applicant has filed for bankruptcy within the last six (6) months; or
  - vii. Applicant currently receives one of the following: Supplemental Nutrition Assistance Program, or SSI, or TANF, or food stamps. The applicant should provide proof in the form of a letter, notice or other official document containing the name of the agency granting the benefit, the name of the recipient of the benefit and the name of the benefit received; or

**"Resident"** shall mean a person who can establish that he or she is a current resident of the City of Union City.

**"City"** unless otherwise identified shall solely mean City of Union City.

**"Care of Organization"** shall mean a City Agency, hospital, private or public shelter, non-profit organization, or religious institution in Union City, New Jersey serving homeless individuals or survivors of domestic violence.

**"Care Address"** shall mean the authorized use of address by City Agency, hospital, private or public shelter, or religious institution in Union City, New Jersey serving homeless individuals or survivors of domestic violence.

**"Care Address Letter"** A letter from a City Agency, hospital or non-profit organization, private or public shelter, or religious institution in Union City, New Jersey authorizing use of address. Letter must indicate applicant has received services from the entity for the past fifteen (15) days and may use entity's address for mailing purposes (dated within fifteen (15) days). Address on card will be "Care Of the organization.

### III. Issuance of Union City Identification Cards; Display; Term; Fee

- a. The City of Union City Identification Card shall be available to any resident of the City of Union City regardless of his or her race, color, creed, age, national origin, alienage, or citizenship status, gender, sexual orientation, disability, marital status, partnership status, any lawful source of income, housing status, status as a victim of domestic violence or status as a victim of sex offenses or stalking, or conviction or arrest record, provided that such resident is able to meet the requirements for establishing his or her identity and residency as set forth in this ordinance and of any applicable policies and procedures established by the Department of Administration.
- b. The Union City Identification Card shall display at minimum the applicant's full name, photograph, address, date of birth, signature, card issue and expiration dates. The administering agency shall, through policy and procedure it establishes as required by this ordinance, create guidelines to protect the addresses of victims of domestic violence or alternate requirements for

- viii. Applicant's current household income is at or below 150% of the federal poverty level.

#### IV. Proof of Residency and Identity

In order to obtain a City of Union City Identification Card an applicant must establish their identity and residency within the City of Union City as follows:

a) Proof of Identity. The Union City Identification Card Program will use a point system to determine if applicants are able to prove identity and residency in Union City, New Jersey. In order to establish identity, an applicant shall be required to produce one or more of the following documents: a U.S. or foreign passport, a U.S. driver's license; a U.S. state identification card; a U.S. permanent resident card; a consular identification card; a photo identification card with name, address, date of birth, and expiration date issued by another country to its citizens or nationals as an alternative to a passport for re-entry to the issuing country; a certified copy of U.S. or foreign birth certificate; a Social Security Card; a national identification card with photo, name, address, date of birth, and expiration date; a foreign driver's license; a U.S. or foreign military I.D. card; a current visa issued by a government agency; a U.S. Individual Taxpayer Identification Number (ITIN) authorization letter; an Electronic Benefit Transfer (EBT) card; or any other documentation that the (administering agency) deems acceptable. If the individual is a minor, proof must be furnished on behalf of said minor by the individual's parents or legal guardian or by a court of competent jurisdiction. The administering agency shall, through the policy and procedure established, create a point system to ensure uniformity and non-biased requirements by which individuals may establish identity and residency. The Department of Administration, through its policies and procedures, shall determine the weight to be given to each type of document provided in this paragraph, and require that at a minimum applicant produce more than one document to establish identity.

b) Proof of Residency. In order to establish residency, an applicant must present one of more of the following items showing both the applicant's name and residential address located within the City; a utility bill; a local property tax statement or mortgage payment receipt; a bank account statement; proof that the applicant has a minor child currently enrolled in a school located within the City; an employment pay stub; a jury summons or court order issued by a state or

federal court; a federal or state income tax or refund statement; an insurance bill (homeowner's, renter's, health, life or automobile insurance); written Care Address Letter confirming residency; and any other document the Department of Administration determines is acceptable which shall be set forth in the policies and procedures it promulgates. The Department of Administration shall create through its policies and procedures alternative methods to establish residency, notwithstanding the lack of fixed address. The Administrator may consider a care address acceptable for the homeless and domestic violence applicants.

- V. All City of Union City departments shall accept the Union City Municipal Identification Card as proof of identity and residence for access to City services and benefits unless such acceptance is prohibited by federal or state law or unless the department or authority has reason to suspect fraud by the purported cardholder. The City of Union City shall take reasonable efforts to promote the acceptance of the card by banks and other public and private institutions located within the City and publicize the benefits associated with the Union City Identification Cards.

VI. Confidentiality

The records relating to the application and issuance of the City of Union City Identification Cards shall be maintained in accordance with law. The City of Union City shall make best efforts to protect the confidentiality of all municipal card applicants to the maximum extent allowable by federal and state law. The City of Union City shall not disclose personal information obtained from an applicant for a Union City Municipal Identification Card to any individual, public or private entity, unless required by a court of competent jurisdiction, or authorized in writing by the individual to whom such information pertains, or when such individual is a legal minor or is otherwise not legally competent, by such individual's parent or legal guardian; when so ordered by a court of competent jurisdiction; to a requesting City Department for the limited purpose of administering the program determining or facilitating the applicant's eligibility for additional benefits or services or care and provided that such disclosure is made in accordance with all applicable federal and state privacy laws and regulations.

The City of Union City administering agency shall not retain original or copies of documents provided by an applicant to prove identity or residency when applying for a Union City Municipal Identification Card.

VII. Disclaimer

The City of Union City is providing the Union City Identification Card for identification and access to services provided by the City of Union City. The City does not act as guarantor or warrantor of either of the information provided by the applicant for the Union City Identification Card or of/against acts, criminal or otherwise committed by the individual(s) while possessing or using the Union City Identification Card. The City does not waive any of its protections afforded under Federal, state or local laws, including but not limited to the immunities under the New Jersey Torts Claims Act, N.J.S.A. 59:1-1 et seq., by processing or issuing the Union City Identification Card.

VIII. Reporting

The Administering Department shall submit a report to the Mayor and the City of Union City Board of Commissioners on the status of the Union City Identification Card Program on a quarterly basis or at the request of the Mayor and/or Board of Commissioners.

IX. Violations and Penalties

Altering or intentionally damaging the Union City Municipal Identification Card, using another person's Union City Municipal Identification Card, or allowing the cardholder's Union City Municipal Identification Card to be used by another person may result in confiscation of the card and is in violation of N.J.S.A. 2C: 28-7. Submission of false documents to obtain a Union City Municipal Identification Card is a violation of N.J.S.A. 2C:21-2.1(c) and making false statements to obtain a Union City Municipal Identification Card is a violation of N.J.S.A. 2C:21-4 and punishable by law.

Except as otherwise expressly provided for Section 1, Part IX, any person who violates any provision of this ordinance shall, upon conviction thereof, be punished by one or more of the following penalties:

- (1) a fine not exceeding \$1,000.00;
- (2) imprisonment for any term not exceeding ninety (90) days; or
- (3) a period of community services not exceeding ninety (90) days.

Separate offenses shall be deemed committed on each day during or on which a violation

occurs or continues.

## 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 or unenforceable by a court of competent jurisdiction, such decision shall not affect 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, introduced on February 7, 2017 and will be further considered after a Public Hearing held on February 21, 2017 at the Union Hill Middle School, 3808 Hudson Avenue, Union City, New Jersey at 7 PM.

INTRODUCED: February 7, 2017

ADOPTED:

ATTEST:





Erin Knoedler, Deputy City Clerk

February 7, 2017

DATE

Summary of Ordinance

This ordinance establishes a citywide identification program that allows all residents of the City age 14 and older a valid ID card that will serve as proof of identity within the community and will help residents who do not have access to other forms of identification to interact with City agencies and get access to local resources.