

AN ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL  
ORDINANCES OF THE CITY OF NEW BRUNSWICK  
TITLE 8, "HEALTH AND SAFETY"

BE IT ORDAINED by the New Brunswick City Council:

SECTION I

Title 8, entitled "Health and Safety", shall be amended to add new Chapters 8.56.100, 8.56.200, 8.56.300, 8.56.400, 8.56.500, 8.56.600 and 8.56.700 entitled "*Identification Card Program*"

SECTION II

**§ 8.56.100. City of New Brunswick Identification Card Program; Administration of Program.**

A. The City of New Brunswick hereby establishes a City of New Brunswick Identification Card Program which shall be issued to individuals who can prove their identity and residency, in accordance with the terms of this chapter.

B. Administering Department. New Brunswick Public Library (hereinafter referred to as the "Administering Department") shall be designated as the department to administer the New Brunswick Identification Card Program.

The Administering Department shall issue such policies and procedures necessary to effectuate the purposes of this ordinance; including the designation of access sites where applications for such cards shall be made available for pick-up and submission. The Administering Department shall also make the applications available online.

**§ 8.56.200. Definitions.**

CITY OF NEW BRUNSWICK CITY IDENTIFICATION CARD or NEW BRUNSWICK IDENTIFICATION CARD — An identification card issued by the City of New Brunswick that shall, at a minimum, display the card holder's photograph, name, date of birth, address, signature, issuance and an expiration date. Such identification card shall be designated in a manner to deter fraud.

RESIDENT — A person who can establish that he or she is a current resident of the City of New Brunswick.

CITY — Unless otherwise identified shall solely mean City of New Brunswick.

CARE OF ORGANIZATION — City Agency, hospital, private or public shelter, nonprofit organization, or religious institution in New Brunswick, New Jersey serving homeless individuals or survivors of domestic violence.

CARE ADDRESS — Authorized use of address by City Agency, hospital, private or public shelter, nonprofit organization or religious institution in New Brunswick serving homeless individuals or survivors of domestic violence.

CARE ADDRESS LETTER — A letter from a City Agency, hospital, nonprofit organization, private or public shelter, nonprofit organization, or religious institution in New Brunswick, New Jersey authorizing use of address. Letter must indicate applicant has received services from the entity for the past fifteen (15) days and may use entity's address for mailing purposes (dated within fifteen (15) days). Address on card will be "Care Of the organization.

VETERAN — A U.S. military veteran who has served or is serving in the armed forces.

SENIOR CITIZEN — A person of 65 years of age or older.

**§ 8.56.300. Issuance of New Brunswick Identification Cards; Display; Term; Fee.**

A. The City of New Brunswick Identification Card shall be available to any resident of the City of New Brunswick, provided that such resident is able to provide the requirements for establishing his or her identity and residency as set forth in this chapter and of any applicable policies and procedures established by the Administering Department.

B. The New Brunswick Identification Card shall display at minimum the applicant's full name, photograph, address, date of birth, signature, card issue and expiration dates. Such identification card shall be designed in a manner to deter fraud which may include: bar codes, serial numbers, watermarks, City Seal, and other security measures.

C. The City of New Brunswick Identification Card is valid for two (2) years from date of issuance. Residents age fourteen (14) or over may apply for a card. Relocation out of the City invalidates the City of New Brunswick Identification Card and shall be returned to the City for destruction.

D. The fee for the issuance of the City of New Brunswick Identification Card shall be \$20.00 for adults and \$7.00 for children, veterans, the disabled and senior citizens. Adult renewal of card shall be \$10.00, renewal of card for child, veteran, the disabled and senior citizen shall be \$7.00 and change of information shall be \$7.00. The Administering Department may adopt rules and permit residents who cannot afford to pay such fee(s) to make a hardship application and to be granted a full or partial waiver of the fee.

(1) The Administering Department may in full or in part waive the fee for the City of New Brunswick Identification Card, if an applicant can establish a hardship exemption. Applicants may file for a hardship exception waiver during applicant's intake process. In order for an applicant to be granted a hardship waiver, the applicant must demonstrate and have proof of one of the following circumstances:

- (a) Applicant is currently homeless; or
- (b) Applicant has recently reported domestic violence; or
- (c) Applicant currently receives one of the following:

Supplemental Nutrition Assistance Program, or SSI, or TANF, or Food Stamps. The applicant should provide proof in the form of a letter, notice or other official document from the Agency granting the benefit containing the name of the agency granting the benefit, the name of the recipient of the benefit and the name of the benefit received; or

- (d) Applicant's current household income is at or below 15% of the federal poverty level.

#### **§ 8.56.400. Proof of Residency and Identity.**

A. In order to obtain a City of New Brunswick Identification Card an applicant must establish their identity and residency within the City of New Brunswick as follows:

(1) Proof of Identity. The City of New Brunswick Identification Card Program will use a point system as promulgated by the Administering Department to determine if applicants are able to prove identity and residency in New Brunswick, New Jersey. The Administering Department, through its policies and procedures, shall determine the point value allocated to each type of document provided in this paragraph, and requires that, at a minimum, an applicant produce more than one of the following documents in order to establish identity:

- (a) a U.S. or foreign passport;
- (b) a U.S. driver's license;
- (c) a U.S. boater's license;
- (d) a voter registration card;
- (e) a valid U.S. state corrections identification card;
- (f) a formerly incarcerated release form;
- (g) a U.S. state identification card;
- (h) a U.S. permanent resident card;
- (i) a consular identification card;
- (j) a photo identification card with name, address, date of birth, and expiration date issued by another country to its citizens or nationals as an alternative to a passport for re-entry to the issuing country;

- (k) a certified copy of U.S. or foreign birth certificate;
- (l) Social Security card;
- (m) a national identification card with photo, name, address, date of birth and expiration date,
- (n) a valid foreign driver's license,
- (o) a U.S. or foreign military identification card;
- (p) a current visa issued by a government agency;
- (q) a current U.S. work permit;
- (r) a U.S. Individual Taxpayer Identification Number ("ITIN") authorization letter;
- (s) an Electronic Benefit Transfer (EBT) card; or
- (t) any other documentation that the (Administering Agency) deems acceptable.

If the individual is a minor, proof must be furnished on behalf of said minor by the individual's parents or legal guardian or by a court of competent jurisdiction. The Administering Department shall, through the policy and procedure it establishes, create a point system to ensure uniformity and non-biased requirements by which individuals may establish identity and residency. The Administering Department through its policies and procedures shall determine the weight to be given to each type of document provided in this paragraph, and require that at a minimum an applicant produce more than one document to establish identity.

(2) **Proof of Residency.** In order to establish residency, an applicant must present one or more of the following items showing both the applicant's name and residential address located within the City:

- (a) a utility bill;
- (b) a local property tax statement or mortgage payment receipt;
- (c) a bank account statement;
- (d) proof that the applicant has a minor child currently enrolled in a school located within the City;
- (e) an employment pay stub;
- (f) a jury summons or court order issued by State or Federal court;
- (g) a Federal or State income tax or refund statement;
- (h) an insurance bill (homeowner's, health, life or automobile insurance);
- (i) Care Address Letter confirming residency; and
- (j) any other document the Administering Department determines is acceptable which shall be set forth in its policies and procedures it promulgates.

The Administering Department shall create through its policies and procedures alternative methods to establish residency, notwithstanding the lack of fixed address. The Administering Department may consider a care address acceptable for the homeless and domestic violence applicants.

All City of New Brunswick departments shall accept the New Brunswick Municipal Identification Card as proof of identity and residence for access to City services and benefits unless such acceptance is prohibited by federal or state law or unless the department or authority has reason to suspect fraud by the purported cardholder.

#### **§ 8.56.500. Confidentiality.**

The records relating to the application and issuance of the City of New Brunswick Identification Cards shall be maintained in accordance with law.

- A. The City of New Brunswick shall make best efforts to protect the confidentiality of all municipal

card applicants to the maximum extent allowable by federal and state law. The City of New Brunswick shall not disclose personal information obtained from an applicant for a City of New Brunswick Municipal Identification Card to any individual, public or private entity, unless required by a court of competent jurisdiction, or authorized in writing by the individual to whom such information pertains, or when such individual is a minor or is otherwise not legally competent, by such individual's parent or legal guardian; when so ordered by a court of competent jurisdiction; to a requesting City department for the limited purpose of administering the program or determining or facilitating the applicant's eligibility for additional benefits or services or care and provided that such disclosure is made in accordance with all applicable federal and state privacy laws and regulations.

B. The Administering Department shall not retain original or copies of documents provided by an applicant to prove identity or residency when applying for a New Brunswick City Identification Card.

**§ 8.56.600. Disclaimer.**

A. The City of New Brunswick is providing the New Brunswick Identification Card for identification and access to services provided by the City of New Brunswick. The City does not act as guarantor or warrantor either of the information provided by the applicant for the New Brunswick Identification Card or against any acts, criminal or otherwise committed by the individual(s) while possessing or using the New Brunswick Identification Card. The City does not waive any of its protections afforded under federal, state or local laws, including, but not limited to, the immunities under the New Jersey Torts' Claims Act N.J.S.A. 59:1-1 et seq. by processing or issuing the New Brunswick Identification Card.

The Administering Department shall submit a report to the Mayor and the City of New Brunswick Council on the status of the City Identification Card Program on a yearly basis or at the request of the Mayor and/or City Council.

**§ 8.56.700. Violations and Penalties.**

Altering or intentionally damaging the New Brunswick Municipal Identification Card, using another person's New Brunswick Municipal Identification Card, or allowing the cardholder's New Brunswick Municipal Card to be used by another person may result in confiscation of the card and is in violation of N.J.S.A. 2C:28-7. Submission of false documents to obtain a New Brunswick Municipal Identification Card is a violation of N.J.S.A. 2C:21-2.1(c). Making false statements to obtain a New Brunswick City Identification card is a violation of N.J.S.A. 2C:21-4. Except as otherwise expressly provided for as a violation of statute cited in this section, any person who violates any provisions of this chapter shall, upon conviction thereof, be punished as provided for under Chapter 1.08 of the RGO of the City of New Brunswick. Separate offenses shall be deemed committed on each day during or on which a violation occurs or continues.

**SECTION III**

**SEVERABILITY:**

If any subsection, paragraph or provision of this Ordinance is declared to be invalid by a court of competent jurisdiction such finding shall not affect the remaining provisions hereof.

**SECTION IV**

**REPEALER:**

All Ordinances inconsistent with the provisions of this Ordinance are repealed to the extent of such inconsistency.

**SECTION V**

**EFFECTIVE DATE:**

This Ordinance shall become effective twenty (20) days following final adoption and publication as required by law.

ADOPTED ON FIRST READING:  
DATED: May 17, 2017

I, Daniel A. Torrisi, City Clerk the City of New Brunswick, NJ, do hereby Certify the foregoing Ordinance is a true copy of the Original Ordinance adopted on second and final reading at a regular meeting of the New Brunswick City Council at its meeting on: JUNE 7, 2017

Daniel A. Torrisi  
Daniel A. Torrisi, City Clerk

Any reproduction of the Original Ordinance must contain the raised seal of the City of New Brunswick to be legally certified.

O-051704

John A. Hedno  
COUNCIL PRESIDENT

[Signature]  
COUNCIL PRESIDENT

ADOPTED ON SECOND READING:  
DATED:

ATTEST:

\_\_\_\_\_  
CITY CLERK

APPROVAL OF THE MAYOR ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017.

\_\_\_\_\_  
JAMES M. CAHILL, MAYOR

APPROVALS:

\_\_\_\_\_  
CITY ADMINISTRATOR

\_\_\_\_\_  
CITY ATTORNEY

TKS/kc

COUNCILMEMBER	Y	N	AB	NV	Y	N	AB	NV
ANDERSON	X				X			
EGAN	X				X			
ESCOBAR	X				X			

COUNCILMEMBER	Y	N	AB	NV	Y	N	AB	NV
ANDERSON, VP	X							
EGAN, S	X							
ESCOBAR, M	X							

FIRST READING VOTE ON MAY 17, 2017 M=MOVED S=SECOND NV=NO VOTE AB=ABSENT