

# Ordinance

Ordinance No. 7-D

OF THE  
CITY OF ATLANTIC CITY, N.J.

Date.....  
Date to Mayor.....

Approved as to Form and Legality on Basis of Facts Set Forth

Factual contents certified to by

\_\_\_\_\_  
Legislative Counsel /s/ Robert Tarver

\_\_\_\_\_  
/s/ Robert Tarver

Prepared by the City Solicitor's Office

Council Members TIBBITT, KURTZ & SHABAZZ Present the following Ordinance:

## **AN ORDINANCE REPEALING ORDINANCE Nos. 55 of 2004 AND 85 OF 2007**

**WHEREAS**, in 2006, then Governor Corzine signed into law the Bloodborne Disease Harm Reduction Act, P.L.2006, c99, (the "Act") codified at N.J.S.A. 26:5C-25; and

**WHEREAS**, this law permitted the governing body of six (6) municipalities to authorize by ordinance the operation of sterile syringe access programs within the municipality and to contract with a third party to perform these services under the direction of the municipality; and

**WHEREAS**, by Ordinance No. 55 of 2004 and Ordinance No. 85 of 2007, the governing body of the City of Atlantic City, pursuant to the powers set forth in 4-49 of the Code of the City of Atlantic City, authorized the Director of Health and Human Services to establish a Harm Reduction Program with sterile syringe access as part of the Department's HIV prevention program; and

**WHEREAS**, the City Council further authorized the Director of Health and Human Services to authorize certain public health agencies or organizations, as the Director deemed appropriate and qualified, to establish sterile syringe access programs to be operated under the authority of the City of Atlantic City within the guidelines and procedures established by the Department; and

**WHEREAS**, the Bloodborne Disease Harm Reduction Act permits a municipality to terminate a sterile syringe access program established or authorized under this act, which is operating within the municipality, if its governing body approves such an action by ordinance, in which case the municipality shall notify the State Commissioner of Health and Senior Services of its actions.

**NOW THEREFORE BE IT ORDAINED**, by the City Council of the City of Atlantic, that Ordinance No. 55 of 2004 and Ordinance No. 85 of 2007 are hereby repealed and the Director of Health and Human Services is authorized to notify the State Commissioner of Health and Senior Services of this action.

**BE IT FURTHER ORDAINED**, that all Sterile Syringe Access Program activities authorized and established under the authority of the Director of Health and Human services shall upon notice cease operations in any form within 30 days of this legislation becoming effective.

**BE IT FURTHER ORDAINED**, that all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

**BE IT FURTHER ORDAINED**, that if any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

**BE IT FURTHER ORDAINED**, that this ordinance shall become effective twenty (20) days after final passage and advertisement thereof as required by law.

DO NOT USE SPACE BELOW THIS LINE

RECORD OF COUNCIL VOTE ON FINAL PASSAGE

COUNCIL MEMBER	AYE	NAY	N.V	A.B.	MOT.	SEC.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	MOT.	SEC.
DELGADO							MORSHED						
DUNSTON							RANDOLPH						
FAUNTLEROY							SHABAZZ						
KURTZ							ZIA						
							TIBBITT, PRESIDENT						
X-Indicates Vote    NV-Not Voting    AB-Absent    MOT-Motion    SEC-Second													

Adopted on first reading at a meeting of the Council of the City of Atlantic City, N.J. on .....

Adopted on second and final reading after hearing on.....

Approved By.../s/.....Date.....By Council.....Reconsidered Over  
 \_\_\_\_\_ Ride \_\_\_\_\_

Mayor

Aye                      Nay

This is a Certified True copy of the Original Ordinance on file in the City Clerk's Office.

/s/.....PAULA GELETEI, City Clerk

June 14, 2021 9:37 AM