

**TOWN OF WEST NEW YORK  
COUNTY OF HUDSON, STATE OF NEW JERSEY**

**ORDINANCE #9/21**

**AN ORDINANCE AMENDING CHAPTER 76 OF THE CODE OF THE TOWN OF WEST NEW YORK ENTITLED “PERSONNEL”**

**WHEREAS**, pursuant to N.J.S.A. 40:48-2, a municipality may make, amend, repeal and enforce ordinances not contrary to the laws of this State or of the United States, as it may deem necessary and proper for 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**, the Town of West New York (“Town”) is desirous of protecting its officers and employees against assault and abuse in the discharge of their public responsibilities on behalf of the Town.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Board of Commissioners of the Town of West New York, County of Hudson, State of New Jersey that Chapter 76 entitled “Personnel” shall be amended as follows:

**Section One**

Chapter 76 shall be amended to add Article IV Establishing Public Employee Protections from Assault and shall provide as follows:

**§76-6 Disorderly Conduct.**

No person shall do any of the following against any Town employee during the discharge of their public responsibilities on behalf of the Town:

- (1) throw objects which may inflict bodily injury or damage to an employee of the Town;
- (2) commit an act which may result in injury to an employee of the Town or damage or loss to an employee’s personal property or create a hazardous or offensive condition by any act which serves no legitimate purpose;

**§76-7 Violations and penalties.**

General penalty. Unless another penalty is expressly provided by New Jersey Statute, a person convicted of a violation of this chapter or any supplement thereto shall be liable to a penalty of not more than \$2,000 or imprisonment for a term not exceeding 15 days, or both.

**Section Two**

**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, 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 Three**

**Repealer.** All ordinances or portions thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only however, or the extent of such conflict or inconsistency, it being legislative intent that all ordinances or portions of ordinances now existing or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

### **Section Four**

**When Effective.** This ordinance shall take effect upon passage and publication as required by law.

### **SUMMARY OF ORDINANCE**

This Ordinance amends Chapter 76 by establishing public employee protections from assault to all Town officers and employees in the administration of the Town's public business.

**Introduced: May 26, 2021**

**Adopted:**

### **Notice**

The foregoing Ordinance was adopted for first reading by the Mayor and Board of Commissioners of the Town of West New York, New Jersey, on **May 26, 2021** and ordered published, and will be further considered before final passage at a public hearing on **July 7, 2021 at 12:30 p.m.** held remotely. Instructions regarding attendance and participation in the meeting will be posted on the Town's website: <http://www.westnewyorknj.org> . A copy of this Ordinance has been posted on the bulletin board upon which public notices are customarily posted on in the Town Hall of the Town of West New York, and a copy (at no charge) is available up to and including the time of such meeting to the members of the public of the Town who shall request such copies, at the Office of the Town Clerk in said Town Hall in West New York, N.J.