



Legislation Text

File #: 24-0404, Version: 1

Dept/ Agency: Law

Action: () Ratifying (X) Authorizing () Amending

Type of Service: Waiving 20-day period for an Ordinance to take effect

Purpose: To authorize an emergency be declared to exist for Ordinance 6PSF-a, which amends the City of Newark's various titles of the Revised General Ordinances of the City of Newark, New Jersey, 2000, as amended and supplemented, by creating Chapter 41, Intermodal Container Lot License.

Ordinance No(s):

Ordinance 6F-b was adopted as amended on First Reading by the Municipal Council on March 6, 2024

Additional Information:

Ordinance 6PSF-b was scheduled for a Public Hearing, Second Reading and Final Passage on March 20, 2024, but deferred.

Ordinance 6PSF-a was scheduled for a Public Hearing, Second Reading and Final Passage on April 10, 2024, but deferred.

Ordinance 6PSF-a was scheduled for a Public Hearing, Second Reading and Final Passage on April 24, 2024, but deferred.

Ordinance 6PSF-a was scheduled for a Public Hearing, Second Reading and Final Passage on May 8, 2024, but deferred.

Ordinance 6PSF-a was scheduled for a Public Hearing, Second Reading and Final Passage on May 22, 2024, but deferred.

Ordinance 6PSF-a is now scheduled for a Public Hearing, Second Reading and Final Passage on June 5, 2024.

Deferred 7R6-d 032024

Deferred 7R6-a 041024

Deferred 7R6-a 042424

Deferred 7R6-a 050824

Deferred 7R6-a 052224

WHEREAS, businesses within the City of Newark ("City") that store, rent, own, lease and sell intermodal containers do not have adequate oversight; and

WHEREAS, the City intends to regulate and bring oversight to aforementioned businesses, as intermodal containers can be dangerous and become an attractive nuisance if proper safeguards are not enforced; and

WHEREAS, Ordinance 6F-b was advanced and adopted as amended on First Reading by the Municipal Council on March 6, 2024 and is scheduled for a Public Hearing, Second Reading and Final Passage on June 50, 2024; and

WHEREAS, there is an exigent need for Ordinance 6PSF-a to be effective after being adopted upon Second Reading and Final Passage on June 5, 2024, so the City can properly serve its citizens

as intermodal containers can bring foreseen and unforeseen dangers to the community; and

WHEREAS, the Municipal Council recognizes the exigent need for the Ordinance to take immediate effect; 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; and

WHEREAS, N.J.S.A. 40:69A-181(b) authorizes a Governing Body to adopt a resolution declaring an emergency and authorizing that an Ordinance take immediate effect so long as at least two-thirds of all the members of the Governing Body vote in favor of such resolution.

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

1. For the reasons set forth herein and the important public policies enunciated, an emergency is hereby declared to exist and Ordinance 6F-b, by creating an Intermodal Lot License the City of Newark, New Jersey, shall become effective, once adopted by the Municipal Council after Public Hearing, Second Reading and Final Passage in accordance with N.J.S.A. 40:69A-181(b). This is because of the exigent need for the City to effectively and adequately protect its citizens.

STATEMENT

This Resolution seeks to authorize an emergency to be declared to exist for Ordinance 6F-b, adopted as amended on First Reading by Municipal Council on March 6, 2024, which creates an Intermodal Container Lot License within the City of Newark, New Jersey, to become effective, once adopted by Municipal Council after Second Reading and Final Passage on June 5, 2024, in accordance with N.J.S.A. 40:69A-181(b) due to the exigent need for the City of Newark to effectively and adequately protect its citizens.