

BOARD OF COMMISSIONERS
COUNTY OF HUDSON

ORDINANCE

No. 58-1-2025

On Motion of Commissioner Kopacz
Seconded by Commissioner Cedeno

AN ORDINANCE ESTABLISHING REGULATIONS FOR THE
USE OF COUNTY BUILDINGS BY THE PUBLIC

WHEREAS, under the authority vested in this Board of Commissioners by the provisions of N.J.S.A. 40:41A-41, N.J.S.A. 40:41A-101 and applicable law, ordinances may be enacted as may be deemed necessary and proper for the good governance of the County of Hudson; and

WHEREAS, County owned or controlled buildings are visited frequently by the public; and

WHEREAS, the County has determined that due to the various types of spaces in County owned or controlled buildings it would be beneficial to define each space and codify the proper use(s) of such areas;

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the County of Hudson, that:

I. DEFINITIONS:

- a. "Person" includes, but is not limited to, one (1) or more individuals, partnerships, associations, organizations, labor organizations, corporations, legal representatives, trustees, trustees in bankruptcy, receivers, and fiduciaries.
- b. "Public property" means real or personal property owned or controlled by the public entity, but does not include easements, encroachments and other property which is located on the property of the public entity but is not owned or controlled by the public entity.
- c. "Public building" means any building, structure, facility or complex used by the general public, including, but not limited to, theaters, concert halls, auditoriums, museums, schools, libraries, recreation facilities, public transportation terminals and stations, factories, office buildings, business establishments, passenger vehicle service stations, shopping centers, hotels or motels, and public eating places, constructed by any State, county, or municipal government agency or instrumentality or any private individual, partnership, association, or corporation, with the following exceptions: warehouse storage areas and all buildings classified as hazardous occupancies.
- d. "Private property" means any space, and/or building that is closed to the public-only authorized personnel allowed in same.
- e. "Limited Public Access" means access to any public building for which the individual has an invitation and a "lawful purpose" that corresponds to same. Once an individual is no longer an invitee or no longer has a "lawful purpose" that corresponds to the invitation, they will no longer have access to the area.

II. COUNTY OWNED BUILDINGS:

- a. This ordinance shall apply to all County owned, operated, rented, and/or maintained buildings.
- b. The County Department of Roads and Property in conjunction with the Law Department shall make all final determinations regarding categorization of different properties.
- c. Public property is inclusive of public buildings.

- d. Spaces designated as "public buildings" are open to the public but require a "lawful purpose." In other words, a person needs:
 - i. a legitimate purpose for being in the space,
 - ii. the purpose must correlate with the space in which they are visiting/occupying, and
 - iii. the purposes cannot violate any law or public policy.
- e. Spaces designated as "limited public access" require an invitation by authorized County staff and a "lawful purpose" that corresponds to the space in which they have been invited. Again, the purpose of said visit cannot violate any law or public policy. All authorized personnel reserve the right to withdraw the invitation if the person does not comply with law or public policy, or no longer has a lawful purpose.
- f. Spaces designated as "private property" are for authorized personnel only. If a non-authorized person is invited into a private space, the space to which they have been invited will transform into a "limited public access" space.

III. RECORDINGS:

- a. Persons visiting/occupying "public buildings" may record/film/photograph while in public areas subject to the following:
 - i. Recording/filming/photographing in these areas cannot be harassing in nature or disruptive to employees performing their duties.
 - ii. Persons recording cannot record/film/photograph any other member of the public, including children, without prior authorization.
 - iii. The recordings/filmings/photographs are limited to public information and public employees performing their duties.
 - iv. If persons in public buildings would like to film/record/photograph areas that are limited access or private, they must submit a Recording Request Form by email to the Hudson County Counsel's Office, a copy of which is annexed hereto.. The Hudson County Counsel's Office will make a determination regarding the request and advise as to same.
- b. Recording/filming/photographing is prohibited in "limited public access" areas. If persons in "limited public access" areas would like to record/film/photograph, they must submit a Recording Request Form by email to the Hudson County Counsel's Office. The Hudson County Counsel's Office will make a determination regarding the request and advise as to same.
- c. Recording/filming/photographing is prohibited in "private" areas. If persons would like to access and record/film/photograph "private" areas, they must submit a Recording Request Form by email to the Hudson County Counsel's Office. The Hudson County Counsel's Office will make a determination regarding the request and advise as to same.
- d. All Recording/filming/photographing must abide by law and public policy.
- e. Recording/filming/photographing is limited to the hours of operation posted by each building. No recording whether requested or not, will occur outside of hours of operation.
- f. Any persons who do not comply with this section, may be asked to stop recording by any authorized personnel.

IV. SIGNAGE:

- a. Departments must update relevant signage to reflect this ordinance within thirty days of the ordinance's execution.
- b. All signage will reflect the relevant ordinance number and access "type" as defined above.
- c. All signage will be posted:
 - i. at the entry to every building (prior to security on the entry doors);
 - ii. at the elevator doors on each floor above the elevator call-panel;

- iii. on the entry doors of all offices;
- iv. on the doors leading to all stairwells; and
- v. any other designated area determined by the Department of Roads and Public Property.

V. VIOLATIONS:

- a. Any persons who do not comply with our recording regulations will be asked to stop recording/filming/photographing by an authorized member of personnel.
- b. If the person continues to disregard the instruction to stop recording/filming/photographing, the device will be confiscated.
 - i. The person can pick up their confiscated device(s) upon exiting the building, or at the end of the business day.
 - ii. All confiscated devices that are not picked up will be deemed abandoned and will be disposed of in accordance with the law.
- c. The penalty of violation of this Ordinance shall be provided in Chapter 200 and/or New Jersey State Statutes, whichever are applicable.

VI. PUBLIC HEARING:

- a. A public hearing for the purpose of hearing persons interested in or affected by this proposed ordinance authorizing the Assessment shall be held on January 23, 2025 at 567 Pavonia Avenue, Board of Commissioners Chambers, 1st Floor, Jersey City N.J. 07306 at 4:30PM, or by web or video conference should the limitations prohibit in-person meetings due to the COVID-19 pandemic remain in effect.

VII. PUBLICATION:

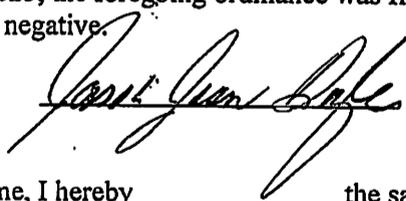
- a. Publication of the Ordinance shall be performed as set forth in N.J.S.A. 40:49-2.

VIII. EFFECTIVE DATE:

- a. This Ordinance shall take effect after passage by the Board of Commissioners and approval by the County Executive.

| Commissioner | Aye | Nay | Abst. | N.P. | Commissioner | Aye | Nay | Abst. | N.P. |
|---------------|-----|-----|-------|------|-----------------|-----|-----|-------|------|
| Walker | ✓ | | | | Cedeño | ✓ | | | |
| Cifelli | ✓ | | | | Rodriguez | ✓ | | | |
| Kopacz | ✓ | | | | Baselice | ✓ | | | |
| Aponte-Lipski | ✓ | | | | Chairman Romano | ✓ | | | |
| O'Dea | ✓ | | | | | | | | |
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It is hereby certified that at a regular meeting of the Board of County Commissioners of the County of Hudson held on the 23 day of Jan A.D. 2025, the foregoing ordinance was finally adopted with 9 members voting in the affirmative and 0 in the negative.

 Clerk

The foregoing ordinance having been duly presented to me, I hereby _____ the same

Dated: _____ A.D. 2025 _____
County Executive

Source: Law
RG