

**CITY OF UNION CITY**  
**COUNTY OF HUDSON, STATE OF NEW JERSEY**  
**ORDINANCE NO. 2023-1**

**ORDINANCE ESTABLISHING A NEW CHAPTER 220 (BUSINESS, RENTAL PROPERTY, AND MULTI- FAMILY PROPERTY INSURANCE REGISTRATION) OF THE CITY CODE GOVERNING INSURANCE CERTIFICATE REGISTRATION FOR CERTAIN BUSINESSES AND RENTAL AND MULTI-FAMILY PROPERTIES PURSUANT TO P.L. 2022, C. 92.**

**WHEREAS**, Governor Murphy recently signed into law P.L. 2022, c.92, which requires the owners of businesses, rental units, and multi-family homes of four or fewer units, one of which is owner-occupied, to obtain and maintain certain levels of liability insurance coverage for negligent acts and omissions, property damage, and bodily injury; and

**WHEREAS**, P.L.2022, c.92, requires the certificate of insurance evidencing those coverages to be annually registered with the municipality; and

**WHEREAS**, P.L.2022, c.92, authorizes municipalities to enact ordinances establishing a registry for the required insurance certificates and to impose a reasonable registration fee; and

**WHEREAS**, this ordinance is enacted pursuant to those mandates:

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

**SECTION ONE:**

I. A new Chapter 220 of the City Code, entitled "Business, Rental Property, and Multi-Family Property Insurance Registration," is hereby established, providing as follows:

§220-1. Statutory authority.

This chapter is enacted pursuant to P.L. 2022, c. 92, and shall be interpreted and enforced to the same extent as that legislation, any amendments or supplements thereto, and any associated regulatory or judicial authority.

§220-2. Insurance requirements.

In accordance with P.L. 2022, c. 92:

A. Except as provided in subparagraph B, the owner of a business or the owner of a rental unit or units in the City of Union City, in addition to other insurances that may be required to be

maintained, shall maintain liability insurance for negligent acts and omissions in an amount of no less than \$500,000 for combined property damage and bodily injury to or death of one or more persons in any one accident or occurrence.

B. The owner of a multi-family home which is four or fewer units, one of which is owner-occupied, shall maintain liability insurance for negligent acts and omissions in an amount of no less than \$300,000 or combined property damage and bodily injury to or death of one or more persons in any one accident or occurrence.

#### §220-3. Registration requirements.

The owner of a business, owner of a rental unit or units, and the owner of a multi-family home of four or fewer units, one of which is owner-occupied, in the City of Union City shall annually, on or before January 1, register the certificate of insurance demonstrating compliance with P.L. 2002, c.92, and § 220-2 with the City Clerk.

#### §220-4. Administrative fee.

An administrative fee of \$25 shall apply to the filing of the certificate of registration required pursuant to P.L. 2002, c.92, and §220-3,

#### §220-5. Enforcement; violations and penalties.

An owner who violates this chapter is subject to a fine of \$500, recoverable through a summary proceeding pursuant to the Penalty Enforcement Law of 1999, P.L. 1999, c.274 (N.J.S.A. 2A:58-10 et seq.).

#### §220-6. Repealer.

Should P.L. 2002, c.92, be repealed or invalidated by competent authority, this chapter shall have no further force or effect.

### **SECTION TWO:**

**Severability.** If any term or provision of this Ordinance is held to be illegal, invalid, or unenforceable by a court of competent jurisdiction, in whole or in part, such determination shall not affect the validity of the remaining terms and provisions of this Ordinance.

### **SECTION THREE:**

**Repealer.** To the extent that any provision of the Code of the City of Union City is found to conflict with this Ordinance, in whole or in part, this Ordinance shall control.

### **SECTION FOUR:**

**Severability.** If any term or provision of this Ordinance is held to be illegal, invalid, or unenforceable by a court of competent jurisdiction, in whole or in part, such determination shall not affect the validity of the remaining terms and provisions of this Ordinance.

**SECTION FIVE:**

In order to avoid accidental repeal of existing provisions, the City Clerk and the Corporation Counsel are hereby authorized to change any chapter numbers, article numbers and/or section numbers in the event that the codification of this Ordinance reveals that there is a conflict between those numbers and the existing Code.

**SECTION SIX:**

This Ordinance shall take effect upon passage and publication as required by law.

**Statement**

This Ordinance institutes the provisions of P.L. 2022, c. 92.

| <b>Commissioners</b>  | <b>Yea</b> | <b>Nay</b> | <b>Abstain/Present</b> | <b>Absent</b> |
|-----------------------|------------|------------|------------------------|---------------|
| Lucio P. Fernandez    | x          |            |                        |               |
| Wendy A. Grullon      | x          |            |                        |               |
| Celin J. Valdivia     | x          |            |                        |               |
| Maryury A. Martinetti | x          |            |                        |               |
| Mayor Brian P. Stack  | x          |            |                        |               |

**I HEREBY CERTIFY** this to be a true and correct Ordinance of the City of Union City Board of Commissioners, introduced on January 10, 2023 and was further considered and after a Public Hearing held on January 24, 2023 at Bella Vista Apartments, 522 22<sup>nd</sup> Street, Union City, New Jersey 07087.

INTRODUCED: January 10, 2023

ADOPTED: January 24, 2023

ATTEST:

  
 \_\_\_\_\_  
 Hilda I. Rosario, Acting City Clerk

  
 \_\_\_\_\_  
 DATE