

Sponsored by: _____

Seconded by: _____

City of Hoboken
Ordinance No.: _____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
HOBOKEN CORRECTING ORDINANCE Z-2, AN ORDINANCE
ESTABLISHING THE HOBOKEN CITY COUNCIL AS THE
APPOINTMENT AUTHORITY FOR THE HOBOKEN ZONING BOARD
OF ADJUSTMENT AND CONFIRMING THE GOVERNING BODY'S
ROLE AS THE CITY REDEVELOPMENT AGENCY**

WHEREAS, on August 5, 2009, the City Council of the City of Hoboken adopted Ordinance Z-2, an ordinance establishing the Hoboken City Council as the appointment authority for the Hoboken Zoning Board of Adjustment and confirming the governing body's role as the city redevelopment agency;

WHEREAS, Section 2 of Ordinance Z-2 purported to repeal Chapter 37 of the Code of the City of Hoboken, entitled "Hoboken Redevelopment Agency," in its entirety;

WHEREAS, Section 3 of Chapter 37 of the Code of the City of Hoboken provides for the reinstatement of the provision of the Amended Urban Renewal Plan for Project No. N.J.R.-144, commonly known as the "River Street Redevelopment Plan" and does not contain any provisions affecting or pertaining to either (1) the appointment authority for the Hoboken Zoning Board of Adjustment, or (2) the designation of the City's redevelopment agency;

WHEREAS, accordingly, it is necessary to correct Ordinance Z-2 to save Section 3 of Chapter 37 of the Code from repeal.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Hoboken as follows:

Section 1. Section 2 of Ordinance Z-2 is hereby corrected to read as follows:

Sections 1, 2, 4 and 5 of Chapter 37 of the Code of the City of Hoboken, entitled "Hoboken Redevelopment Agency," are hereby repealed in their entirety; provided, however, Section 3 of Chapter 37 shall be unaffected thereby.

Section 2. All ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only however, to the extent of such conflict or inconsistency, it being the legislative intent that all ordinances or part of ordinances now existing or in effect unless the same being conflict or inconsistent with any provision of this Ordinance shall remain in effect.

Section 3. 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 effect 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 not withstanding the invalidity of any part.

Section 4. This Ordinance shall take effect upon passage and publication as provided by law.

Section 5. 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.

ADOPTED:

APPROVED:

James J. Farina, City Clerk

Dawn Zimmer, Acting Mayor

APPROVED AS TO FORM:



Steven W. Kleinman, Corporation Counsel

Date of Introduction: September 2, 2009