



Legislation Details (With Text)

**File #:** 20-1561      **Version:** 1      **Name:** Ordinance: Repealing Pay to Play (6PSF-a050411)  
**Type:** Ordinance      **Status:** Adopted  
**File created:** 11/23/2020      **In control:** Law  
**On agenda:** 2/3/2021      **Final action:** 3/17/2021

**Title:** AN ORDINANCE REPEALING ORDINANCE 6PSF-a ADOPTED ON MAY 4, 2011, WHICH ESTABLISHED A PAY-TO-PLAY POLICY FOR DEVELOPERS, CODIFIED AS TITLE II, ADMINISTRATION, CHAPTER 4 GENERAL ADMINISTRATION, ARTICLE 2 CONTRACTS WITH THE CITY, SECTION 22B PAY-TO-PLAY POLICY: REDEVELOPMENT AGREEMENTS UNDER THE LOCAL REDEVELOPMENT AND HOUSING LAW, OF THE REVISED GENERAL ORDINANCES OF THE CITY OF NEWARK, NEW JERSEY, 2000, AS AMENDED AND SUPPLEMENTED, IN ITS ENTIRETY.

FAILED 6F-d021821

**Sponsors:** Council of the Whole

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
3/17/2021	1	Municipal Council	Close on Public Hearing and Adopt	Pass
3/3/2021	1	Municipal Council	Adopt on First Reading	Pass
2/18/2021	1	Municipal Council	Adopt on First Reading	Pass
2/3/2021	1	Municipal Council	Advance to First Reading	Pass

**AN ORDINANCE REPEALING ORDINANCE 6PSF-a ADOPTED ON MAY 4, 2011, WHICH ESTABLISHED A PAY-TO-PLAY POLICY FOR DEVELOPERS, CODIFIED AS TITLE II, ADMINISTRATION, CHAPTER 4 GENERAL ADMINISTRATION, ARTICLE 2 CONTRACTS WITH THE CITY, SECTION 22B PAY-TO-PLAY POLICY: REDEVELOPMENT AGREEMENTS UNDER THE LOCAL REDEVELOPMENT AND HOUSING LAW, OF THE REVISED GENERAL ORDINANCES OF THE CITY OF NEWARK, NEW JERSEY, 2000, AS AMENDED AND SUPPLEMENTED, IN ITS ENTIRETY.**

**FAILED 6F-d021821**

**WHEREAS**, on September 24, 2008, Governor Jon S. Corzine signed Executive Order 118 establishing Pay-to-Play rules for redevelopers seeking to enter into redevelopment agreements with a State redevelopment entity; and

**WHEREAS**, on May 4, 2011, the Municipal Council adopted Ordinance 6PSF-a establishing a Pay-to-Play policy for developers; and

**WHEREAS**, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., provides a mechanism to empower and assist local governments in efforts to promote programs for redevelopment; and

**WHEREAS**, to date, the New Jersey Legislature has not enacted a statute that converts Executive Order 118 into State law; and

**WHEREAS**, Pay-to-Play Laws, N.J.S.A. 19:44A-20 et seq., address political contributions made by business entities that are party to or are attempting to enter or receive contracts from government entities; and

**WHEREAS**, New Jersey's Pay-to-Play law does not apply to developers under the Local Redevelopment and Housing Law; and

**WHEREAS**, N.J.S.A. 40:48-2 authorizes a municipality to make, amend, repeal and enforce such other ordinances, regulations, rules and by-laws not contrary to the laws of this state or of the United States, 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.

**NOW, THEREFORE, BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY, THAT:**

**Note: Additions are shown in bold and underlined.**

**SECTION 1.** Ordinance 6PSF-a adopted on May 4, 2011, which established a Pay-to-Play policy for developers, codified at Title II Administration, Chapter 4 General Administration, Article 2 Contracts With the City, Section 22B Pay-to-Play Policy: Redevelopment Agreements Under The Local Redevelopment and Housing Law, of the Revised General Ordinances of the City of Newark, New Jersey, 2000, as amended and supplemented, be and is hereby repealed in its entirety.

**SECTION 2.** If any provision of this ordinance or application thereof to any person(s) or circumstance is adjudged invalid by a court of competent jurisdiction, the invalidity shall not affect other provisions or applications of the ordinance that can be given effect without the invalidated provision or application, and to this end, the provisions of this ordinance are declared severable.

**SECTION 3.** This ordinance shall take effect upon final passage and publication in accordance with the laws of the State of New Jersey.

### **STATEMENT**

This Ordinance repeals Ordinance 6PSF-a, adopted May 4, 2011, in its entirety.