1st reading
12-19-12

Introduced By: _____

Seconded By: _____

CITY OF HOBOKEN
ORDINANCE NO._____

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 192 OF THE CODE OF THE CITY OF HOBOKEN ENTITLED (PARKING FOR HANDICAPPED)
Approval; (75 Bloomfield Street, 528 Bloomfield Street, 119 Willow Avenue)

THE MAYOR AND COUNCIL OF THE CITY OF HOBOKEN DOES HERE BY ORDAIN AS FOLLOWS:

Section 1:

Handicapped Parking

Section 192-4 is hereby amended to add the following restricted handicapped parking spaces:

Maria Colon 75 Bloomfield Street: east side of Bloomfield Street, beginning at a point of 110 feet south of the southerly curbline of Newark Street and extending 22 feet southerly therefrom.

Kenneth Maarleveld 528 Bloomfield Street: west side of Bloomfield Street, beginning at a point of 95 feet south of the southerly curbline of Sixth Street and extending 22 feet southerly therefrom.

Riccardo Annunziata 119 Willow Avenue: east side of Willow Avenue, beginning at a point of 173 feet south of the southerly curbline of Second Street and extending 22 feet southerly therefrom.

Section 2: This ordinance shall be part of the Administrative Code of the City of Hoboken as though codified and fully set forth therein.

Section 3: The City Clerk shall have this ordinance codified and incorporated in the official copies of the Hoboken code. All ordinance and parts of ordinances inconsistent herewith are herby repealed.

Section 4: this ordinance shall take effect as provided by Law

Date of Introduction: December 19, 2012

Approved as to Legal Form:

_____
Mellissa Longo, Corporation Counsel

Adopted by the Hoboken City Council
By a Vote of ____ Yeas to ____ Nays
On the ____ day of _____, 2012

_____
James Farina, City Clerk

☐ Vetoed by the Mayor for the following reasons: _____

_____
_____
_____
_____

-or-

☐ Approved by the Mayor
On the ___ day of _____, 2013

_____
Dawn Zimmer, Mayor

First Reading: December 19, 2012

Councilperson	Yea	Nay	Abstain	No Vote
Ravi Bhalla	✓			
Theresa Castellano	✓			
Jen Giattino	✓			
Elizabeth Mason	✓			
David Mello	✓			
Tim Occhipinti	✓			
Michael Russo	✓			
President Peter Cunningham	✓			

Final Reading January 2, 2012

Councilperson	Yea	Nay	Abstain	No Vote
Ravi Bhalla				
Theresa Castellano				
Jen Giattino				
Elizabeth Mason				
David Mello				
Tim Occhipinti				
Michael Russo				
President Peter Cunningham				

1st reading
12-19-12

(2)

Sponsored by: _____
Seconded by: _____

CITY OF HOBOKEN
ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHAPTER 46 ENTITLED "PUBLIC PROPERTY" TO INCLUDE A SMOKING PROHIBITION WITHIN THE BOUNDARIES OF ALL PUBLIC PARKS WITHIN THE CITY OF HOBOKEN

WHEREAS, the City has begun to work to prevent the serious health effects related to smoking, and second hand smoke on City property by way of Ordinance Z-205, adopted in mid-2012; and,

WHEREAS, the City finds that restrictions on the smoking of tobacco and similar products in public areas where nonsmokers may be subject to the effects of second hand smoke will preserve and protect the health, safety and welfare of the general public, and, as it relates to public parks, specifically the health, safety and welfare of children.

NOW, THEREFORE, the City Council of the City of Hoboken does hereby ordain as follows (additions noted in underline, ~~deletions noted in strikethrough~~):

SECTION ONE: AMENDMENTS TO THE SUBSTANCE OF HOBOKEN CODE CHAPTER 46:

ARTICLE II: City Buildings

46-10 Smoking Restrictions

A. The rules and regulations of the Smoke Free Air Act, N.J.S.A. 26:3D-55, shall be complied with at all times while on City property or within City buildings.
B. Smoking is prohibited within all buildings owned, rented or leased by the City of Hoboken.
C. Outdoor smoking is prohibited within 25 feet of any entrance to or air intake duct on any building owned, rented or leased by the City of Hoboken.
D. Outdoor smoking is prohibited within any outdoor courtyard or atrium on any property owned, rented or leased by the City of Hoboken.
E. Enforcement of this Article II of Chapter 46 shall be effectuated by the City's Health Officer(s), and the Hoboken Police Department.
F. Violations and penalties of this Article II of Chapter 46 shall be governed by and subject to Hoboken Code § 115-11 – Violations and Penalties, except where expressly and exclusively governed by the violations and penalties of the Smoke Free Air Act, N.J.S.A. 26:3D-55 et seq..

[40-11 through 4-19 RESERVED]

ARTICLE III: Public Parks

46-20 Smoking Restrictions

G. The rules and regulations of the Smoke Free Air Act, N.J.S.A. 26:3D-55, shall be

complied with at all times while on City property, including both indoor and outdoor City-owned playgrounds, City-owned dog runs, and City-owned recreational fields.

H. Smoking is prohibited within the boundaries of all City-owned playgrounds, City-owned dog runs, and City-owned recreational fields. This restriction applies to both indoor and outdoor areas of each City-owned playgrounds, City-owned dog runs, and City-owned recreational field.

I. Enforcement of this Article III of Chapter 46 shall be effectuated by the City's Health Officer(s), and the Hoboken Police Department.

J. Violations and penalties of this Article III of Chapter 46 shall be governed by and subject to Hoboken Code § 115-11 – Violations and Penalties, except where expressly and exclusively governed by the violations and penalties of the Smoke Free Air Act, N.J.S.A. 26:3D-55 et seq..

SECTION TWO: REPEAL OF INCONSISTENT PROVISIONS

All ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only to the extent of such conflict or inconsistency, it being the legislative intent that all such ordinances or part of ordinances now existing or in effect unless the same are in conflict or inconsistent with any provision of this Ordinance shall remain in effect.

SECTION THREE: 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 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 FOUR: EFFECTIVE DATE

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

SECTION FIVE: CODIFICATION

This ordinance shall be a part of the Code of the City of Hoboken as though codified and fully set forth therein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Code.

The City Clerk and the Corporation Counsel are authorized and directed to change any Chapter, Article and/or Section number of the Code of the City of Hoboken in the event that the codification of this Ordinance reveals that there is a conflict between the numbers and the existing Code, and in order to avoid confusion and possible accidental repealers of existing provisions not intended to be repealed.

Date of Introduction: December 19, 2012

Introduction:

Councilperson	Yea	Nay	Abstain	No Vote
Ravi Bhalla	✓			
Theresa Castellano	✓			
Jen Giattino	✓			
Elizabeth Mason	✓			
David Mello	✓			
Tim Occhipinti	✓			
Michael Russo	✓			
President Peter Cunningham	✓			

Final Reading:

Councilperson	Yea	Nay	Abstain	No Vote
Ravi Bhalla				
Theresa Castellano				
Jen Giattino				
Elizabeth Mason				
David Mello				
Tim Occhipinti				
Michael Russo				
President Peter Cunningham				

Approved as to Legal Form:

_____
Mellissa Longo, Interim Corporation Counsel

Adopted by the Hoboken City Council
By a Vote of ____ Yeas to ____ Nays
On the ____ day of _____, 2013

_____
James Farina, City Clerk

☐ Vetoed by the Mayor for the following reasons: _____
_____
_____
_____
_____

-or-

☐ Approved by the Mayor
On the ___ day of _____, 2013

_____
Dawn Zimmer, Mayor