

CHARTER

CHARTER

AN ACT TO INCORPORATE "GLOUCESTER CITY,"  
CAMDEN COUNTY, NEW JERSEY.

1. Be it Enacted by the Senate and General Assembly of the State of New Jersey, That all that part of the county of Camden known as Union township, shall be and is hereby incorporated into a city, to be called "Gloucester City."

2. And be it Enacted, That for the better order and government of Gloucester City, there shall be elected hereafter in said city, one Mayor, who shall be keeper of the City Seal, and hold his office for one year, and at the first election for city officers, six Common Councilmen to serve for one year, and with the Mayor shall form and be one body politic and corporate in deed, fact, name and law, known by the name, style and title of "The Mayor and Common Council of Gloucester City."

(Amended by P.L.2013, c.179. See amendment at the end of Charter.)

3. And be it Enacted, That an election by ballot shall be held on the second Tuesday of March next, at the place of holding the list annual election, and annually thereafter, at such place as the common council of Gloucester City may appoint, of which place the said council shall cause public notice to be given by advertising the same two weeks in one or more newspapers published in said city, or by setting up such notice, either written or printed, in five public places in said city, at least two weeks previous to the day of such election, and in default of such notice, the election shall be held at the place where the common council shall appoint, at which election one mayor, six councilmen, one recorder or clerk, one or more constables, one or more assessors, one collector, who shall be exofficio city treasurer, one chosen freeholder, one overseer of the poor, two surveyors of the highways, three commissioners of appeal, one judge of election, one pound keeper, shall be chosen and elected

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in said city from among the citizens residing therein and entitled to one vote at such election, and annually thereafter on the second Tuesday in March, but no person shall be elected to serve as mayor or common councilman of said city unless he shall have resided in said city at least one year immediately preceding said election.

(Amended by P.L.2013, c.179. See amendment at the end of this Charter.)

4. And be it Enacted, That the mayor and common councilmen of said city shall constitute the common council thereof, and shall hold an annual meeting therein on the fourth Tuesday of March, yearly, and every year, and such other meetings as they shall by ordinance direct and appoint; the mayor shall preside at said meetings, and shall have a vote only in case where there shall be a tie; and if the mayor be absent at any meeting, then the councilmen shall appoint one of their number to preside pro tempore, and when met, said common council shall have power to make and to adopt such rules and by-laws for their own government as they may think proper, and to pass all such ordinances, by-laws and regulations, and in general to do and perform all such other acts and things as are provided for and warranted by this act, and that four members shall constitute a quorum of said council; and it shall be the duty of the mayor, when necessary, to call special meetings of said common council, and in case of his neglect or refusal, then it shall be lawful for any four members of said common council, at such time and place as they may designate, to call any special meeting or meetings, by written or printed notices, and in all cases of special meetings, notice shall be given to all the members of said board of common council, in person or left at their place of residence.

5. And be it Enacted, That the polls of all elections under this act shall be opened at (8) eight o'clock in the forenoon, and close at (7) seven o'clock in the evening; and the same qualifications shall be required to entitle persons to vote as are or may be required at the township elections in this State; and the name of each elector voting at such election shall be

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written on the poll list by the city clerk; and after the poll shall be closed, the election board shall count the votes given for the several candidates, and certify the results under their hands and seals, and deliver such certificate to the clerk of said city, who shall file and preserve the same in his office; and the persons having the greatest number of votes shall be deemed to be elected to the offices for which they shall be voted for respectively, and shall hold their offices for one year and until others are elected in their stead and sworn into office; and the first election which shall be held under this act, shall be held by the officers of election chosen at the last annual election for officers of the township of Union, who shall give due notice of the same in the manner now prescribed by law, and any vacancy in said board of election shall be filled as provided for hereafter.

6. And be it Enacted, That in case a vacancy shall occur in any of the offices to be elected, mentioned in the preceding section, by refusal to serve, by death, or for any other cause whatever, it shall and may be lawful for the common council to fill said vacancies until the next annual election; and the person or persons appointed to fill such vacancies shall be entitled to the like compensation, and be subject to the same responsibilities\* and penalties as if elected at the annual election as aforesaid.

7. And be it Enacted, That all officers appointed under this act shall, before they enter upon the execution of their several offices, take and subscribe an oath, or affirmation, before the common council of said city (who are hereby authorized to administer the same) faithfully and impartially to perform their several duties, according to the best of their abilities and understandings, and that a like oath or affirmation be taken by the mayor and common councilmen first elected under this act, before any justice of the peace or judge, within six

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\* So in reprint.

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days after such election, such oath or affirmation in all cases to be filed by the city clerk.

8. And be it Enacted, That it shall and may be lawful for the common council of said city, or a quorum thereof, in council convened, to pass all ordinances for regulation, leveling, grading, paving, flagging, graveling, improving, cleaning and repairing the streets, sidewalks, and alleys therein; for regulating the planting and protection of shade trees, and for compelling the owners and occupants of lots to grade, curb and pave the sidewalks in front thereof, provided, that no owner or occupant of property shall be compelled to pave more than forty feet in length on any one lot or lots, in any one year; provided, that the paving of the sidewalks and streets shall not be done until two-thirds of the property owners on said streets petition the common council, when it may be done as provided for in said act; and to keep their pavements and gutters clean and free from snow, ice and other impediments; for preventing persons from riding, driving or passing over or upon the same with horses, wagons, carts, or carriages of any description; for ascertaining and establishing the boundaries of all streets and alleys in said city, and preventing and removing all encroachments in and upon said streets or alleys; for preventing or regulating the running at large of cattle, horses, goats, geese, dogs and swine; for imposing a reasonable tax on the owners or possessors of dogs; for preventing the immoderate driving or riding through or in any street or alley of said city; for abating or removing any nuisance in any street or wharf, or any lot or lots or enclosures, or other places in said city; for causing common sewers or drains to be made, and granting permission to construct vaults in any part thereof; for lighting the streets of the same; for preventing or restraining riots, routs, disturbances or disorderly assemblages in any street, alley, house or place in said city; for regulating, protecting, improving and reclaiming the public grounds or walks therein, and sinking and regulating pumps, wells and cisterns in the streets thereof; for the maintenance of fire engines and hose com-

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panies; and for the prevention and suppression of fires; for compelling the cleaning of chimneys; for appointing watchmen, constables, and an additional police, and prescribing their power and duties; for regulating the vending of meats, fish and vegetables; for regulating butchers, hawkers, peddlers, and petty chapmen, within said city; for restraining vagrants, mendicants and street beggars; for erecting and maintaining a city hall, with such other public buildings as may be necessary in said city; for regulating the public docks and wharves therein, and the rates of wharfage; for the more effectual suppression of vice and immorality; for preserving peace and good order; for suppressing and restraining disorderly and gaming houses; for prescribing and defining the duties of the several officers elected therein, and such other by-laws and ordinances for the peace, good order and prosperity of said city as they may deem expedient, not repugnant to the constitution and laws of this State or of the United States, and to enforce the observance of all such laws, by exacting\* penalties for the violation thereof, either by imprisonment in the county jail, not exceeding seven days, or by a fine not exceeding fifty dollars, recoverable with costs, in an action of debt in the name of the treasurer of said city, before any justice of the peace, or the mayor thereof, for the use of the incorporation thereof; and further, it shall be lawful for any justice of the peace, or the mayor of said city, before whom judgment of imprisonment may be given, to carry such judgment into effect by warrant of commitment, under their hand and seal, directed to the keeper of the county prison; provided always, each and every ordinance so passed shall be published in the papers of Camden county, and by handbills in five of the most public places in said city, by the clerk of said city, for twenty days before said ordinance shall go into effect; and provided also that no ordinance or by-laws shall be enacted or passed by said common council, unless the same shall have been introduced before the said common council at a previous meeting.

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\* So in reprint.

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9. And be it Enacted, That it shall and may be lawful for the common council to cause to be raised by tax, from year to year, such sum or sums of money as may be necessary for carrying into effect the laws and ordinances from time to time enacted by them, and for defraying all other necessary expenses of said city, and from time to time borrow money on the faith, and in the name of said city, on bond, note or other sufficient security; provided, that the sum so borrowed shall never amount in all to more than two-thirds of the estimated tax to be levied and assessed in any one year, nor be made payable at any later period than thirty days after the time fixed by law for the collection of taxes; and it is further provided that the owners of all lands within the limits of said city, held as farm lands and not for building purposes, shall not be required to curb and pave in front thereof, unless the same shall consist of a lot or lots lying between other lots used for building purposes.

10. And be it Enacted, That the assessor of said city shall make out lists of all persons, lands, chattels, effects and estates in said city, within the time now required by law for the assessment of taxes in the county of Camden, and shall value all said lands, chattels, effects and estates whether owned by individuals or corporations, according to the true and intrinsic value thereof, and shall assess all taxes and moneys required to be raised in said city, upon the said persons, lands, chattels, effects and estates in said city, according to the valuation thereof, to be made as aforesaid, and said assessor shall deliver a duplicate of said assessment to the collector of said city, within the time now required by law for the delivery of the same in the county of Camden.

11. And be it Enacted, That the mayor of the said city, for the time being, shall have all the powers and authority of a justice of the peace of the State of New Jersey; he shall take cognizance of all fines, forfeitures and penalties to be laid by the laws or ordinances of the common council of said city; he

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shall have power to cause any or all persons to be brought before him, who may be charged with violating the public peace, or disturbing the public tranquility, or for a breach of any of the ordinances thereof; he shall have power to impose fines or penalties upon all persons so offending, and to cause them to be imprisoned in the county jail; and shall be during the time for which he is elected, vested with all the powers and functions, and be bound by the same rules in criminal cases as justices of the peace; and all officers and persons shall respect his as such: he shall have authority to take acknowledgment and proof of deeds; and it shall be his duty to see all ordinances enacted by the common council of said city are duly published and enforced; and that no shows or exhibitions of any kind whatever shall be allowed in said city without his express consent, and license being first obtained in writing.

12. And be it Enacted, That the treasurer of said city, and the collector, and one or more constables, before they enter upon the execution or duties of their respective offices, or be qualified to serve, shall repair to the common council and enter into bonds, with such freehold security as the said council may approve, conditioned for the faithful performance of the duties of their respective offices, which said bonds after the approval of the said common council shall be endorsed thereon, shall be delivered to the city clerk, who is hereby directed and required to file the same in his office, and may be sued and prosecuted as the bonds of like officers in this state are or may be sued and prosecuted.

13. And be it Enacted, That the jailor of the county of Camden, for the time being, shall receive and keep all such offenders as shall be committed to the jail of said county by the mayor of said city as aforesaid, for the term of his, her or their imprisonment, as expressed in the warrant of commitment, and all the expenses of keeping said offenders in said jail shall be borne and paid by the said county of Camden.

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14. And be it Enacted, That the said mayor and common council, or a majority thereof, in council convened, shall have the sole, only and exclusive right and power to grant licenses under the common seal of said city to all and every inn keeper and retailer of spirituous liquors residing in said city, in the like manner and on the same terms and conditions as may now be done by the court of common pleas in this state, except only that they may grant such license for any term not exceeding one year, as they may deem best; and they shall also have the sole, only and exclusive right and power of licensing such and so many keepers of oyster houses and cellars, and places for the sale of fermented liquors within said city, upon such terms and conditions, and subject to such rules and regulations as they may deem most conducive to the public good thereof, and the amount of license fees levied and assessed shall be paid to the treasurer for the use of the city; that it shall not be lawful for any person or persons to sell within the corporate limits of Gloucester City any spirituous liquors in quantities less than five gallons, without first having obtained a license therefor from the mayor and common council, or a majority thereof, in council convened of said city, in whom shall be vested the exclusive right and power of granting such licenses, and who may exact such restrictions and penalties as they may deem necessary in relation thereto.

15. And be it Enacted, That the mayor of said city shall not be entitled to receive any compensation for the performance of his official duties, other than the fees which pertain to his office as a justice of the peace, and a commissioner for taking the acknowledgement and proof of deeds; neither shall the members of common council be paid any compensation whatever for the performance of their official duties; the city clerk shall be paid fifty cents for each meeting of councils he may attend, and six cents per folio of one hundred words each for recording the ordinances thereof.

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16. And be it Enacted, That it shall be the duty of the city treasurer, once at least in each year, and as often as the mayor and common council shall require, to make a statement of moneys received and paid out by him, showing the source from whence received, and to what applied, the amount of the indebtedness of the city, and the balance of funds in his hands, which, when approved by the common council, shall be filed in the office of the city clerk at least twenty days before the next annual election for city officers, and the city council shall cause the same to be set up in five of the most public places in said city at least two weeks previous to the said annual election; and the treasurer shall be allowed for making out such statements six cents per folio of one hundred words.

17. And be it Enacted, That the commissioners of appeal in case of taxation shall convene annually, on the second Monday of September, at the hour of ten o'clock in the forenoon, for the purpose of discharging the duties of their office; it shall be the duty of the collector to give notice of the time and place of the meeting of the commissioners of appeal by putting up notices in five of the most public places in said city, in writing or printed, at least two weeks before the meeting of said board.

18. And be it Enacted, That the collector shall, at least one week before the day of appeal in cases of taxation, demand of all persons taxed the amount of their tax, by notice to them personally given, if to be found in the city, or left at their residences, if within the city; and in case of non-payment of any taxes by the twentieth day of October, the collector shall make out a list of the names of delinquents, with the sums due from each, and deliver the same to the mayor or a resident justice of the peace.

19. And be it Enacted, That it shall be the duty of said mayor or justice of the peace, on receipt of the list of the delinquents

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as aforesaid, to administer an oath or affirmation to the said collector, that the moneys on said list had been duly demanded in the manner hereinbefore directed, and thereupon to give said collector a receipt of such list, certifying therein the names of such delinquents, and the sum due from each respectively; and it shall be the duty of the mayor, or justice, within five days after receipt of said list, to deliver to a constable or constables of said city, a warrant or warrants, requiring him or them to levy the tax so in arrears in the manner prescribed by the laws of the State of New Jersey relative to collection of taxes; and the said constable or constables shall, in the collection thereof, be governed by the laws of this state regulating the same in the several townships thereof; provided, always, that said constable or constables shall not be entitled to charge fees on account of any name mentioned on said warrant unless the tax due from said delinquent be actually collected.

20. And be it Enacted, That it shall be the duty of the constable or constables appointed as aforesaid in said city, to preserve and maintain at all times the peace and quiet of said city, to arrest and imprison offenders against the ordinances of said city or the laws of this state, and to perform such other duties and under such penalties, as the common council of said city shall from time to time prescribe.

21. And be it Enacted, That the mayor and common council of said city, upon petition of not less than twenty freeholders of said city, shall by ordinance select three persons to act as commissioners lay out, open, widen, alter or vacate any street, road, lane or alley in said city; said commissioners shall be discreet, impartial and disinterested persons, residents in said city, and shall take and subscribe an oath or affirmation to act faithfully and impartially in the premises; they shall cause ten days' notice of their meeting, together with a general description of the improvement applied for, to be set up in three of the most public places in said city, and shall cause one insertion to be made in each of the papers published in the county

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of Camden, at the time appointed, view the premises and hear objections, if any shall be offered, after which, if they or a majority of them shall adjudge the improvement or alteration applied for proper and necessary, they shall establish it and appraise the actual damage incurred by the respective owners of property along the line thereof, and such assessment shall be deemed the just compensation to be made for private property taken for public use, as prescribed by the constitution of this state, and make return in writing under their hands, together with a map containing a particular description, by survey, of such improvement and appoint a time for opening, or closing in case of vacating the same, which map and return shall be deposited in the office of the recorder of said city, for the inspection of parties interested, and in case said return shall be confirmed by the mayor and common council, the same shall be endorsed "confirmed," and being subscribed by the mayor and sealed with the city seal, shall, together with said map, be filed in the clerk's office of Camden county, and the return recorded by the clerk in the county road book, who shall be entitled to the same fees as for recording the return of the laying out of a public highway; provided however, that no return shall be confirmed until ten days after notice shall have been given by two insertions in each of the papers published in said city, or of such return made to the mayor and common council, and to whom any persons feeling aggrieved may appeal for relief; provided, further, that if any person or persons shall be dissatisfied with the award of damages made by the aforesaid commissioners, he, she or they may apply in writing, to the court of common pleas of Camden county, who shall at their next ensuing session appoint six of the chosen freeholders of the county, not interested in said improvement and not of Gloucester City, whom or a majority of whom shall, upon ten days' notice given by the applicant or applicants, and within twenty days of their appointment proceed to view the premises, having been personally sworn or affirmed faithfully or impartially to execute the duties ap-

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pertaining to their appointment, and make such award in writing of the actual damages as shall seem to them, or a majority of them, proper and just, which award shall be final and conclusive upon all parties concerned, and shall be filed in the county clerk's office, together with the return and map aforesaid; the chosen freeholders shall be entitled to two dollars each per day for their services, and said compensation shall be paid by the applicant or applicants for their appointment; that the commissioners provided for as aforesaid shall be entitled to two dollars each for their service per day, which sum shall be paid by the applicants; that the mayor and common council may by ordinance cause any street, road, lane or alley in said city, under this act, to be opened at the time specified by the commissioners for opening the same, and all buildings or other obstructions removed therefrom; and said street, road, lane or alley shall thereupon be a public highway; provided, however, that it shall not be lawful for the mayor and common council of said city to enter upon any lands to open, or widen, or alter any highway, until the damages assessed thereon shall have been paid, or legally tendered by the said city of Gloucester; that if any owner or owners of real estate in the said city of Gloucester shall neglect or refuse to comply with any ordinance of the city council, passed under authority of the eighth section of the city charter, for grading, paving, curbing, cleaning and repairing the sidewalks of the streets of said city, for the space of thirty days after the said ordinance shall have been passed and become operative as herein provided, it shall and may be lawful for the city council to cause the said work to be done and pay for the same out of any money in the city treasury not otherwise appropriated, a particular statement whereof shall be filed in the office of the city recorder, and such cost shall remain a lien upon the said real estate until paid; and the city council may either sue and recover the amount so paid as aforesaid, from the owner or owners of such real estate or their legal representatives, with interest and cost of suit, in any court having cognizance thereof, in an

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action on the case, in the name of the treasurer of the said city of Gloucester, for such money by them paid out and expended to and for the use of such owner or owners, and the statement of the expenses filed with the recorder, with proof of the amount paid, shall be conclusive evidence for the plaintiff; or the said city council may cause the said real estate, or such part thereof as they may think proper, to be advertised for four weeks in the newspapers of the county, and in handbills to be put up in five of the most public places in the said city, and then proceed to sell at public outcry the said real estate, for the shortest period of time any person or persons will purchase the same and pay the amount against it, together with the cost and expenses attending the sale thereof, and when so sold may execute, under the seal of the city, a deed for the same; provided, always, in the case of non-residents it shall be the duty of the city council to cause a notice describing the property and the nature of the improvement required to be done, to be inserted in the newspapers of the county for two weeks, setting forth that unless the owner or owners appear and comply with the ordinance, the council will cause the same to be done at the expense of such owner or owners, the cost of which advertisement shall be borne by such owner or owners; that proceedings made contrary to law or the provisions of this act may be reviewed and set aside by the Circuit Court of Camden county, or the Supreme Court of the State of New Jersey upon certiorari; provided, that the provisions of this section shall not extend or apply to the altering or changing of the lines or courses of the streets or alleys as laid out on the plan of lots and streets of the "Gloucester Land Company," as recorded in the clerk's office of Camden county.

22. And be it Enacted, That the police officers and constable of the said city of Gloucester are hereby empowered to arrest and take into custody without warrant, any offender or offenders against the laws and ordinances of said city, any person or persons disturbing the peace or quiet of the said city, and to

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carry such offender or offenders immediately before the mayor, or one of the justices of the peace resident in the city, who are hereby empowered and authorized to hold courts and take cognizance of all such offences, which said courts so held, shall be courts of record, or in case the said arrest shall be made in or during the night of the sabbath day, or when the mayor, justices of the peace, or either of them, cannot hear the same or hold such courts, to confine such offender or offenders in the common jail of the county of Camden, or in some other safe and convenient place in said city, until the day following, or until such time as the same can be heard, and then without unnecessary delay carry such offender or offenders before the mayor or any justice of the peace aforesaid; or the mayor, or any one of the said justices of the peace aforesaid, may arrest and apprehend any such offender for offences committed in their presence, or upon complaint made in writing, under oath or affirmation, the said mayor or justice may issue a warrant, directed to the constable or police officers of said city, or any or either of them, commanding such officer to take such offender or offenders, and bring him, her or them forthwith before such person issuing the warrant; or the said mayor or justice of the peace aforesaid, or either of them, at his discretion, may issue a summons commanding the said offender or offenders to be and appear before the said mayor or justice of the peace, as the case may be, at a fixed time therein mentioned, in the name of "Gloucester City," and when any such offender or offenders shall be arrested or brought, or appear before any such mayor or justice of the peace, as the case may be, to proceed in a summary manner to hear and determine the same, and punish the offender or offenders, and if he, she or they, as the case may be, shall be sentenced to be imprisoned, then the said magistrate shall make out a warrant commanding the officers aforesaid, or one of them, to convey such offender or offenders, as the case may be, to the common jail of the county of Camden, there to remain until the term of his, her or their imprisonment

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shall have expired, and the costs of the conviction be paid, and in case the said offender or offenders shall be sentenced to pay a fine therefor, the said mayor or justice of the peace, as the case may be, either to order the offender or offenders to be committed to the jail aforesaid until the fine and costs are paid, or to issue a warrant directed to one of the constables or police officers of said city, to any or either of them, commanding said officers to levy and make such fine and costs of the goods and chattels of such offender or offenders and for want of sufficient goods and chattels of such offender or offenders, to take and convey such offender or offenders to the jail aforesaid, there to remain until such fine and costs be paid or satisfied, which said fine when or paid or collected, shall be paid over unto the treasurer of the said city, unless otherwise directed by the city council; provided, always, that any such offender or offenders convicted as aforesaid, may appeal to the city council upon such terms and conditions as the city council may, by ordinance, prescribe and impose; but such appeal shall be made within twenty days from such conviction.

23. And be it Enacted, That the common council of said city shall have full power to pass such ordinances as they shall judge proper for regulating and preventing the running at large of dogs and bitches in the said city, and to enforce the same, either by fine or by causing the said dogs or bitches found running at large to be impounded or summarily destroyed.

24. And be it Enacted, That books of record of the ordinances and by-laws of the said common council shall be taken and received as evidence of the due passage by common council of all ordinances and by-laws recorded therein; and further, that the publication by authority of the city ordinances and by-laws, in a volume or pamphlet form, shall in like manner be taken and received as evidence of the due passage thereof, and that the publication of the said ordinances and by-laws according

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to law shall, in all cases, be presumed until the contrary be made to appear.

25. And be it Enacted, That the city clerk shall keep file, and when necessary, record all official papers belonging to the same; he shall attend all meetings of common council, and keep accurate minutes of the proceedings thereof; he shall give lawful notice of such meetings, and of all annual and special elections: he shall record in a proper book to be provided for that purpose, all ordinances passed by the common council and duly certify the same, and publish the same as herein required, and shall perform such other duties as the said common council may from time to time prescribe.

26. And be it Enacted. That the judge of election, the assessor and collector of taxes of said city, and shall constitute the board of election of said city, and shall take the like oaths or affirmations, and conduct all elections in the same manner as township elections are or may be by law required to do; shall be vested with the same powers and authority, entitled to the same compensation, perform the like duties, and be subject to the same penalties as the like officers of this State; and in case of the absence, death, incompetency or refusal to serve of any of the said officers of election, such vacancy or vacancies shall be supplied in the manner prescribed by law for supplying such vacancies; and the clerk of said city shall procure ballot boxes for the use of said city, of such description as are required to be produced by the township clerks of this state, and be subject to the same penalties for a failure to procure said boxes or to keep the same in repair.

27. And be it Enacted, That in the trial of any issue, or in the judicial investigation of any case, to which issue or investigation the mayor and common council of said city are a party, or in which the said city is interested, no person shall be deemed an incompetent witness or juror by reason of his

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or her being an inhabitant or freeholder in said city; and if any person shall be sued or impleaded by reason of anything done by this act, it shall be lawful for such person to plead the general issue, and to give this act and the matter in evidence at the trial.

28. And be it Enacted, That the chosen freeholder, the assessor, and surveyors of the highways of the said city of Gloucester shall perform all the duties, and exercise all the power in the county organization which said officers of the township of Union now exercise and perform therein.

29. And be it Enacted, That the mayor and members of common council to be elected by virtue of this act shall take the oath or affirmation prescribed on or before the fourth Tuesday in March next after the election.

30. And be it Enacted, That all the property now vested in the township of Union, shall be and is hereby vested in the corporation of Gloucester City, and the said city shall be and become responsible for the payment of all the debts and liabilities of said township of Union.

31. And be it Enacted, That all laws of this state inconsistent with the provisions of this act are hereby repealed.

32. And be it Enacted, That this act shall take effect immediately.

Approved February 25th, 1868.

A SUPPLEMENT TO AN ACT ENTITLED "AN ACT TO INCORPORATE GLOUCESTER CITY, CAMDEN COUNTY, NEW JERSEY," APPROVED FEBRUARY TWENTY-FIFTH, EIGHTEEN HUNDRED AND SIXTY-EIGHT.

1. Be it Enacted by the Senate and General Assembly of the State of New Jersey, That all that part of the proviso of

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section eight of the act entitled "An Act to incorporate\* Gloucester City, Camden County, New Jersey," that requires each and every ordinance passed by the city council of said city, to be published in the papers of Camden county, be and the same is hereby repealed.

2. And be it Enacted, That this act shall take effect immediately.

Approved April 17th, 1868.

### A FURTHER SUPPLEMENT TO AN ACT ENTITLED "AN ACT TO INCORPORATE GLOUCESTER CITY, CAMDEN COUNTY, NEW JERSEY."

1. Be it Enacted by the Senate and General Assembly of the State of New Jersey, That at the next charter election held in Gloucester City, after the passage of this act, there shall be elected, by the qualified voters in said Gloucester City, three common councilmen, who shall serve for one year, three who shall serve for two years, and three who shall serve for three years; who shall be designated upon the ballots accordingly, instead of six councilmen as heretofore; and at every subsequent annual election, three common councilmen shall be elected for the full term of three years, in the place of those whose terms expire; and in case any person during the term for which he shall have been elected as aforesaid, shall die, or if any person elected as aforesaid shall refuse to serve as a member of the common council of said city, or shall remove from said city, the office of such person so dying, refusing to serve, or removing from said city, shall, from the time of such death, refusal to serve, or removal from said city, be deemed to be vacant, and it shall be lawful for the qualified voters of said city, at the next annual election there-

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after, to elect some person for the unexpired term of such person so dying, refusing to serve, or removing from said city.

2. And be it Enacted, That at the first regular meeting of the common council, elected in pursuance of this act, they shall elect one of their number as president, who shall preside at all meetings of said common council, enforce all by-laws for the government of council, and attest by his signature all ordinances passed by said common council, and all resolutions directing the payment of any money out of the city treasury, and all contracts entered into by said city, before they are presented to the mayor for his approval, as hereinafter provided; and in case of the absence of said president, it shall be lawful for said common council to appoint a president pro tempore, who shall, for the time being, be clothed with the same authority and discharge the same duties as the president of council.

3. And be it Enacted, That the mayor of said city shall be elected for one year, and shall hereafter have charge of all persons appointed or elected to perform police duty in said city; he shall have the custody of the seal of said city, and shall affix the same to all contracts entered into by said city, after the same shall have been approved of by him; it shall be the duty of the mayor of said city, at least once in every month, to render an account to the treasurer of said city, of all fines collected or received by him for the use of said city, and at the time of accounting therefor, to pay the same to said treasurer, for the use of said city; and the mayor of said city shall receive for his services as mayor, an annual salary of one hundred and fifty dollars, to be paid to him quarterly by the treasurer of said city, upon warrants drawn by him upon said treasurer thereof.

4. And be it Enacted, That it shall be the duty of the common council of said city to present to the mayor of said city,

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for his examination and approval, all ordinances passed by them, all resolutions directing the payment of any money out of the said treasury, and all contracts to be entered into by said city, and no contract, ordinance, or resolution directing the payment of money out of the city treasury shall take effect (except as hereinafter stated) until the same shall have been first returned by the mayor of said city to common council, at the next regular meeting after the same shall have been presented to the mayor, with his approval endorsed thereon in writing, and attested by his signature; and in case the mayor shall disapprove the same, he shall make report thereof in writing to the common council at the next regular meeting, stating his reasons therefor, and in case of such disapproval, such ordinance, resolution or contract, so disapproved of, shall not take effect unless the same be afterward passed or adopted by a vote of two-thirds of all the members of the common council; provided, that if any such ordinance, resolution or contract be not returned by the mayor to said common council at its next regular meeting, with his disapproval thereof as aforesaid, such ordinance, resolution or contract shall, from and after that time have the same force and effect as if the same had been approved by the said mayor.

5. And be it Enacted, That the common council of said Gloucester City shall hold one meeting on the first Thursday evening in each and every month, which meeting so held and no other, shall be deemed, taken and considered as a regular meeting of council, and all other meetings of said council shall be considered special meetings, and no special meeting shall be held except the same be called by the president of council, upon application in writing, signed by at least three members of said common council, and addressed to said president, which application shall state the object of such special meeting, and the business to be brought before the same; and upon such application, in writing, being made to the president of council as aforesaid, it shall be the duty of said president to

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cause notices in writing thereof, and of the object of such special meeting, and of the time and place when and where the same is to be held, to be served on each member of said common council, either personally, or by leaving the same at his residence, at least five entire days before the time fixed for the assembling of the common council in such special meeting; and at such special meeting no business shall be introduced, acted upon, or disposed of, other than that specified in such application and notices in writing; provided, that nothing herein contained shall be so construed as to prevent said common council from adjourning over at any regular meeting, for the purpose of disposing of any unfinished business, which shall have been introduced at such regular meeting, and not disposed of thereat.

6. And be it Enacted, That the common council of said Gloucester City, shall have authority to appoint annually, a special constable, to collect the taxes assessed and levied in said city, to whom the tax warrant required by the eighteenth section of the act entitled "An act concerning taxes," approved April fourteenth, one thousand eight hundred and forty-six, shall be directed and delivered, and who, after giving bond, with security as said common council shall direct and approve of, shall be authorized to perform the duties required to be done in and by said act aforesaid, as fully as a constable elected at the annual election.

7. And be it Enacted, That so much of the act to which this is a supplement, as is inconsistent with the provisions of this act, be and the same is hereby repealed, and that this act shall take effect immediately.

Approved March 9th, 1871.

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A FURTHER SUPPLEMENT TO AN ACT ENTITLED "AN  
ACT TO INCORPORATE GLOUCESTER CITY, CAMDEN  
COUNTY, NEW JERSEY."

1. Be it Enacted by the Senate and General Assembly of the State of New Jersey, That it shall be lawful for "The mayor and Common Council of Gloucester City," to issue bonds in the name of "The Mayor and Common Council of Gloucester City," under the common seal of the city and the signature of the mayor and city recorder, for an amount of money not exceeding five thousand dollars, in such sums, and payable at such times as the said mayor and common council shall deem proper, bearing interest at the rate of seven per centum per annum, payable semi-annually, and to pledge the property and credit of the city for the payment of the same; provided, that not more than five hundred dollars of the principal of said bonds shall be made redeemable in any one year; provided, further, that the bonds so issued shall be redeemable at a period of time not exceeding ten years from the issuing thereof.

2. And be it Enacted, That the said mayor and common council of Gloucester City shall yearly and every year, until the bonds to be issued by the authority hereof be redeemed and paid off, order to be assessed and collected by tax, at the time and in the manner that other taxes in the said city are assessed and collected, a sum of money sufficient to pay the interest on said bonds as the same shall become due and payable, and to pay and discharge the principal at the several times it shall become due and payable, and all such money raised by virtue of this act shall be applied by the city treasurer to pay the principal and interest of said bonds as the same shall become due and payable.

3. And be it Enacted, That it shall be the duty of the said mayor and common council to apply the net proceeds of the bonds that may be issued by virtue of this act, for the exclusive purpose of building such common sewers, together with the

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necessary openings, inlets, and approaches thereto, as the common council may deem necessary and order constructed for the general good of said city.

4. And be it Enacted, That this act shall take effect immediately.

Approved March 11th, 1873.

### A FURTHER SUPPLEMENT TO AN ACT ENTITLED "AN ACT TO INCORPORATE GLOUCESTER CITY, CAMDEN COUNTY, NEW JERSEY."

1. Be it Enacted by the Senate and General Assembly of the State of New Jersey, That it shall be lawful for "The Mayor and Common Council of Gloucester City," to build and complete a wharf at the foot of Mercer street, in said city, for the public good, and to provide for the expense incurred, or to be incurred in the building of said wharf, by the issuing of seven per centum coupon bonds, under the common seal of the city and signature of the mayor and city recorder, for an amount not to exceed the sum of ten thousand dollars in the aggregate, and payable at such time or times as the common council may deem proper; provided, that not more than one thousand dollars of the principal of said bonds, shall be made redeemable in any one year, the interest to be payable semi-annually; and to pledge the whole property, real and personal, of the said city, for the payment of the same.

2. And be it Enacted, That the said "The Mayor and Common Council of Gloucester City," are hereby authorized and required to provide for the payment of said bonds, and the interest thereon, as the same shall from time to time become due and payable; by taxes to be raised, levied, assessed and collected, at the time and in the manner that the other taxes in the said city are assessed and collected.

## GLOUCESTER CITY CODE

3. And be it Enacted, That the bonds issued under and by virtue of this act shall be applied by the said "The Mayor and Common Council of Gloucester City," to the payment and satisfaction of such indebtedness as heretofore has been or shall hereafter be contracted in the erection and completion of said wharf at the foot of Mercer street in said city, as aforesaid.

4. And be it Enacted, That this act shall take effect immediately.

Approved March 13th, 1873.

### A FURTHER SUPPLEMENT TO AN ACT ENTITLED "AN ACT TO INCORPORATE GLOUCESTER CITY, CAMDEN COUNTY, NEW JERSEY."

1. Be it Enacted by the Senate and General Assembly of the State of New Jersey, That it shall be lawful for "The Mayor and Common Council of Gloucester City," to issue bonds in the name of "The Mayor and Common Council of Gloucester City," under the common seal of the city and the signature of the mayor and city recorder, for an amount of money not exceeding five thousand dollars, in such sums, and payable at such times as the said mayor and common council shall deem proper, bearing interest at the rate of seven per centum per annum, payable semi-annually, and to pledge the property and credit of the city for the payment of the same; provided, that not more than five hundred dollars of the principal of said bonds shall be made redeemable in any one year; provided, further, that the bonds so issued shall be redeemable at a period of time not exceeding ten years from the issuing thereof.

2. And be it Enacted, That the said mayor and common council of Gloucester City shall yearly and every year, until the bonds to be issued by the authority hereof be redeemed and paid off, order to be assessed and collected by tax, at the

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time and in the manner that other taxes in the said city are assessed and collected, a sum of money sufficient to pay the interest on said bonds as the same shall become due and payable, and to pay and discharge the principal at the several times it shall become due and payable, and all such money so raised by virtue of this act shall be applied by the city treasurer to pay the principal and interest of said bonds as the same shall become due and payable.

3. And be it Enacted, That it shall be the duty of the said mayor and common council to apply the net proceeds of the bonds that may be issued by virtue of this act, exclusively to the building of culverts and common sewers, together with the necessary openings, inlets and approaches thereto, and to such street purposes as the common council may deem necessary and order for the general good of said city.

4. And be it Enacted, That this act shall take effect immediately.

Approved March 18th, 1874.

### AN ACT TO AMEND THE CHARTER OF GLOUCESTER CITY, IN THE COUNTY OF CAMDEN.

Whereas, The city of Gloucester in the county of Camden has petitioned the Legislature for the passage of a special law to provide an amendment to the charter for the city, pursuant to Article IV, section VII, paragraph 10 of the Constitution of 1947, in accordance with procedure prescribed by the laws of 1948, chapter 199 (C. 1:6-10 et seq.); now, therefore,

Be it enacted by the Senate and General Assembly, of the State of New Jersey:

1. That an act to incorporate "Gloucester city," Camden county, New Jersey, New Jersey Pamphlet Laws of 1868, chapter 44, approved February 25, 1868, is amended to read as follows:

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2. Section 2 is amended to read as follows:

2. For the better order and government of Gloucester city there shall be elected hereafter in said city a mayor who shall hold his office for a term of 4 years, 2 common councilmen from each of the 3 wards who shall hold office for a period of 3 years and who with the mayor shall form and be one body politic and corporate in deed, fact, name and law and be known by the name, style and title of "The Mayor and Common Council of Gloucester City."

3. Section 3 is amended to read as follows:

3. The mayor and members of common council shall be elected at the general election to be held on the first Tuesday after the first Monday in November and shall take office on the first Thursday in January following their election to office in the following order: In the first year after the passage of this act by the Legislature and the adoption of this act by the legally qualified voters of Gloucester city, no councilmen shall be elected from any ward and the remaining 6 councilmen shall continue to hold office for the remainder of their unexpired terms and until their successors have been elected and qualified, in the second year one councilman from each of the 3 wards shall be elected for a term of 3 years, in the third year one councilman from each of the 3 wards shall be elected for a term of 3 years, and thereafter all councilmen shall be elected for a term of 3 years upon the expiration of the elected terms; except, that the mayor shall be elected at large for a term of 4 years commencing the first Thursday in January of 1971.

4. Section 4 is amended to read as follows:

4. The mayor and 6 councilmen of Gloucester city shall constitute the common council thereof and the mayor shall be the president thereof and shall preside at all meetings of common council during his term of office and shall have a vote

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in all matters coming before the council, and shall appoint, with the advice and consent of the councilmen, the chairman and members of all committees of common council; provided, however, that the mayor shall be the chairman of the committees having jurisdiction of the police and fire departments, and if the mayor be absent or temporarily disabled the councilmen shall appoint one of the councilmen as acting mayor and he shall exercise all of the powers of the mayor, except that he shall only have a vote as mayor and not as a councilman, nor shall his council seat be declared vacant unless he resigned, and the said common council shall have power to make and adopt such rules and by-laws for their own government as they may deem proper, and to pass all ordinances and resolutions, to elect or appoint all officials, officers and positions of employment in the city, except those whose election or appointment is prescribed by the statutes of the State of New Jersey, and in general to do and perform all such other acts as are required and permitted them to do under the general laws of the State of New Jersey, and 4 members of common council shall constitute a quorum; and it shall be the duty of the mayor to call special meetings of said common council upon the request of any 2 members of said common council and upon a 3-day notice being given to all the members of common council in person or left at their place of residence, unless all of said councilmen shall waive the 3-day notice.

5. Section 15 is amended to read as follows:

15. The mayor shall be paid an annual salary of \$2,500.00 and the councilmen shall be paid an annual salary of \$1,000.00 and that all other officials, officers and employees of Gloucester city shall be paid such compensation for the performance of their official duties as shall be established by ordinance of the mayor and common council.

6. This act shall become operative only after it is adopted by vote of the legally qualified voters of the city of Gloucester City, in the county of Camden.

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The question of the adoption of this act shall be submitted to the vote of the legally qualified voters of the city of Gloucester City, in the county of Camden, at the general election to be held in the year 1968, provided this act shall be passed not less than 25 days next preceding such election; otherwise at the general election next succeeding the passage of this act, whichever shall first occur.

There shall be presented on each official ballot to be used at such election, the following:

"If you favor the proposition printed below make a cross (X) or plus (+) or check (✓) in the square opposite the word YES. If you are opposed thereto make a cross (X) or plus (+) or check (✓) in the square opposite the word NO."

- YES "Shall 'An act to provide specific amendments to the charter of the city of Gloucester City,
- NO in the county of Camden' be adopted,"

If voting machines are used in said election, the question shall be placed upon the official ballots to be used upon the voting machines without the foregoing instruction to the voters and shall be voted upon by the use of such machines without marking as aforesaid.

7. If at such election, a majority of all the votes cast both for and against the adoption of such law, shall be cast in favor of the adoption thereof, the act shall become operative in the city of Gloucester City, in the county of Camden, at 12:00 o'clock noon on the first Thursday of January of the second year following the adoption of such law, except that the first governing body on that date shall consist of the 6 councilmen presently in office whose terms of office will expire at the end of the first year and the second year after this act becomes operative. The first mayor under this act

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shall be the mayor currently in office at the time this act becomes operative. Said mayor shall serve until the first Thursday in January of 1971 at which time he will be succeeded by a person duly elected in accordance with this act.

8. This act shall take effect immediately.

Approved August 6th, 1968.

AN ACT concerning certain provisions in the Charter for the City of Gloucester City in the County of Camden and amending P.L.1868, c.44.

Whereas, the Mayor and the Common Council of Gloucester City in the County of Camden have petitioned the Legislature for the passage of a special law to amend the charter of the City of Gloucester City, as set forth in P.L.1868, c.44, in order to elect three common council members at large, and to elect one member of the common council from each of the three election wards in the city, and pursuant to Article IV, Section VII, paragraph 10 of the Constitution of 1947 in accordance with the procedure described by P.L.1948, c.199 (C.1:6-20 et seq.); now, therefore,

([Bracketed] material is deleted; underlined material is new.)

Be it enacted by the Senate and General Assembly of the State of New Jersey:

1. Section 2 of P.L.1868, c.44 is amended to read as follows:

2. For the better order and government of Gloucester [city] City there shall be elected hereafter [in said city] a [mayor] Mayor who shall hold his or her office for a term of [4] four (4) years, [2 common councilmen] one (1) Common Council Person from each of the [3] three (3) wards, who shall hold office for a period of three years, three (3) common council persons elected at large from the entire City and who

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with the [mayor] Mayor shall form and be one body politic and corporate in deed, fact, name and law and be known by the name, style and title of "The Mayor and Common Council of Gloucester City."

(cf: P.L.1968, c.246, s.2)

2. Section 3 of P.L.1868, c.44 is amended to read as follows:

3. The [mayor] Mayor and [members] member of [common council] Common Council shall be elected at the general election to be held on the first Tuesday after the first Monday in November and shall take office [on the first Thursday in January following their election to office in the following order:] at a public meeting to be held between January 1 and January 7 of the year following the general election. In the first year after passage of [this act] P.L.2013, c.179 (C. ) by the Legislature [and the adoption of this act by the legally qualified voters of Gloucester City, no councilmen shall be elected from any ward and the remaining 6 councilmen shall continue to hold office for the remainder of their unexpired terms and until their successors have been elected and qualified, in the second year one councilman from each of the 3 wards shall be elected for a term of 3 years, in the third year one councilman from each of the 3 wards shall be elected for a term of 3 years, in the third year one councilman from each of the 3 wards shall be elected for a term of 3 years, and thereafter all councilmen shall be elected for a term of 3 years upon the expiration of the elected terms; except; that the Mayor shall be elected at large for a term of 4 years commencing the first Thursday in January of 1971] the members of Common Council shall continue to hold office for the remainder of their unexpired term and until their successors have been elected and qualified [, in the second year and thereafter that member of Common Council elected from a ward shall be elected from the City at large until such time as each of the City's three (3) wards elects one (1) council member and three (3) council members are elected by voters of the City at large]. After the adoption of an ordinance by

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the affirmative vote of a majority of all of the members of Common Council adopting P.L.2013, c.179, requiring that three members of Common Council shall serve at large and three members of Common Council shall be elected from each of the City's three election wards. Common Council shall determine and designate, by subsequent ordinance, the seat of one member from each ward to thereafter be an at-large member. Those designations shall apply in all subsequent elections for those Common Council seats.

(cf: P.L.1968, c.246, s.3) (Editor's Note: The City adopted Ordinance No. 003-2014 on February 27, 2014.)

3. This act shall take effect immediately and [, notwithstanding the provisions of R.S.1:6-17,] shall become operative [immediately] after the adoption of an ordinance by the affirmative vote of a majority of all of the members of Common Council as required in section 2 of this act. (Editor's Note: The City adopted Ordinance No. 003-2014 on February 27, 2014.)

Approved: January 13, 2014  
P.L.2013, c.179



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