



**UNION COUNTY BOARD OF CHOSEN FREEHOLDERS**

ORDINANCE NUMBER: *785-2017*  
 DATE OF INTRODUCTION: *6/22/2017*  
 DATE OF ADOPTION: *7/20/2017*

6/22/2017

AN ORDINANCE TO AMEND "THE LAWS OF UNION COUNTY: ADMINISTRATIVE CODE AND POLICIES AND GENERAL LEGISLATION" BY AMENDING PART 1, CHAPTER 1, ARTICLE XVI, DEPARTMENT OF HUMAN SERVICES; ARTICLE XX, DEPARTMENT OF CORRECTIONAL SERVICES; ARTICLE XXIV, DEPARTMENT OF ECONOMIC DEVELOPMENT.; CHAPTER 49, FEES, ARTICLE V, ENGINEERING & PUBLIC WORKS FEES TO ADD § 49-10.; CHAPTER 100, PERSONNEL--ARTICLE XVI, EMPLOYEE HANDBOOK and CHAPTER 128, SMOKING POLICY

**PART I - ADMINISTRATIVE CODE**

**Chapter 1, UNION COUNTY GOVERNMENT STRUCTURE**

**ARTICLE XVI, Department of Human Services**

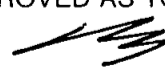
[Amended 7-18-1991 by Ord. No. 337; 6-20-2002 by Ord. No. 553; 4-10-2003 by Ord. No. 569; 9-14-2006 by Ord. No. 636; 4-30-2015 by Ord. 2015-764; 3-10-2016 by Ord. 2016-775]

**§ 1-90. General purpose; departmental organization.**

A. There shall be a Department of Human Services for the purpose of promoting the coordination, integration, maximization and development of human services and providing for the planning, monitoring and administration of select human services. Such resources and services shall include, but not be limited to, those mandated by federal and state law and rules and regulations appertaining thereto. The Director of Human Services shall be the head of the Department and shall be responsible to the County Manager for its operation. The office staff of the Director shall include, but not be limited to, the Office of Paratransit, One Stop American Jobs Center, and the Union County Office on Women.

*MZ, re-supplying of first required*

INTRODUCTION		RECORD OF VOTE						FINAL ADOPTION							
FREEHOLDER	Aye	Nay	Abs	Pass	Ord.	Sec	NP	FREEHOLDER	Aye	Nay	Abs	Pass	Ord.	Sec	NP
CARTER	X							CARTER							X
ESTRADA	X							ESTRADA	X						
HUDAK	X				X			HUDAK	X				X		
JALLOH	X							JALLOH							X
KOWALSKI	X							KOWALSKI							X
MIRABELLA	X					X		MIRABELLA	X					X	
WRIGHT	X							WRIGHT	X						
GRANADOS VICE CHAIRMAN	X							GRANADOS VICE CHAIRMAN							X
BERGEN CHAIRMAN	X							BERGEN CHAIRMAN	X						

APPROVED AS TO FORM  COUNTY ATTORNEY	I hereby certify the above is an original ordinance adopted by the Board of Chosen Freeholders of the County of Union on the aforementioned date.
	_____ CLERK

	I hereby certify this is a true copy of a ordinance adopted by the Board of Chosen Freeholders of the County of Union on the aforementioned date.
	_____ CLERK

B. Under the direction and supervision of the Director of Human Services, One Stop American Jobs Center's functions and responsibilities shall include:

- (1) No Change
- (2) No Change.
- (3) No Change
- (4) No Change
- (5) No Change
- (6) No Change.
- (7) No Change
- (8) No Change
- (9) No Change.
- (10) No Change.
- (11) No Change
- (12) No Change

C. Assistant Director. The Assistant Director of the Department of Human Services shall:

- (1) No Change
- (2) No Change
- (3) No Change

D. The Department of Human Services shall consist of the following divisions:

- (1) No Change
- (2) No Change.
- (3) No Change.
- (4) No Change.
- (5) No Change

**§ 1-96. Division of Cornerstone Behavioral Health Hospital of Union County.**

[Amended 9-14-2006 by Ord. No. 636; Amended 4-30-2015 by Ord. 2015-764]

A. No Change

B. No Change

C. No Change

D. No Change

E. Bureau of Nursing Services.

(1) No Change

(2) Bureau head. The Assistant Administrator/Nurse executive shall be the head of the Bureau and shall be responsible to the Administrator for its operation.

(a) The Head Nurse of the Bureau of Nursing shall be responsible to carry out those functions of the Bureau of Nursing as assigned by the Director of the Bureau of Nursing and the Administrator.

- F. No Change
- G. No Change
- H. No Change

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**ARTICLE XX, Department of Corrections**

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[Amended 3/10/05 by Ord. No. 611; 3/27/08 by Ord. No. 667]

**§ 1-119. General purpose; departmental organization.**

- A. There shall be a Department of Corrections in which the the Director of Corrections shall be the head of the Department and shall be responsible to the County Manager for its operation. The Department of Corrections is established for the following purposes:
  - (1) No Change;
  - (2) No Change
  - (3) Operating and maintaining the Orischello Correctional Facility (Union County Jail) and the George W. Herlich Juvenile Detention Center in a safe, efficient, sanitary and humane manner.
  - (4) Exercising custody, rule, keeping and charge of all prisoners in the County jail pending court action, the serving of sentences to the County jail and their transportation to state correctional facilities or otherwise detained within the jail pursuant to law.
  - (5) Protecting the public by securely detaining individuals who present a danger to the community.
- B. The County Manager may, pursuant to the relevant portions of *N.J.S.A. 30:8-20*, *N.J.S.A. 40:41A-27a* and *N.J.S.A. 40:41A-51b*, appoint the Director of the Department of Corrections for a term not to exceed two years. Such appointment for a term shall not nullify or eliminate the authority of the County Manager to remove the Director of the Department of Corrections at any time during the term, without cause, pursuant to *N.J.S.A. 40:41A-51c*. However, such removal shall be subject to the right of the Director of the Department of Corrections to request a public hearing on such removal before the Board of Chosen Freeholders in accordance with the provisions of *N.J.S.A. 40:41A-87b*.  
[Amended 12-19-1996 by Ord. No. 434]

**§ 1-120. George W. Herlich Juvenile Detention Center.**

The Superintendent of the Juvenile Detention Center shall be the head of this facility and shall be responsible to the Director of Corrections for its operation. Under the authority of the Director of Corrections and direction of the Superintendent, the Juvenile Detention Center's functions and responsibilities shall include:

- (1) Providing for the temporary care (detention), in a physically restricting facility, of juveniles awaiting court disposition, in accordance with state law and rules and regulations appertaining thereto.

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**ARTICLE XXIV, DEPARTMENT OF ECONOMIC DEVELOPMENT**

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[Added 12-19-2013 by Ord. 2013-755; Amended 4-30-2015 by Ord. 2015-764]

[Added 12-19-2013 by Ord. 2013-755; Amended 4-30-2015 by Ord. 2015-764]

**§ 1-152. Department established; purpose; organization.**

- A. No Changes
- B. No Changes
- C. The Department of Economic Development shall consist of the following:

- (1). Workforce Development Board
- (2). Division of Strategic Planning and Intergovernmental Relations
- (3). Division of Community Services

D. The Department of Economic Development shall also have the Bureau of Information Technology which shall report to the Director of the Department of Economic Development.:

**§ 1-153. The Division of Strategic Planning and Intergovernmental Relations.**

A. Under the direction and supervision of the Director of Economic Development, the Division of Strategic Planning and Intergovernmental Relations functions and responsibilities shall include:

- (1) No Changes
- (2) No Changes
- (3) No Changes
- (4) No Changes
- (5) No Changes
- (6) No Changes

B. Division head. There may be a Director of the Division of Strategic Planning and Intergovernmental Relations who serves as the head of the Division and shall be responsible to the Director of the Department of Economic Development for its operation.

C. No Changes

**§ 1-154. Bureau of Transportation Planning.**

A. Under the direction and supervision of the Director of the Division of Strategic Planning and Intergovernmental Relations, the Bureau of Transportation Planning functions and responsibilities shall include:

- (1) No Changes
- (2) No Changes
- (3) No Changes
- (4) No Changes.
- (5) No Changes.
- (6) No Changes
- (7) No Changes

B. Bureau Chief. There may be a Bureau Chief of the Bureau of Transportation Planning who shall be the Head of the Bureau and shall be responsible to the Director of the Division of Strategic Planning and Intergovernmental Relations for its operation.

**§ 1-155. Bureau of Planning and Economic Development.**

A. Under the direction and supervision of the Director of the Division of Strategic Planning and Intergovernmental Relations the Bureau of Planning and Economic Development functions and responsibilities shall include:

- 1. Preparing a Master Plan for the physical development of the County.
- 2. Preparing an Official County Map.
- 3. Coordinating, advising and consulting with municipal, state and regional planning agencies in regard to plans and programs affecting Union County.
- 4. Advising the County Manager and Board on matters of planning and policy evaluation.

5. Pursuing special studies when requested.
  6. Reviewing and approving, where appropriate, applications for land development within the County. Serves as staff to the Union County Planning Board.
  7. Assembling and distributing data on the County as part of the continuing planning process.
  8. Being responsible for the development of data on the social planning needs and economic development of Union County.
- B. Bureau Chief. There may be a Bureau Chief of the Bureau of Planning and Economic Development who shall be the Head of the Bureau and shall be responsible to the Director of the Division of Strategic Planning and Intergovernmental Relations for its operation.

**§ 1-156. Division of Community Services.**

- A. Under the direction and supervision of the Director of the Department of Economic Development, the Division of Community Services' functions and responsibilities shall include:
1. Preparing, facilitating, and disseminating all matters relating to the planning and development of the County, including but not limited to those matters pertaining to planning, development, and community development mandated by federal or state government.
  2. Performing all functions related to implementing a housing and community development program, as required by the Housing and Community Development Act of 1974 and any amendments thereto.
  3. Providing technical assistance to the County Community Development Revenue Sharing Committee and other agencies and/or municipalities in preparing applications for the Housing and Community Development Program or other housing programs.
  4. Conducting and annually updating a housing conditions analysis to determine Union County's housing needs as part of the required community development procedure.
  5. Assisting Union County's municipalities, the Community Development Revenue Sharing Committee and housing agencies in identifying areas suitable for rehabilitation and in initiating housing programs in conformance with the Housing Assistance Plan when requested by the local municipalities.
  6. Maintaining close liaison with the New Jersey Department of Community Affairs and the United States Department of Housing and Urban Development.
  7. Preparing, facilitating and disseminating matters by federal and state government with reference to housing.
  8. Performing all functions related to implementing a housing program, as required by the Housing and Community Development Act of 1974 and all amendments thereto.
  9. Providing technical assistance to various agencies and municipalities in preparing applications for housing programs.
  10. Conducting and annually updating housing conditions analysis to determine Union County's housing needs.
  11. Maintaining close liaison with the New Jersey Department of Community Affairs (DCA) and the United States Department of Housing and Urban Development (HUD).
  12. All aspects of Veteran's Affairs.
- B. Division head. There may be a Director of the Division of Community Services who serves as the head of the Division and shall be responsible to the Director of the Department of Economic Development for its operation.

C. Subdivisions. Within the Division of Community Development shall be the following subdivisions:

- (1) Bureau of Community Development.
- (2) Bureau of Housing.
- (3) Office of Veteran's Affairs.

**§ 1-156.1. Bureau of Community Development.**

A. Under the direction and supervision of the Director of the Division of Community Services, the Bureau Division of Community Development's functions and responsibilities shall include:

1. Preparing, facilitating, and disseminating all matters relating to the planning and development of the County, including but not limited to those matters pertaining to planning, development, and community development mandated by federal or state government.
2. Performing all functions related to implementing a housing and community development program, as required by the Housing and Community Development Act of 1974 and any amendments thereto.
3. Providing technical assistance to the County Community Development Revenue Sharing Committee and other agencies and/or municipalities in preparing applications for the Housing and Community Development Program or other housing programs.
4. Conducting and annually updating a housing conditions analysis to determine Union County's housing needs as part of the required community development procedure.
5. Assisting Union County's municipalities, the Community Development Revenue Sharing Committee and housing agencies in identifying areas suitable for rehabilitation and in initiating housing programs in conformance with the Housing Assistance Plan when requested by the local municipalities.
6. Maintaining close liaison with the New Jersey Department of Community Affairs (DCA) and the United States Department of Housing and Urban Development (HUD).

B. Bureau Chief. There may be a Bureau Chief of the Bureau of Community Development who shall be the Head of the Bureau and shall be responsible to the Director of the Division of Community Services for its operation.

**§ 1-156.2 Bureau of Housing.**

A. Under the direction and supervision of the Director of the Division of Community Services, the Bureau of Housing's functions and responsibilities shall include:

1. Preparing, facilitating and disseminating matters by federal and state government with reference to housing.
2. Performing all functions related to implementing a housing program, as required by the Housing and Community Development Act of 1974 and all amendments thereto.
3. Providing technical assistance to various agencies and municipalities in preparing applications for housing programs.
4. Conducting and annually updating housing conditions analysis to determine Union County's housing needs.
5. Maintaining close liaison with the New Jersey Department of Community Affairs (DCA) and the United States Department of Housing and Urban Development (HUD).

B. Bureau Chief. There may be a Bureau Chief of the Bureau of Housing who shall be the Head of the Bureau and shall be responsible to the Director of the Division of Community Services for its operation.

**§ 1-157. Office of Veteran's Affairs.**

A. Under the direction and supervision of the Director of the Division of Community Services, the Office of Veteran's Affairs' functions and responsibilities shall include:

- (1) Providing information and advocacy for veterans and their families.
- (2) Coordinating flag placement on all veterans' graves.
- (3) Performing such other duties as may be required by the Director of the Department of Economic Development.

**§ 1-158. Bureau of Information Technology**

A. Under the direction and supervision of the Director of The Department of Economic Development, the Bureau of Information Technology's functions and responsibilities shall include:

- 1. No Change
- 2. No Change
- 3. No Change
- 4. No Change
- 5. No Change
- 6. No Change
- 7. No Change
- 8. No Change
- 9. No Change
- 10. No Change

B. Bureau Head. There may be a Bureau Head of the Bureau of Information Technology who serves as the head of the Bureau and shall be responsible to the Director of the Department of Economic Development for its operation.

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**Chapter 49, FEES**

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**Article V, Engineering & Public Works Fees**

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[Adopted 4-27-2006 by Ord. No. 627. Amended 12-4-2008 by Ord. No. 676-2008; 6-25-2009 by Ord. No. 686-2009]

**§ 49-7. Fees for Line Striping & Roadway Markings. (No Change)**

**§ 49-8. Fees for Sign Fabrication and Vehicle Lettering. (No Change)**

**§ 49-9. Tipping Fees Charged to Municipalities for Compost. (No Change)**

**§ 49-10. Fees Charged for sale of Compost.**

Purchasing of Raw Material (Compost) is open to Bulk Material Distributors, Municipalities, Counties or State Governments for pickup only. Delivery of Material will not be provided. Vehicles must be a minimum capacity of 20 cubic yards or larger. Any smaller vehicles must be approved through the Department of Engineering, Public Works and Facilities Management, Division of Public Works.

The Union County Board of Chosen Freeholders shall annually adopt a fee schedule for the sale of compost. The Clerk of the Board will publish the required notice in the appropriate newspaper of such introduction and public hearing for the Schedule of Fees. A copy of the currently

effective Schedule of Fees is on file in the Clerk of the Board's office and is available for examination during office hours.

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## **Chapter 100, PERSONNEL**

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### **ARTICLE XVI, Employee Handbook**

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[Amended 4-30-2015 by Ord. 2015-764]

[The County of Union Employee Handbook, Resolution No. 2013-2 adopted 1/6/2013, amended by Resolution 2017-785 adopted July 20, 2017, is on file in the office of the Clerk of the Board. A copy of this Handbook can be obtained by contacting the Division of Personnel Management and Labor Relations and through the County's Intranet.]

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## **Chapter 128, SMOKING POLICY**

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[HISTORY: Adopted by the Board of Chosen Freeholders of the County of Union 9-23-1993 as Ord. No. 385. Amended 6-10-2010 by Ord. 704-2010.]

### **§ 128- 1. Smoking defined.**

For purposes of this policy, "smoking" means the burning of, inhaling from, exhaling the smoke from, or the possession of a lighted cigar, cigarette, pipe, or any other matter or substance which contains tobacco or any other matter that can be smoked.

For purposes of this policy, "vaping" refers to the use of electronic nicotine delivery systems or electronic smoking devices. These are commonly called e-cigarettes, e-pipes, e-hookahs and e-cigars.

### **§ 128- 2. Smoking and Vaping prohibited.**

- A.** (1) Smoking and vaping are prohibited in all areas of County buildings or structures. This includes but is not limited to all work areas, offices, conference rooms, hallways/vestibules, stairwells, rest rooms, elevators, cafeterias, lounges, garages, parking structures, parking lots, any other areas where vehicles and/or equipment are located and County-operated vehicles.
- (2) Smoking and Vaping shall not be permitted within 25 feet of ingress or egress to any County-owned or leased buildings.
- (3) No Change .
- B.** (1) Smoking and Vaping are prohibited in all County owned recreational areas/facilities including boating facilities (docks and structures), ice-skating facilities, playgrounds, running tracks, all snack bars, swimming pools, ball fields, tennis courts, Watchung Stables and restrooms which support County-owned recreational areas/facilities.
- (2) Smoking and Vaping shall not be permitted within 50 feet of all recreational areas/facilities including boating facilities (docks and structures), ice-skating facilities, playgrounds, running tracks, snack bars, swimming pools, ball fields, tennis courts, Watchung Stables and restrooms which support County-owned recreational areas/facilities.
- (3) No Change.
- C.** (1) The County may prohibit smoking and vaping at County sponsored events, including concerts, fairs, festivals, movies and other such events, at the discretion of the County Manager and with the advise and consent of the Board of Chosen Freeholders.
- (2) No Change.



**§ 128-3. Smoking outside of County buildings.** No Change

**§ 128-4. Disposal of smoking products.** No Change

**§ 128-5. Implementation of policy.** No Change

**§ 128-6. Policy questions.** No Change

**§ 128-7. Violations and penalties.**

- A. Members of the public who violate this policy shall first be ordered to comply with the policy. If the person continues to smoke or vape in violation of the policy, then a fine shall be imposed upon the person in accordance with *N.J.S.A. 26:3D-56 et seq.*
- B. A person, after being so ordered, who smokes or vapes in violation of this Ordinance is subject to a fine of not less than \$250.00 for the first offense, \$500 for the second offense and \$1,000 for each subsequent offense. A penalty shall be recovered in accordance with the provisions of subsections c. and d. of *N.J.S.A. 26:3D-62.*