



Legislation Details (With Text)

File #: 12-1607 **Version:** 1 **Name:** Waiving 20 day Period for Ordinance 6PFS-b 080112 (SDA)
Type: Resolution **Status:** Filed
File created: 7/20/2012 **In control:** Economic and Housing Development
On agenda: 8/1/2012 **Final action:** 8/1/2012
Title: Dept/ Agency: Economic & Housing Development
Action: () Ratifying (X) Authorizing () Amending
Type of Service: Waiving 20 day period for an ordinance to take effect
Purpose: To fulfill the purpose of Ordinance 6PFS-b 080112 to yield fresh fruits and vegetables during this growing season
Ordinance No(s): 6PFS-b 080112
Additional Information:

Sponsors:

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
8/1/2012	1	Municipal Council	Adopt	Pass

Dept/ Agency: Economic & Housing Development

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

Purpose: To fulfill the purpose of Ordinance 6PFS-b 080112 to yield fresh fruits and vegetables during this growing season

Ordinance No(s): 6PFS-b 080112

Additional Information:

WHEREAS, on August 1, 2012, following a public hearing as required by law, the Municipal Council finally adopted Ordinance No. 6PFS-b 080112 (the "Ordinance"), authorizing the execution of one or more License Agreements from the New Jersey Schools Development Authority (the "NJSDA") to the City, and one or more Sub-License Agreements from the City to Greater Newark Conservancy, Inc., a New Jersey non-profit corporation ("GNC"), for urban agriculture purposes; and

WHEREAS, the initial License Agreement and the initial Sub-License Agreement relate to a parcel of land within the NJSDA's University High School / Hawthorne Elementary School Project Area consisting of Block 3058 (all) in the City's South Ward (the "Initial Parcel"); and

WHEREAS, the purpose of the initial License Agreement and the initial Sub-License Agreement is to enable GNC to undertake urban gardening activities, including the cultivation and sale of fresh fruits and vegetables on the Initial Parcel; and

WHEREAS, due to the scarcity of full service supermarkets and farmers' markets within the City, City residents often suffer from a shortage of fresh fruits and vegetables, which shortage has contributed to adverse health consequences for City residents; and

WHEREAS, vacant properties (such as the Initial Parcel) present numerous problems such as: presenting the opportunity for criminal activity, deterring neighborhood property owners from improving their properties and prospective purchasers and renters from locating into these areas, and serving as a location to dispose of unwanted items; and

WHEREAS, the growing season for the planting and harvesting of fruits and vegetables extends from approximately May 1 through October 31, 2012 and therefore the use by GNC of the Initial Parcel for urban gardening activities must commence as soon as possible in order to take advantage of the current growing season; and

WHEREAS, GNC may not commence such activities until the initial License Agreement and the initial Sub-License Agreement have been executed; and

WHEREAS, the Municipal Council accordingly believes that it is in the best interests of the people of the City, and in accord with and necessary for the full and timely realization of the objectives of the Ordinance, to cause the immediate effectiveness of the Ordinance so as to permit the immediate commencement of urban gardening activities on the Initial Parcel by GNC; and

WHEREAS, the Municipal Council further believes that a failure to cause such immediate effectiveness will frustrate, at least in part, the objectives of the Ordinance, by potentially losing the ability to plant and harvest fruits and vegetables during the current growing season, with resulting deleterious consequences for the quality of life of the residents of the City;

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

1. In consideration of the reasons set forth herein and in order to fully realize and implement the objectives of the Ordinance, an emergency is hereby declared to exist and that Ordinance 6PFS-b 080112 shall take effect immediately upon approval by the Mayor (or passage over his veto) in accordance with N.J.S.A. 40:69A-181(b).

STATEMENT

This resolution authorizes an emergency be declared and further authorizes Ordinance 6PFS-b 080112 to become effective immediately upon approval by the Mayor (or passage over his veto.)