City Clerk File No. Ord. 19-068

Agenda No. 3.1 1st Reading

Agenda No. _____ 2nd Reading & Final Passage

ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 19-068

TITLE: **AN ORDINANCE AMENDING CHAPTER 3 (ADMINISTRATION OF GOVERNMENT), ARTICLE XI (DEPARTMENT OF PUBLIC SAFETY) OF THE JERSEY CITY MUNICIPAL CODE TO (1) CLARIFY THE QUALIFICATIONS FOR THE POSITIONS OF DIRECTOR & ASSISTANT DIRECTOR OF PUBLIC SAFETY, (2) CLARIFY THE RESPONSIBILITIES OF THE POSITIONS OF DIRECTOR & ASSISTANT DIRECTOR OF PUBLIC SAFETY AND (3) CREATE A TABLE OF ORGANIZATION FOR THE DIVISION OF POLICE PURSUANT TO N.J.S.A. 40A:14-118**

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:

WHEREAS, N.J.S.A. 40A:14-118 states that the governing body of a municipality, may, by ordinance, create a police force, and that any such ordinance creating such a force shall provide for a line of authority relating to the police function; and

WHEREAS, the line of authority relating to the police function is commonly known as a Table of Organization; and

WHEREAS, Jersey City's current Table of Organization exists within a Directive of the Director of Public Safety and is not part of the Ordinance which created the Division of Police; and

WHEREAS, the State's Civil Service Commission recently notified the City that it must make the City's Table of Organization part of the Ordinance which created the Division of Police.

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that Chapter 3, (Administration of Government) Article XI (Department of Public Safety) be amended as follows:

CHAPTER 3

ADMINISTRATION OF GOVERNMENT

ARTICLE I *through* ARTICLE X

NO CHANGE.

ARTICLE XI

Department of Public Safety

§ 3-83. - Department created; head; divisions.

There is hereby established the Department of Public Safety, the head of which shall be the Director of Public Safety. The Department of Public Safety shall consist of the Division of Police, the Division of Fire and Emergency Services, ~~and~~ the Division of Communication and Technology and the Division of Parking Enforcement.

§ 3-84. - Director of Public Safety.

A. The Director of Public Safety shall be qualified by training and experience for the duties of the position ~~and shall have the following qualifications, unless said qualifications are waived by affirmative vote of at least two-thirds of the entire Council: a minimum of ten (10) years experience as a member of a police department, fire department or other law enforcement agency, five years of which shall have been in a supervisory and administrative capacity.~~

~~B.~~ The Director of Public Safety shall be responsible for the administration, regulation and discipline of the Division of Police, the Division of Fire and Emergency Services, the Division of Communications and Technology, and the Division of Parking Enforcement.

~~C.~~ The Director of the Department of Public Safety can appoint an Assistant Director and assign ~~such person~~ the Assistant Director duties as desired. ~~The person appointed as Assistant Director of Public Safety shall be qualified by training and experience for the duties of the position. The person shall not be appointed unless he or she meets the following minimum qualifications, unless said qualifications are waived by affirmative vote of at least two-thirds of the entire Council: a minimum of ten (10) years experience as a member of a police department, fire department or other law enforcement agency, five years of which shall have been in a supervisory and administrative capacity.~~

~~If the experience of the Director is as a member of a police department, then the experience of the Assistant Director shall be as a member of a fire department. If the experience of the Director is as a member of a fire department, then the experience of the Assistant Director shall be as a member of a police department.~~

~~D.~~ The Director of Public Safety shall report to the Mayor regularly with recommendations related to conditions of the Department and its improvements and needs.

~~E.~~B.The Director may employ special law-enforcement officers in accordance with N.J.S.A. 40A: 14-146.8 et. seq., "Special Law Enforcement Act;"

~~F.~~C. The Director of Public Safety shall also:

(1) Keep abreast of the public safety requirements of the City and formulate policies, plans and procedures to determine needs;

(2) Develop organization, manpower and resource recommendations and, upon approval of same, effect their implementation;

(3) Establish performance criteria for the Department as a whole as well as its individual members and conduct periodic evaluations to assure compliance with those criteria;

(4) Establish and maintain relations with school, civil and private organizations to assure a full understanding of the public safety effort;

(5) Conduct public relations and public information programs on behalf of the Department in order to maintain the required relationship between the department and the citizens of the City of Jersey City;

(6) Promote a close liaison with the various agencies of the City of Jersey City, and to attend meetings of the City Council to better coordinate the functioning of the ~~Division of Police, Division of Fire, and Division of Communications and Technology~~ Department of Public Safety with the work of all municipal agencies.

(7) Regularly review the ordinances of the City of Jersey City dealing with public safety.

SUB-ARTICLE I
Division of Police

§ 3-85. - Creation of the Division of Police; Police Chief in charge; Table of Organization.

There shall be a Division of Police, the head of which shall be the Chief of Police.

A. Pursuant to N.J.S.A. 40:69A-60.7 the Mayor may appoint a Chief of Police who shall have served as a superior police officer and possess at least five years' administrative and supervisory police experience.

B. Under the direction of the Director of Public Safety, the Chief of Police shall:

(1) Administer and enforce rules and regulations and special emergency directives for the disposition and discipline of the force and its officers and personnel.

(2) Have, exercise and discharge the functions, powers and duties of the division.

(3) Prescribe the duties and assignments of all subordinates and other personnel.

(4) Delegate such authority as necessary for the efficient operation of the division.

(5) Report at least monthly to the Director of Public Safety in such form as shall be prescribed by the Director on the operation of the division during the preceding month, and make such other reports as may be requested.

C. Within the Division of Police and subordinate to the Chief of Police, there shall be the following ranks in descending order of command: Deputy Chief of Police, Captain, Lieutenant, Sergeant and Police Officer. The maximum number within each rank shall be as follows:

Rank	Maximum Number of Each Rank
Chief of Police	1
Deputy Chief of Police	24
Captain	35
Lieutenant	80
Sergeant	145
Police Officer	915
Total number of sworn officers	**1,200**

C. The Division of Police may also include such civilian employees as may, from time to time, be appointed and approved by the Director of Public Safety.

§ 3-85.1 - Off-duty employment.

NO CHANGE.

§ 3-87. - Special law enforcement officers.

NO CHANGE.

§ 3-87.1. - Registry of private outdoor video surveillance cameras.

NO CHANGE.

SUB-ARTICLE II

Division of Fire and Emergency Services

§ 3-88. *through* § 3-90.

NO CHANGE.

SUB-ARTICLE III
Division of Parking Enforcement

§ 3-91. - Division of Parking Enforcement.

NO CHANGE.

SUB-ARTICLE IV

Division of Municipal Emergency Management and Homeland Security

§ 3-92. - Division of Municipal Emergency Management and Homeland Security.

NO CHANGE.

§§ 3-93—3-98. - Reserved.

NO CHANGE.

ARTICLE XII *through* ARTICLE XVIII

NO CHANGE.

I. All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.

II. This Ordinance shall be part of the Jersey City Code as though codified and fully set forth therein. The City shall have this Ordinance codified and incorporated in the official copies of the Jersey City Code.

III. This Ordinance shall take effect twenty (20) days after enactment.

IV. The City Clerk and the Corporation Counsel be and hereby are authorized and directed to change any chapter numbers, article numbers and section numbers in the event the codification of this Ordinance reveals that there is conflict between those numbers and the existing code.

NOTE: All new material is underlined; words ~~struck through~~ are omitted. For purposes of advertising only, new matter is **boldface** and repealed by *italics.*

JJH/mma
6/4/19

APPROVED AS TO LEGAL FORM

Corporation Counsel

APPROVED: _____

APPROVED: _____
Business Administrator

Certification Required ☐
Not Required ☐

ORDINANCE FACT SHEET

This summary sheet is to be attached to the front of any Ordinance that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the Ordinance.

Full Title of Ordinance

AN ORDINANCE AMENDING CHAPTER 3 (ADMINISTRATION OF GOVERNMENT), ARTICLE XI (DEPARTMENT OF PUBLIC SAFETY) OF THE JERSEY CITY MUNICIPAL CODE TO (1) CLARIFY THE QUALIFICATIONS FOR THE POSITIONS OF DIRECTOR & ASSISTANT DIRECTOR OF PUBLIC SAFETY, (2) CLARIFY THE RESPONSIBILITIES OF THE POSITIONS OF DIRECTOR & ASSISTANT DIRECTOR OF PUBLIC SAFETY AND (3) CREATE A TABLE OF ORGANIZATION FOR THE DIVISION OF POLICE PURSUANT TO N.J.S.A. 40A:14-118

Initiator

Department/Division	Public Safety	Office of the Director
Name/Title	James Shea	Director of Public Safety
Phone/email	201-547-5298	jshea@njjcps.org

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Ordinance Purpose

This Ordinance clarifies the qualifications for the positions of Director and Assistant Director of Public Safety, the responsibilities of the positions of Director and Assistant Director of Public Safety and would create a Table of Organization for the Division of Police pursuant to N.J.S.A. 40A:14-118.

I certify that all the facts presented herein are accurate.

James Shea

James Shea
Director of Public Safety

June 4, 2019

Date

City Clerk File No. Ord. 19-072

Agenda No. 3.2 1st Reading

Agenda No. 2nd Reading & Final Passage

ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 19-072

TITLE:

ORDINANCE AUTHORIZING THE CONVEYANCE OF BLOCK 17905, LOTS 18, 19, 20, 21 & 22 AND BLOCK 18602, LOTS 3 AND 8, MORE COMMONLY KNOWN BY THE STREET ADDRESSES OF 612-616 COMMUNIPAW AVENUE, 91-93 HARRISON AVENUE AND 574-582 COMMUNIPAW AVENUE, RESPECTIVELY, TO THE JERSEY CITY REDEVELOPMENT AGENCY

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:

WHEREAS, the City of Jersey City is the owner of certain property located within Block 17905, Lots 18, 19, 20, 21 & 22 and Block 18602, Lots 3 and 8, more commonly known by the street addresses of 612-616 Communipaw Avenue, 91-93 Harrison Avenue and 574-582 Communipaw Avenue, respectively [Property]; and

WHEREAS, it has been determined that the Property is not needed for any municipal public purpose or use; and

WHEREAS, the Jersey City Redevelopment Agency desires to acquire the Property from the City of Jersey City for the purpose of accomplishing the objectives of the Jackson Hill Redevelopment Plan within which boundaries the Property is located; and

WHEREAS, the Jersey City Redevelopment Agency has agreed to pay the City approximately $1.00 (one dollar) for the Property, based on currently proposed plans; and

WHEREAS, the Jersey City Redevelopment Agency shall further share future revenue with the City as consideration for the initial sale of such Property for nominal consideration; and

WHEREAS, in addition to compensating the City of Jersey City reasonable consideration for the conveyance to the Jersey City Redevelopment Agency, the conveyance will also effectuate the redevelopment of the Property in accordance with the terms of the Jackson Hill Redevelopment Plan and its return to the real estate tax rolls of the City of Jersey City; and

WHEREAS, the Jersey City Redevelopment Agency is authorized to acquire the Property from the City of Jersey City, pursuant to N.J.S.A. 40A:12A-8 and 22; and

WHEREAS, the City of Jersey City is authorized to transfer Property to the Jersey City Redevelopment Agency with or without consideration pursuant to N.J.S.A. 40A:12A-39(a) and N.J.S.A. 40A:12-13(b)(1).

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that:

ORDINANCE AUTHORIZING THE CONVEYANCE OF BLOCK 17905, LOTS 18, 19, 20, 21 & 22 AND BLOCK 18602, LOTS 3 AND 8, MORE COMMONLY KNOWN BY THE STREET ADDRESSES OF 612-616 COMMUNIPAW AVENUE, 91-93 HARRISON AVENUE AND 574-582 COMMUNIPAW AVENUE, RESPECTIVELY, TO THE JERSEY CITY REDEVELOPMENT AGENCY

1. The conveyance to the Jersey City Redevelopment Agency of certain lands and buildings designated on Jersey City's Official Tax Assessment Map as Block 17905, Lots 18, 19, 20, 21 & 22 and Block 18602, Lots 3 and 8, more commonly known by the street addresses of 612-616 Communipaw Avenue, 91-93 Harrison Avenue and 574-582 Communipaw Avenue, respectively, for the purpose of accomplishing the objectives of the Jackson Hill Redevelopment Plan, based upon currently proposed plans for approximately $1.00 (one dollar), is hereby approved.

2. The Mayor or Business Administrator is directed to execute a Deed and any other documents that are deemed legally necessary or appropriate by the Corporation Counsel to effectuate the transfer of the Property to the Jersey City Redevelopment Agency in accordance with the above terms.

A. All Ordinances and parts of Ordinances inconsistent herewith, are hereby repealed.

B. This Ordinance shall be a part of the Jersey City Code as though codified and fully set forth therein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.

C. This Ordinance shall take effect at the time and in the manner as provided by law.

D. The City Clerk and the Corporation Counsel be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this Ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

NOTE: All material is new; therefore, underlining has been omitted. For purposes of advertising only, new matter is indicated by **bold face** and repealed matter by *italic*.

APPROVED AS TO LEGAL FORM

Corporation Counsel

APPROVED:

APPROVED:

Business Administrator

Certification Required ☐

Not Required ☐

ORDINANCE FACT SHEET – NON-CONTRACTUAL

This summary sheet is to be attached to the front of any resolution that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the resolution.

Full Title of Ordinance

ORDINANCE AUTHORIZING THE CONVEYANCE OF BLOCK 17905, LOTS 18, 19, 20, 21 & 22 AND BLOCK 18602, LOTS 3 AND 8, MORE COMMONLY KNOWN BY THE STREET ADDRESSES OF 612-616 COMMUNIPAW AVENUE, 91-93 HARRISON AVENUE AND 574-582 COMMUNIPAW AVENUE, RESPECTIVELY, TO THE JERSEY CITY REDEVELOPMENT AGENCY

Initiator

Department/Division	Administration	Administration
Name/Title	Brian D. Platt	Business Administrator
Phone/email	(201) 547-5147	BPlatt@jcnj.org

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Ordinance Purpose

The Jersey City Redevelopment Agency (JCRA) desires to acquire the Property from the City of Jersey City for the purpose of accomplishing the objectives of the Jackson Hill Redevelopment Plan within which boundaries the Property is located.

The JCRA shall further share future revenue with the City as consideration for the initial sale of such Property for nominal consideration

I certify that all the facts presented herein are accurate.

Signature of Department Director **Date**

CITY OWNED PROPERTIES
JACKSON HILL RDP / COMMUNIPAW AVE

Numbered map: 826

N

City Owned Parcels

Jackson Hill RDP Zones

Neighborhood Mixed Use (1)

Historic Neighborhood Mixed Use (2)

1 inch = 100 fee

0 50 100 200 Fee

City Clerk File No. Ord. 19-074

Agenda No. 10.3 1st Reading

Agenda No. _____ 2nd Reading & Final Passage

ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 19-074

TITLE:
AN ORDINANCE AMENDING CHAPTER 332, (VEHICLES AND TRAFFIC) ARTICLE VII, (METERED PARKING) SECTION 57 (ON STREET PERMIT PARKING ZONE) TO (1) ELIMINATE THE ITINERANT FOOD VENDOR PARKING ZONE ON GRAND STREET & YORK STREET, (2) CREATE A NEW ITINERANT FOOD VENDOR PARKING ZONE ON BERGEN AVENUE AND (3) CHANGE THE HOURS FOR ITINERANT FOOD VENDOR PARKING WITHIN THE ITINERANT FOOD VENDOR PARKING ZONES TO 5:00 A.M. UNTIL 9:00 P.M.

THE MUNICIPAL COUNCIL OF THE CITY JERSEY CITY DOES ORDAIN:

I. Chapter 332 (Vehicles and Traffic) Article III (Parking, Standing and Stopping) of the Jersey City Code is hereby supplemented as follows:

§332-57- On street permit parking zones.

Pursuant to Chapter 175 (Food Handling Establishments) Article II (Itinerant Eating and Drinking Establishments), Section 175-8 (Itinerant Establishments), Section 175-9.3 (Operation Requirements for all Devices, Push Carts and Trucks) (C), and Section 175-15 (Parking Permit Exemption - Itinerant Food Trucks) (C), the permit parking zones issued for use by Itinerant Vendor Trucks will be in effect from ~~6:00~~ 5:00 a.m. to ~~10:00~~ 9:00 p.m., Monday through Sunday, for the following streets:

Name of Street	Limits
~~Grand Street (both sides)~~	~~Hudson Street to the Waterfront~~
Sussex Street (~~both sides~~ south side)	~~Hudson~~ Greene Street to the Waterfront
~~York Street (both sides)~~	~~Hudson Street to the Waterfront~~
Bergen Avenue (east side)	Sip Avenue to J.F.K. Boulevard

The spaces reserved for Itinerant Food Truck parking along the aforementioned portion of Sussex Street shall be designated as "Itinerant Food Truck Parking - Zone 1."

The spaces reserved for Itinerant Food Truck parking along the aforementioned portion of Bergen Avenue shall be designated as "Itinerant Food Truck Parking - Zone 2."

Any Itinerant Food Trucks or other vehicles parked in those spaces specifically designed for Itinerant Food Trucks within these zones between 9:01 p.m. and 4:59 a.m. shall be subject to a fine and impounded.

No other vehicle except an Itinerant Food Truck licensed to operate within Jersey City shall be permitted to park in a space specifically designed for Itinerant Food Trucks. Any other type of vehicle parked in such a space shall be subject to a fine and impounded.

II. All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.

III. This Ordinance shall be a part of the Jersey City Municipal Code as though codified and incorporated in the official copies of the Jersey City Municipal Code.

IV. The City Clerk and the Corporation Counsel may change any chapter numbers, article numbers and section numbers if condition of this Ordinance reveals a conflict between those numbers and the existing Code, in order to avoid confusion and possible accidental repealers of existing provisions.

V. This Ordinance shall take effect at the time and in the manner as provided by law.

NOTE: All new material is underlined; words ~~struck through~~ are repealed. For purposes of advertising only, new matter is in **boldface** type **and** words which are repealed are in *italics*.

JJH/mma
06/20/19

APPROVED AS TO LEGAL FORM

Corporation Counsel

APPROVED:

APPROVED:

Business Administrator

Certification Required ☐
Not Required ☐

ORDINANCE FACT SHEET –

This summary sheet is to be attached to the front of any ordinance that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the ordinance.

Full Title of Ordinance/Resolution

AN ORDINANCE AMENDING CHAPTER 332, (VEHICLES AND TRAFFIC) ARTICLE VII, (METERED PARKING) SECTION 57 (ON STREET PERMIT PARKING ZONE) TO (1) ELIMINATE THE ITINERANT FOOD VENDOR PARKING ZONE ON GRAND STREET & YORK STREET, (2) CREATE A NEW ITINERANT FOOD VENDOR PARKING ZONE ON BERGEN AVENUE AND (3) CHANGE THE HOURS FOR ITINERANT FOOD VENDOR PARKING WITHIN THE ITINERANT FOOD VENDOR PARKING ZONES TO 5:00 A.M. UNTIL 9:00 P.M.

Initiator

Department/Division	Business Administration	
Name/Title	Brian Platt	Business Administrator
Phone/email	201-547-4513	BPlatt@jcnj.org

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Ordinance Purpose

This purpose of this Ordinance is to amend Chapter 332 (Vehicles and Traffic) Article VII, (Metered Parking) Section 57 (On Street Permit Parking Zone) to eliminate the itinerant food vendor parking zone on Grand Street and York Street, create a new itinerant food vendor parking zone on Bergen Avenue and change the hours for itinerant food vendor parking within the itinerant food vendor parking zones to 5:00 am until 9:00pm.

I certify that all the facts presented herein are accurate.

Signature of Department Director — **Date** June 19, 2019

City Clerk File No. Ord. 19-076

Agenda No. 3.4 1st Reading

Agenda No. _____ 2nd Reading & Final Passage

ORDINANCE
OF
JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 19-076

TITLE: **AN ORDINANCE AMENDING CHAPTER 160, (FEES AND CHARGES) SECTION SS (CHAPTER 332, VEHICLES AND TRAFFIC) TO ESTABLISH FEES FOR ITINERANT FOOD VENDOR PARKING WITHIN THE ITINERANT FOOD VENDOR PARKING ZONES**

THE MUNICIPAL COUNCIL OF THE CITY JERSEY CITY DOES ORDAIN:

I. Chapter 160, (Fees and Charges) Section SS, (Chapter 332, Vehicles and Traffic) of the Jersey City Code is hereby amended to read as follows:

CHAPTER 160
FEES AND CHARGES

§160-1. - Fee schedule established.

A. *through* **RR.**

NO CHANGE.

SS. Chapter 332, Vehicles and Traffic.

(1) through (13)

NO CHANGE.

(14) Parking fee for Itinerant Food Vendor Parking: Parking or standing a vehicle in a designated space within the Itinerant Food Vendor Truck Parking Zone as set forth in § 332-57 shall be lawful upon payment of forty dollars ($40.00) per day.

TT. *through* **UU.**

NO CHANGE.

II. All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.

III. This Ordinance shall be a part of the Jersey City Municipal Code as though codified and incorporated in the official copies of the Jersey City Municipal Code.

IV. The City Clerk and the Corporation Counsel may change any chapter numbers, article numbers and section numbers if condition of this Ordinance reveals a conflict between those numbers and the existing Code, in order to avoid confusion and possible accidental repealers of existing provisions.

V. This Ordinance shall take effect at the time and in the manner as provided by law.

NOTE: All new material is underlined; words ~~struck through~~ are repealed. For purposes of advertising only, new matter is in **boldface** type **and** words which are repealed are in *italics.*

JJH/mma
06/17/19

APPROVED AS TO LEGAL FORM

_____
Corporation Counsel

APPROVED: _____

APPROVED: _____
Business Administrator

Certification Required ☐
Not Required ☐

ORDINANCE FACT SHEET –

This summary sheet is to be attached to the front of any ordinance that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the ordinance.

Full Title of Ordinance/Resolution

AN ORDINANCE AMENDING CHAPTER 160, (FEES AND CHARGES) SECTION SS (CHAPTER 332, VEHICLES AND TRAFFIC) TO ESTABLISH FEES FOR ITINERANT FOOD VENDOR PARKING WITHIN THE ITINERANT FOOD VENDOR PARKING ZONES

Initiator

Department/Division	Business Administration	
Name/Title	Brian Platt	Business Administrator
Phone/email	201-547-4513	BPlatt@jcnj.org

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Ordinance Purpose

This purpose of this Ordinance is to amend Chapter 160 (Fees and Charges) Section SS (Chapter 332, Vehicles and Traffic) to establish fees for food vendor parking within the itinerant food vendor parking zones.

I certify that all the facts presented herein are accurate.

Signature of Department Director June 19, 2019 **Date**

City Clerk File No. Ord. 19-079

Agenda No. 3.5 1st Reading

Agenda No. _____ 2nd Reading & Final Passage

ORDINANCE
OF
JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 19-079

TITLE: **ORDINANCE AUTHORIZING THE CONVEYANCE OF BLOCK 16901, LOT 17, BLOCK 22601, LOT 36 AND BLOCK 11401, LOT 13, MORE COMMONLY KNOWN BY THE STREET ADDRESSES OF 51 CRESCENT AVENUE, 342 MARTIN LUTHER KING DRIVE AND 174 NEWARK AVENUE, RESPECTIVELY, TO JERSEY CITY REDEVELOPMENT AGENCY**

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:

WHEREAS, the City of Jersey City [City] is the owner of certain property located within Block 16901, Lot 17, Block 22601, Lot 36 and Block 11401, Lot 13, more commonly known by the street addresses of 51 Crescent Avenue, 342 Martin Luther King Drive and 174 Newark Avenue, respectively [Properties]; and

WHEREAS, it has been determined that the Properties are not needed for any municipal public purpose or use; and

WHEREAS, the City desires to convey the Properties to the Jersey City Redevelopment Agency [JCRA] for the purpose of promoting redevelopment and accomplishing the objectives of any applicable Redevelopment Plan; and

WHEREAS, in addition, under the Local Lands and Buildings Law, N.J.S.A. 40A:12-20, conveyance of land between governmental entities is permitted when the eventual public purpose is to promote redevelopment; and

WHEREAS, the Jersey City Redevelopment Agency has agreed to pay the City approximately $1.00 (one dollar) for the Properties, based on currently proposed plans; and

WHEREAS, the Jersey City Redevelopment Agency shall remit the net proceeds of the sale of the Properties to the City as consideration for the initial sale of such Properties for nominal consideration; and

WHEREAS, in addition, the conveyances will also effectuate the redevelopment of the Properties in accordance with the terms of the various Redevelopment Plans and their return to the real estate tax rolls of the City of Jersey City; and

WHEREAS, the Jersey City Redevelopment Agency is authorized to acquire the Property from the City of Jersey City, pursuant to N.J.S.A. 40A:12A-8 and 22 and N.J.S.A. 40A:12-20; and

WHEREAS, the City of Jersey City is authorized to transfer Property to the Jersey City Redevelopment Agency with or without consideration pursuant to N.J.S.A. 40A:12A-39(a) and N.J.S.A. 40A:12-13(b)(1).

ORDINANCE AUTHORIZING THE CONVEYANCE OF BLOCK 16901, LOT 17, BLOCK 22601, LOT 36 AND BLOCK 11401, LOT 13, MORE COMMONLY KNOWN BY THE STREET ADDRESSES OF 51 CRESCENT AVENUE, 342 MARTIN LUTHER KING DRIVE AND 174 NEWARK AVENUE, RESPECTIVELY, TO JERSEY CITY REDEVELOPMENT AGENCY

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that:

1. The conveyance to the Jersey City Redevelopment Agency of certain lands and buildings designated on Jersey City's Official Tax Assessment Map as Block 16901, Lot 17, Block 22601, Lot 36 and Block 11401, Lot 13, more commonly known by the street addresses of 51 Crescent Avenue, 342 Martin Luther King Drive and 174 Newark Avenue, respectively, for the purpose of promoting redevelopment, based upon currently proposed plans for approximately $1.00 (one dollar), is hereby approved.

2. The Mayor or Business Administrator is directed to execute a Deed and any other documents that are deemed legally necessary or appropriate by the Corporation Counsel to effectuate the transfer of the Properties to the Jersey City Redevelopment Agency in accordance with the above terms.

A. All Ordinances and parts of Ordinances inconsistent herewith, are hereby repealed.

B. This Ordinance shall be a part of the Jersey City Code as though codified and fully set forth therein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.

C. This Ordinance shall take effect at the time and in the manner as provided by law .

D. The City Clerk and the Corporation Counsel be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this Ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

NOTE: All material is new; therefore, underlining has been omitted.

APPROVED AS TO LEGAL FORM

Corporation Counsel

APPROVED:

APPROVED:

Business Administrator

Certification Required ☐

Not Required ☐

ORDINANCE FACT SHEET – NON-CONTRACTUAL

This summary sheet is to be attached to the front of any resolution that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the resolution.

Full Title of Ordinance

ORDINANCE AUTHORIZING THE CONVEYANCE OF BLOCK 16901, LOT 17, BLOCK 22601, LOT 36 AND BLOCK 11401, LOT 13, MORE COMMONLY KNOWN BY THE STREET ADDRESSES OF 51 CRESCENT AVENUE, 342 MARTIN LUTHER KING DRIVE AND 174 NEWARK AVENUE, RESPECTIVELY, TO JERSEY CITY REDEVELOPMENT AGENCY

Initiator

Department/Division	Administration	Administration
Name/Title	Brian D. Platt	Business Administrator
Phone/email	(201) 547-5147	BPlatt@jcnj.org

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Ordinance Purpose

The City of Jersey City (City) desires to convey the Properties to the Jersey City Redevelopment Agency [JCRA] for the purpose of promoting redevelopment and accomplishing the objectives of any applicable Redevelopment Plan.

The JCRA shall remit the net proceeds of the sale of the Properties to the City as consideration for the initial sale of such Properties for nominal consideration

I certify that all the facts presented herein are accurate.

Signature of Department Director **Date**

City Clerk File No. Ord. 19-080

Agenda No. 3.6 1st Reading

Agenda No. _____ 2nd Reading & Final Passage

ORDINANCE
OF
JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 19-080

TITLE: **AN ORDINANCE AUTHORIZING THE EXECUTION OF A DEED TO RELEASE CERTAIN USE RESTRICTIONS ON BLOCK 15702 LOTS 16-19 (FORMERLY, BLOCK 375 LOTS 56, 58, 60-64) WITHIN THE JERSEY CITY MEDICAL CENTER SITE**

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:

WHEREAS, on March 16, 2010, the Jersey City Redevelopment Agency ("JCRA") executed a Redevelopment Agreement, and designated G&S Grand Street, LLC as the redeveloper to effectuate the development of certain real property, including but not limited to Block 15702 Lots 16-19 (formerly, Block 375 Lots 56, 58, 60-64), also known by the street address of 423 Grand Street, within the City of Jersey City ("the Property"); and

WHEREAS, the intended goal of the Redevelopment Agreement, as amended, is to implement the purposes of the Grand Jersey Redevelopment Plan, a plan duly adopted by the City of Jersey City, and obtain the Plan's tangible economic and community benefits for the residents of the City of Jersey City; and

WHEREAS, a title search undertaken in connection with the acquisition of the Property by G&S Grand Street, LLC, revealed the existence of certain use restrictions that had been imposed in favor of the City in consideration for City funds used to construct a new hospital and convert the former Jersey City Medical Center ("JCMC") from a public hospital to a private non-profit hospital; and

WHEREAS, more specifically, in 1987, the City agreed to provide the JCMC with approximately $12 million dollars to acquire the site but only if the JCMC agreed to a perpetual restriction to obligate the JCMC to care for indigent residents of the City, irrespective of their ability to pay and to restrict the use of the property to certain "hospital uses" (collectively, "Use Restrictions"); and

WHEREAS, the Use Restrictions were to be inserted in any deed or ground lease of the property, including but not limited to Block 15702 Lots 16-19 (formerly, Block 375 Lots 56, 58, 60-64) a/k/a 423 Grand Street; and

WHEREAS, the Use Restrictions are defined in greater detail in the Restated New Facility Agreement between the City and the JCMC, and the Tri-Party Agreement among the City, the JCMC and the New Jersey Economic Development Authority ("NJEDA"), both of which agreements are dated October 21, 1994; and

WHEREAS, since that time, the JCMC has completed the construction of a new hospital which will remain subject to the Use Restrictions; and

WHEREAS, JCMC's obligations to provide for the care of the indigent (more commonly referred to as charity care) have been further clarified and strengthened as conditions of the JCMC's Certificate of Need and related health facility licenses required to operate the hospital under State law; and

AN ORDINANCE AUTHORIZING THE EXECUTION OF A DEED TO RELEASE CERTAIN USE RESTRICTIONS ON BLOCK 15702 LOTS 16-19 (FORMERLY, BLOCK 375 LOTS 56, 58, 60-64) WITHIN THE JERSEY CITY MEDICAL CENTER SITE

WHEREAS, JCMC has since sold its interest in the Property to G&S Grand Street, LLC for the purpose of redevelopment; and

WHEREAS, the Property is not immediately contiguous to JCMC's main campus and is not intended or appropriate for any present or reasonably foreseeable future hospital uses; and

WHEREAS, the City has also been advised by the JCRA and the developer that the Property is critical for the successful construction of the Project at 423 Grand Street and that the Use Restrictions on the Property are not rationally related to the Project and will frustrate the full implementation of the redevelopment plan; and

WHEREAS, accordingly, the redeveloper, G&S Grand Street, LLC, has proposed to pay the City the sum of $50,000, the approximate difference between the value of the property with and without the Use Restrictions if the City will the execute a release of the Use Restrictions as to the Property only; and

WHEREAS, the sum of $50,000 shall be held in escrow by the JCRA subject to the Redevelopment Agreement, to be used solely to purchase sports equipment for Little League sports, namely Roberto Clemente LL, College Park LL, Pershing Field LL, Jackie Robinson LL and Jersey City Soccer Association in an effort to promote the use of City parks, such as Berry Lane Park; and

WHEREAS, it is in the best interests of the City to authorize the above described release for the following reasons:

1) the release is required to enable a redevelopment project to go forward and to enable the community to fully realize its economic and other public benefits;

2) the City will receive consideration from the developer for the release of the Use Restrictions;

3) the release of the Use Restrictions is overall redundant and will not relieve JCMC of its independent regulatory obligations to provide indigent care throughout the main hospital campus;

4) the release is only as to a small portion of the hospital site formerly owned by JCMC so that the Use Restrictions will continue in full force and effect on the remainder of the hospital site; and

5) the release will not affect the Governance Agreement or any terms and conditions of the Restated New Facility Agreement, the Tri-Party Agreement or any other existing agreements or obligations between the parties; and

6) the conveyance to the redeveloper will return the Property to the conventional tax rolls since its assessed value will no longer reduced by the Use Restrictions or ownership by a non-profit entity.

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City as follows:

A. The City of Jersey City hereby authorizes the Mayor or Business Administrator to execute a deed to release the Use Restrictions that obligate the JCMC to care for the indigent residents of the City, irrespective of their ability to pay and to restrict the use of the property to certain hospital uses, only as to the following property:

AN ORDINANCE AUTHORIZING THE EXECUTION OF A DEED TO RELEASE CERTAIN USE RESTRICTIONS ON BLOCK 15702 LOTS 16-19 (FORMERLY, BLOCK 375 LOTS 56, 58, 60-64) WITHIN THE JERSEY CITY MEDICAL CENTER SITE

Block 15702 Lots 16-19 (formerly, Block 375 Lots 56, 58, 60-64) as depicted on the tax map and described by metes and bounds, in Exhibit A, attached hereto, otherwise known by the street address of 423 Grand Street.

B. The release shall be subject to the payment of consideration of $50,000, an amount approximately equal to the difference in the appraised value of the Property, with and without the Use Restrictions.

C. The $50,000 will be held in escrow by the JCRA for exclusive use to purchase sports equipment for City Little League teams and soccer association enumerated in the recitals.

D. The release shall be in the form of a recordable deed, subject to the approval of the City's Corporation Counsel.

E. The Mayor and Business Administrator are further authorized to execute any documents appropriate or necessary to implement the purposes of the within Ordinance.

F. All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed, including but not limited to Ordinance C-465.

G. This Ordinance shall be part of the Jersey City Code as though codified and fully set forth therein. The City shall have this Ordinance codified and incorporated in the official copies of the Jersey City Code.

H. This Ordinance shall take effect twenty (20) days after enactment.

I. The City Clerk and the Corporation Counsel be and hereby are authorized and directed to change any chapter numbers, article numbers and section numbers in the event the codification of this Ordinance reveals that there is conflict between those numbers and the existing code.

NOTE: All material is new, therefore, underlining has been omitted.

APPROVED AS TO LEGAL FORM

_____
Corporation Counsel

APPROVED: _____

APPROVED: _____
Business Administrator

Certification Required ☐
Not Required ☐

ORDINANCE FACT SHEET – NON-CONTRACTUAL

~~This summary sheet is to be attached to the front of any resolution that is submitted for Council consideration.~~
Incomplete or vague fact sheets will be returned with the resolution.

Full Title of Ordinance

AN ORDINANCE AUTHORIZING THE EXECUTION OF A DEED TO RELEASE CERTAIN USE RESTRICTIONS ON BLOCK 15702 LOTS 16-19 (FORMERLY, BLOCK 375 LOTS 56, 58, 60-64) WITHIN THE JERSEY CITY MEDICAL CENTER SITE

Initiator

Department/Division	Administration	Administration
Name/Title	Brian D. Platt	Business Administrator
Phone/email	(201) 547-5147	BPlatt@jcnj.org

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Ordinance Purpose

A title search revealed the existence of certain use restrictions that had been imposed in favor of the City in consideration for City funds used to construct a new hospital and convert the former Jersey City Medical Center ("JCMC") from a public hospital to a private non-profit hospital. The City agreed to provide the JCMC with approximately $12 million dollars to acquire the site but only if the JCMC agreed to a perpetual restriction to obligate the JCMC to care for indigent residents of the City, irrespective of their ability to pay and to restrict the use of the property to certain "hospital uses" or "Use Restrictions".

JCMC's obligations to provide for the care of the indigent (more commonly referred to as charity care) have been further clarified and strengthened as conditions of the JCMC's Certificate of Need and related health facility licenses required to operate the hospital under State law.

JCMC has since sold its interest in a small parcel of its complex to G&S Grand Street, LLC for the purpose of redevelopment. The Property is not immediately contiguous to JCMC's main campus and is not intended or appropriate for any present or reasonably foreseeable future hospital uses. The developer has requested the Use Restrictions be discharged. In consideration, the developer will make a $50,000.00 contribution for youth sports. The JCMC will still be bound by the Use Restrictions.

I certify that all the facts presented herein are accurate.

Signature of Department Director **Date**

City Clerk File No. Ord. 19-081

Agenda No. 3.7 1st Reading

Agenda No. _____ 2nd Reading & Final Passage

ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 19-081

TITLE:

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 3 (ADMINISTRATION OF GOVERNMENT), ARTICLE XV (DEPARTMENT OF RECREATION) TO CHANGE THE DEPARTMENT OF RECREATION TO "THE DEPARTMENT OF YOUTH DEVELOPMENT" AND TO REORGANIZE THE DEPARTMENT IN ORDER TO FULFILL ITS NEW MISSION

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN THAT:

WHEREAS, the Municipal Council finds that positive youth development is essential to the growth of productive and responsible adults; and

WHEREAS, the Municipal Council finds that it is in the City's best interest to facilitate youth development programs in order to ensure that the City's youth have access to mentors, skills training and after-school activities so that they can grow up to be productive and responsible adults; and

WHEREAS, the Department of Recreation interfaces with the City's youth more than any other City department or agency; and

WHEREAS, while sports and other physical recreation activities which are the primary focus of the City's Department of Recreation can be an important component of youth development, they alone are insufficient to fully prepare youth for the challenges of adulthood and it is therefore in the City's best interest to change the focus of the Department's mission to align with the goal of ensuring that the City's youth have access to mentors, skills training and after-school activities; and

WHEREAS, the Municipal Council finds that it must rebrand the Department of Recreation as the Department of Youth Development to reflect is new focus and it must also re-organize the Department to fulfill its new mission; and

WHEREAS, coordinating and promoting recreation activities will still be a component of the Department, but it will no longer be its sole mission and focus.

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that Chapter 3 (Administration of Government), Article XV (Department of Recreation) be amended to read:

CHAPTER 3
ADMINISTRATION OF GOVERNMENT

ARTICLE XV

Department of ~~Recreation~~ Youth Development

§ 3-120. - Department created; organization.

A. There shall be a Department of ~~Recreation~~ Youth Development, the head of which shall be the Director of ~~Recreation~~ Youth Development. The

Department shall be responsible for all City-sponsored youth development programs and services as well as all youth recreational and leisure activities provided by the City of Jersey City.

~~B.~~ The Director of the Department of ~~Recreation~~ Youth Development shall:

(1) Determine the use of all recreational facilities owned and operated by the City of Jersey City;

(2) Be responsible for the concept, planning, development, ~~and~~ implementation and promotion of all City-sponsored youth development programs, recreational programs, activities and events; and

~~(3) Promote and advertise recreation programs, activities and events and shall direct and oversee their implementation~~;

(4)(3)Regularly interact with neighborhood organizations, churches, schools, non-profit agencies and other interested groups and companies to promote youth development as well as recreational and leisure activities for youth within the City.

B. This Department shall be divided into two Divisions which shall each be divided into two Offices:

(1) Division of Recreation

This Division shall be responsible for providing recreational services and programs for City youth that encourage each and every young resident to stay fit, relieve stress, and become further acclimated with their surrounding community

i. Office of Facilities Management & Coordination

This Office shall be responsible for management and coordination of all the City's sports and recreational fields and facilities, including aquatics, to promote responsible access to all community members.

ii. Office of Sports

This Office shall be responsible for organizing and scheduling year-round recreation and competitive level sports for City youth.

(2) Division of Enrichment

This Division shall be responsible for implementing and supervising all City-led efforts to grow the social, ethical, emotional, and cognitive competencies of City youth.

i. Office of Community & Professional Development

This Office shall be responsible for organizing all City-led efforts to provide youth with career exploration and professional development opportunities and to involve youth in the community.

ii. Office of Adaptive Programing

This Office shall be responsible for organizing and scheduling activities specifically designed for participants with Special Needs

I. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

II. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.

III. This Ordinance shall take effect at the time and in the manner as provided by law.

IV. The City Clerk and the Corporation Counsel may change any chapter numbers, article numbers and section numbers if codification of the ordinance reveals a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

NOTE: All new material is underlined; words ~~struck through~~ are omitted. For the purposes of advertising only, new matter is in **boldface** and matter to be repealed is in *italics.*

JJH/mma
6/17/19

APPROVED AS TO LEGAL FORM

Corporation Counsel

APPROVED:

APPROVED:

Business Administrator

Certification Required ☐

Not Required ☐

ORDINANCE FACT SHEET

This summary sheet is to be attached to the front of any Ordinance that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the Ordinance.

Full Title of Ordinance

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 3 (ADMINISTRATION OF GOVERNMENT), ARTICLE XV (DEPARTMENT OF RECREATION) TO CHANGE THE DEPARTMENT OF RECREATION TO "THE DEPARTMENT OF YOUTH DEVELOPMENT" AND TO REORGANIZE THE DEPARTMENT IN ORDER TO FULFILL ITS NEW MISSION

Initiator

Department/Division	Department of Recreation	Office of the Director
Name/Title	Arthur J. Williams	Director
Phone/email	201-547-4537	ajwilliams@jcnj.org

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Ordinance Purpose

This Ordinance re-names the Department of Recreation "the Department of Youth Development" and expands the Department's mission beyond recreation to include promoting mentorship, providing skills training and providing after-school activities for the City's youth. This Ordinance also reorganizes the Department into two Divisions and four Offices in order to fulfill its new and expanded mission.

I certify that all the facts presented herein are accurate.

June 18, 2019

Arthur J. Williams
Director, Department of Recreation

Date

City Clerk File No. Ord. 19-082

Agenda No. 3.8 1st Reading

Agenda No. _____ 2nd Reading & Final Passage

ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 19-082

TITLE: **AN ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO CHAPTER 10 (SHADE TREE COMMISSION) AND CHAPTER 321 (TREES) OF THE JERSEY CITY MUNICIPAL CODE.**

WHEREAS, Jersey City's trees are an important part of our environment and are meaningful to the residents of the City; and

WHEREAS, Jersey City's tree canopy creates biological corridors and assists in maintaining biodiversity throughout the region; and

WHEREAS, the trees throughout Jersey City increase stormwater retention and decrease stormwater runoff, thereby reducing nonpoint source pollution and maintaining clean water for the enjoyment citizens and visitors alike; and

WHEREAS, the trees throughout Jersey City help connect individuals to nature in an urban environment; and

WHEREAS, the establishment of a shade tree committee will provide community insight into the selection and management of trees throughout the City; and

WHEREAS, the shade tree committee will help maintain and expand the City's tree canopy for the enjoyment of generations to come.

NOW, THEREFORE, BE IT ORDAINED, BY THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY THAT Chapter 3 (Shade Tree Commission) and Chapter 321 (Trees) of the Jersey City Municipal Code be amended to read:

Chapter 10

SHADE TREE [~~COMMISSION~~] COMMITTEE

§10-1. - Establishment of an advisory shade tree committee; membership [~~commission; personnel; appointment~~].

The Jersey City shade tree committee is hereby established to further the proliferation and preservation of shade trees in the City of Jersey City and to insure the many benefits trees provide to current and future inhabitants of the City.

The committee shall consist of seven (7) voting members appointed by the Mayor with the advice and consent of Council. Additionally, at least two City staff-members shall serve as non-voting members of the shade tree committee. At least one non-voting member of the committee shall be present at every committee meeting. The membership of the shade tree committee shall consist of the following:

1. Two voting members shall be members of the community.
2. One voting member shall be a member of the Jersey City Environmental Commission.
3. Two voting members shall be tree professionals (botanist, forester, horticulturist, landscape architect, arborist, etc) or shall complete CORE training through Rutgers University and maintain three (3) CEU's every two years.
4. One voting member shall be a member of the Jersey City Parks Coalition.
5. One voting member shall be a Councilperson or his/her designee.
6. One non-voting member shall be the Jersey City Forester. In the event that the position of Forester is vacant, this non-voting member shall be the Director of Parks and Forestry or his/her designee.
7. One non-voting member shall be the Director of City Planning or his/her designee.

[~~There is hereby established an advisory body which will be known as the Shade Tree Commission of Jersey City. The Commission shall consist of five members appointed by the Mayor with the advice and consent of the Council, who shall be residents of the City of Jersey City and shall serve without compensation.~~]

§10-2. – [~~First commissioners; subsequent commissioners~~] Committee-member appointments; terms; compensation.

1. The voting committee members shall be divided into three groups as follows:
   a. Group 1
      i. Member of the community
      ii. Councilmember or his/her designee
      iii. Tree Professional or CORE-certified individual
   b. Group 2:
      i. Member of the Jersey City Environmental Commission
      ii. Member of the community
   c. Group 3:
      i. Member of the Jersey City Parks Coalition
      ii. Tree Professional or CORE-certified individual
2. The first group of voting committee-members [~~commissioners~~] shall be appointed within sixty (60) days after the effective date of the ordinance establishing the committee[~~commission~~], and their terms of office shall commence upon the day of the appointment and be for the respective periods of [~~one,~~] two, three, and four [~~and five~~] years beginning on January 1 of the year following appointment. The term of each appointee shall be designated in the appointment. All subsequent appointments, except to fill vacancies, shall be for the full term of four [~~five~~] years, to take effect on January 1.
3. All voting members of the Shade Tree Committee shall be residents of the City of Jersey City and shall serve without compensation.

§10-3. - Organization of the [~~advisory~~] shade tree committee [~~commission~~].

The committee[~~commission~~] shall organize within thirty (30) days after the appointment of its total membership for the remainder of the calendar year, and thereafter annually by the election of one of its members as chairman and another as vice-chairman. [~~And~~] The committee may annually elect one of its members[~~another~~] as secretary[~~. A~~], or, at the request of the committee[~~commission~~], the Mayor may designate a member of his staff to serve as secretary to the committee[~~commission~~].

§10-4. – Shade tree committee meetings; attorney; documents

The Committee shall meet once per month. The committee shall obtain its legal counsel from the City Attorneys at the rate of compensation determined by City Council unless City Council, by appropriation, provides for separate legal counsel for the committee. Ten (10) days prior to a committee meeting, the relevant City Departments shall provide the committee with all documents to be reviewed for the upcoming meeting.

§10-5[4]. - Functions of shade tree committee[~~commission~~] [~~Director of Public Works to cooperate~~]

A. The committee shall assist in the annual review of the Jersey City Forestry Standards. As part of the review, the committee shall develop and maintain a recommended tree species list, which shall be incorporated therein

B. In conjunction with the Department of Parks and Forestry, the committee shall annually determine the payment in lieu of tree replacement pursuant to Chapter 321-6(B) of this Code.

C. The committee shall review and assist with the quadrennial update of the Community Forestry Management Plan in accordance with the New Jersey Shade Tree and Community Forestry Assistance Act. N.J.S.A. 13:1L-17.1 et seq.

D. The committee shall work with the Division of Planning and the Division of Parks and Forestry, as well as any other relevant departments or organizations, in requiring tree planting and tree protection as part of development and redevelopment projects.

   1. If a development or redevelopment applicant appearing before a City entity is requesting a deviation from the Forestry Standards as required by this Code, the application shall be submitted to the committee for review. Two (2) weeks before the application is to be heard by a City entity, the committee shall provide the relevant City entity with a report identifying any provisions of the proposed deviation that are contrary to Chapter 321 of this Code and the Forestry Standards adopted therein. If the committee concludes that the application does not deviate from Forestry Standards, it shall submit a report stating same to the relevant City agency as outlined above.

E. The committee shall issue an annual report to the Jersey City Municipal Council, the Mayor, and the public which will include a summary of tree-related activities within the City of Jersey City including:

   1. Tree canopy coverage throughout the City
   2. Location of large, significant, and/or historic trees
   3. Priority sites or neighborhoods within Jersey City that require the addition of new trees.

F. If, within the same block or, in the case of a park or other City-owned land, tax parcel, the City or any City entity plans to plant six (6) or more trees or remove and replace four (4) or more trees pursuant to 321-6(c) of this Code, the Division of Parks and Forestry shall present the planting or removal/replacement plan for to the committee at a regularly scheduled meeting and the public will have an opportunity to comment.

The committee shall issue a recommendation to the Department of Parks and Forestry regarding the plan no more than seven (7) days thereafter. If the committee does not submit a recommendation within seven (7) days, it shall be deemed an approval of the Division's plan. If the City is removing four or more trees pursuant to 321-6(c) because it has deemed the trees to be a threat to public safety, no public hearing is required before removal. The City's annual tree planting shall not be subject to the public hearing requirements of this subsection.

G. The Committee shall review informational copies of any work orders and any requests by residents in the previous month for the planting, care, removal, etc. of any shade trees located in any public right-of way, plaza, or park. The Departments of Public Works and Parks and Forestry shall provide the Committee with same in accordance with section four (4) of this Chapter.

H. The committee shall undertake any other activities, not inconsistent with existing laws, to further tree proliferation and preservation in the City of Jersey City.

[~~A. The Advisory Shade Tree Commission organized under this chapter shall advise the Mayor and Council upon the following matters:~~

~~(1) The planting and care of shade and ornamental trees and shrubbery planted in any public street, plaza or park, including the trimming spraying, care and protection of such trees and shrubbery;~~

~~(2) The use of the grounds surrounding such trees and shrubs so far as may be necessary for their proper growth, care and protection;~~

~~(3) The removal of any tree or shrub dangerous to public safety;~~

~~(4) The adoption of any ordinance or legislation necessary for the care and protection of trees, shrubs and park lands within the City;~~

~~(5) Consistent with applicable laws, the treatment or removal of any trees or shrubs on private property which may present a risk to trees and shrubbery under the care of the City or to public health in general.~~

~~B. The Director of Public Works shall delegate one of his or her staff to attend each meeting of the shade tree commission and shall provide the commission with informational copies of any work orders and any requests by residents for the planting, care, and removal of any shade trees. The Director shall also seek the advice of the shade tree commission prior to the planting of any shade trees and, except in emergencies, prior to the removal of any shade trees.~~]

Chapter 321

TREES

§321-1. - Definitions.

For the purpose of this Chapter, the following terms shall have the meaning given herein:

CANOPY means the extent of the outer layer of leaves of an individual tree formed by the leader together with the scaffold and lateral branches (Figure 1).

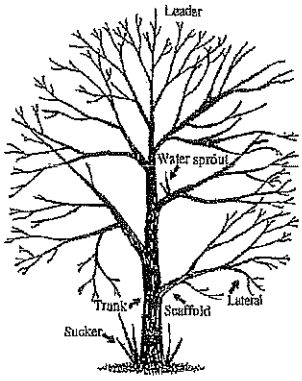


Figure 1

CITY TREE means (a) any living, self-supporting woody perennial plant that has a trunk diameter of at least two inches or more when measured at a point six inches above ground level and which normally attains an overall height of at least ten feet at maturity, usually with one main stem or trunk and several branches; and (b) planted in a public right-of-way, in a City park or on property owned by the City. The term "City tree" does not include trees on private property.

CROWN means the top part of the canopy (Figure 1).

DIVISION means the Division of Parks and Forestry.

DRIP LINE means the area defined by the outermost circumference of a tree canopy.

JERSEY CITY FORESTRY STANDARDS means the document promulgated by the Division of Parks and Forestry detailing the City's standards for the planting, maintenance and removal of City trees as defined herein.

LATERAL BRANCHES means the secondary branches that emerge from scaffold branches (Figure 1).

LEADER means the vertical stem at the top of the trunk (Figure 1).

MUNICIPAL FORESTER means the employee of the Division of Parks and Forestry responsible for overseeing the planting, maintenance and removal of all City trees and who is responsible for promulgating the Jersey City Forestry Standards as well as the list of City tree valuations published annually.

PUBLIC RIGHTS-OF-WAY means all land in the City of Jersey City dedicated or expressly reserved for the use of vehicular or pedestrian traffic and/or utilities.

PRUNE means cutting or removing less than 20 percent of the branching structure of a tree in the crown, trunk or root areas.

SCAFFOLD BRANCHES means the primary limbs that form a tree's canopy (Figure 1).

SHADE TREE COMMITTEE means the committee established pursuant to chapter ten (10) of this Code.

TOPPING means cutting or removing the leader in such a way as to disfigure the canopy resulting in stunted or abnormal growth.

TRUNK means the stem and main wooden axis of a tree (Figure 1).

§321-2. - Purpose.

The Municipal Council finds that the preservation of existing City trees and the planting of new City trees promote the health and welfare of the public in the following ways:

1. Conserving energy by providing shade, lowering urban air temperatures, and acting as a windbreak in winter;

2. Protecting pedestrians from rain, wind, sun and heat;
3. Improving air quality by producing oxygen, absorbing carbon dioxide and particulate matter;
4. Reducing noise pollution;
5. Providing habitat for birds and other wildlife;
6. Reducing storm runoff and the potential for soil erosion;
7. Increasing real estate property values; and
8. Enhancing the City's aesthetic qualities and thus making it more attractive to residents, visitors and businesses.

§321-3. - Prohibited activities.

No person shall do or cause to be done any of the following to a City tree as defined herein:

1. Hitch or fasten any animal, bicycle or vehicle to any guard or support attached to the City tree;
2. Permit any injurious substance, whether gaseous, liquid or solid, to come into contact with the stump or roots of any to any City tree;
3. Cover or obstruct any open space provided around the base of a City tree in such a way to prevent water or fertilizer from reaching the roots of the tree;
4. Pile any building material or make any mortar or cement within six feet of a City tree;
5. Affix a sign to a City tree through use of nails, staples, ropes, cables, wires, or other material that may cause punctures or girdling;
6. Cut or remove more than 20 percent of a City tree's canopy.

§321-6. - Removal of City trees.

A. An adjoining property owner may be granted a permit for the removal of a City tree abutting his or her property under the following conditions:
   1. The City tree poses a danger to persons or property which cannot be remedied except by removal; or
   2. The removal of the City tree is required for the development of the property or the improvement of the sidewalk.

B. An owner granted a permit to remove a City tree under subsection A.2 shall make a payment to the City equivalent to the value of the tree, as determined annually by the Division of Parks and Forestry in conjunction with the Shade Tree Committee.

C. If the Municipal Forrester determines that a tree requires removal, the Division of Parks and Forestry shall replace it with a tree from the list of recommended trees.

D. Nothing in this section shall be construed to limit the power of the Division to move or require the removal of any City tree or part thereof for any purpose consistent with Section 321-2.

A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

B. This ordinance shall be a part of the Jersey City Code as though codified and set forth fully herein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.

C. If the provisions of any section, subsection, paragraph, subdivision, or clause of this ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this ordinance.

D. The City Clerk and the Corporation Counsel be and are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible repeaters of existing provisions.

NOTE: All new material to be inserted is underscored and material to be repealed is in [~~brackets~~].

HB/mma
06/19/19

APPROVED AS TO LEGAL FORM

Corporation Counsel

APPROVED: _____

APPROVED: _____
Business Administrator

Certification Required ☐
Not Required ☐

ORDINANCE FACT SHEET

This summary sheet is to be attached to the front of any ordinance that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the ordinance.

Full Title of Ordinance/Resolution

AN ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO CHAPTER 10 (SHADE TREE COMMISSION) AND CHAPTER 321 (TREES) OF THE JERSEY CITY MUNICIPAL CODE.

Initiator

	Office of the Mayor	
Name/Title	Allison Solowsky	Deputy Chief of Staff
Phone/email	201-547-4306	asolowsky@jcnj.org

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Ordinance Purpose

The purpose of this Ordinance is to establish a shade tree committee that will advise various City departments on tree-related matters..

I certify that all the facts presented herein are accurate.

Signature of Deputy Chief of Staff

6/19/2019
Date

City Clerk File No. Ord. 19-083

Agenda No. 3.9 1st Reading

Agenda No. _____ 2nd Reading & Final Passage

ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 19-083

TITLE: **AN ORDINANCE AMENDING CHAPTER A350 OF THE JERSEY CITY MUNICIPAL CODE (COUNCIL RULES OF ORDER) TO MANDATE THAT ALL ORDINANCES HAVE A THIRD READING PRIOR TO ADOPTION AND TO MANDATE THAT ALL RESOLUTIONS BE ELIGIBLE FOR CONSIDERATION AT THE NEXT COUNCIL MEETING FOLLOWING SUBMISSION TO THE COUNCIL**

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN THAT:

Chapter A350 of the Jersey City Municipal Code (Council Rules of Order) shall be amended as follows:

CHAPTER A350
COUNCIL RULES OF ORDER

§ A350-1. - Rule I: Rules of procedure of Council.

NO CHANGE.

§ A350-2. - Rule I: Governing rules.

NO CHANGE.

§ A350-3. - Rule II: Regular meetings of Council.

NO CHANGE

§ A350-4. - Rule III: Caucus.

Premeeting caucuses. The Council shall hold premeeting caucuses on the Monday of the week in which a regular meeting of Council is held, or such other day as may be set by majority of the Council. The time of such premeeting caucus shall be fixed by the President. When the day fixed for any premeeting ~~conference~~ caucus falls upon a day designed by law as a legal holiday, such meeting shall be held on a day to be scheduled by the President of the Council. All premeeting ~~conferences~~ caucuses shall be held in a room or place selected the Council. All such premeeting ~~conferences~~ ~~(~~caucuses~~)~~ shall be open to the public. In the event that said regular premeeting ~~conference~~ caucus day is changed by a majority of the Council, the public shall be notified of any change at least forty-eight (48) hours prior to such ~~preconference~~ caucus meeting.

§ A350-5. - Rule IV: Special meetings.

NO CHANGE.

§ A350-6. - Rule V: Agenda - Consent agenda.

A. Agenda. All reports, communications, ordinances, resolutions or other matters to be submitted ~~to the Council~~ for inclusion on the next Council agenda by the

administration or by Council Members must, by 3:00 p.m. on the Wednesday preceding each Council meeting, be delivered to the Clerk, whereupon the Clerk shall immediately prepare ~~a calendar~~ an agenda of such matters together with such additional matters that he or she may have to present. ~~He or she~~ The Clerk shall furnish a copy of the ~~calendar~~ agenda to each member of the Council, the Mayor, the Business Administrator and the Corporation Counsel, prior to the ~~Council~~ caucus meeting, and as far in advance of the caucus meeting as time will permit. No item shall be added to an agenda unless it has been timely submitted in accordance with this rule. However, a late item may be added at a meeting and this rule suspended, but only for reasons of emergency, and by an affirmative vote of at least six Council Members.

B. All ordinances and resolutions which authorize the sale, conveyance or leasing of any interest in real property; or authorize the acquisition or grant of a license or easement in real property; or grant real estate tax exemptions or tax abatements; or authorize the settlement or termination of legal proceedings affecting real property; or authorize the construction, rehabilitation, repair or demolition of real property; or repeal or cancel any ordinance or resolution referred to in this subsection shall contain both the lot and block number and the street address of such real property.

C. All ordinances, resolutions, claims, contract documents and all other legal documents shall bear the stamp and signature of the corporation counsel approving the same pursuant to law prior to their consideration by the Council. No legal document shall be signed by the Mayor or administrative heads until the approval of the Corporation Counsel is appended thereto.

D. Consent agenda. Items of business which the Council at its premeeting ~~conferences~~ caucuses has determined to be routine and which do not require discussion shall be included under a single section of the calendar known as the "consent agenda." Such items may be adopted, approved or introduced, as the case may be, upon motion by a single roll call vote in accordance with the rules of procedure of the Council.

E. The consent agenda section of the calendar shall be preceded by an explanatory note substantially as follows:

"All matters listed under Subsection B and D, Consent agenda, are considered routine by the Municipal Council and will be enacted by one (1) motion in the form listed below. There will be no separate discussion of these items. If discussion is desired on any item and permitted by the Council, that item will be considered separately."

§ A350-7. - Rule VI: Presiding officers; president; temporary president pro tem; duties.

NO CHANGE.

§ A350-8. - Rule VI: Maintaining order.

NO CHANGE.

§ A350-9. - Rule VII: Parliamentarian; City Clerk.

NO CHANGE.

§ A350-10. - Rule VIII: Corporation Counsel.

NO CHANGE.

§ A350-11. - Rule IX: Call to order.

NO CHANGE.

§ A350-12. - Rule X: Roll call.

NO CHANGE.

§ A350-13. - Rule XI: Quorum.

NO CHANGE.

§ A350-14. - Rule XII: Order of business.

All regular and special meetings of the Council shall be open to the public. Promptly at the hour set forth for each meeting, the members of the Council and, subject to Rule V (§ A350-6), the Clerk shall take their regular stations in the Council Chamber, and the business of the Council shall be taken up for consideration and disposition in the following order, unless otherwise ordered by the Council.

A. Roll call.

B. Bid reception.

C. Ordinances: first reading.

D. Ordinances: second reading.

~~D~~E. Ordinances: third reading.

~~E~~F. Citizens' hearings.

~~F~~G. Claims.

~~G~~H. Resolutions: submission.

I. Resolutions: consideration of resolutions submitted at prior meeting.

~~H~~J. Petitions and communications.

~~I~~K. Officers' communications.

~~J~~L. Reports of directors.

~~K~~M. Tabled agenda.

~~L~~N. Citizens' hearings.

§ A350-15. - Rule XIII: Reading of minutes.

NO CHANGE.

§ A350-16. - Rule XIV: Rules of debate.

NO CHANGE.

§ A350-17. - Rule XV: Voting.

NO CHANGE.

§ A350-18. - Rule XVI: Addressing Council.

NO CHANGE.

§ A350-19. - Rule XVII: Manner of addressing Council.

NO CHANGE.

§ A350-20. - Rule XVIII: Decorum.

NO CHANGE.

§ A350-21. - Rule XIX: Enforcement of decorum.

NO CHANGE.

§ A350-22. - Rule XX: Council rail; persons authorized.

NO CHANGE.

§ A350-23. - Rule XXI: Special committees.

NO CHANGE.

§ A350-24. - Rule XXII: Ordinances; resolutions; motions; number of votes; veto; emergency ordinance.

A. Preparation of ordinances. The Corporation Counsel or his or her designee, when requested, shall prepare ordinances or resolutions which shall be delivered to the Clerk. A copy of the same shall be forthwith furnished to each member of the Council by the Clerk.

(1) Ordinances may be introduced and adopted by Title and shall be read in full by the Clerk or his or her designee ~~before consideration by the Council~~ on second reading before consideration by the Council and at the third and final reading, except as otherwise provided by law, including N.J.S.A. 40:49-2.

(2) Every ordinance after introduction and adoption on first reading shall be published in full together with a notice as required by law, and said publication shall be at least ten (10) days prior to the time fixed for further consideration ~~for~~ at second reading and at least twenty (20) days prior to the time fixed for final passage at the third reading. At the time and place so specified in such notice, all persons interested shall be given an opportunity to be heard thereon.

The publication of each ordinance shall include the following preamble: "Notice is hereby given of the following ordinance introduced by the governing body of Jersey City at its meeting of [date]. This ordinance will be considered for adoption at the second meeting following the date of this publication to be held on [date]. At the meetings of [date] and [date], all persons interested shall be given an opportunity to be heard."

B. Resolutions shall be posted on a bulletin board or other convenient location outside of Council Chambers at least twenty-four (24) hours prior ~~to consideration by the Council~~ each meeting. Resolutions shall be considered for adoption at the meeting next following the meeting at which the resolution is submitted, provided, however, that a member of the Council may move to have the Council adopt any resolution considered for adoption at the meeting of its submission. Resolutions may be introduced and adopted by title only; resolutions which are so posted in accordance with this rule shall not be read in full by the Clerk for consideration by the Council, unless a member of the Council requests ~~such a reading~~ that a resolution be read in full by the Clerk. Resolutions submitted as late items to the City Clerk within twenty-four (24) hours of a Council Meeting shall be read in full ~~prior to consideration by the Council,~~ at the meeting at which the resolution is submitted unless the President of the Council deems such reading unnecessary. Failure to comply with the provisions of this subsection shall not affect the validity of any resolution.

C. Prior approval by administrative heads of departments. All ordinances and resolutions before presentation to the Council by the Mayor or the Business Administrator shall have been reduced to writing. Every ordinance and resolution except those requested by members of the City Council shall bear the name and signature of the city official requesting it. Prior to presentation to the Corporation Counsel, they shall have first been referred for a report on the accuracy of facts to the Director of the Department under whose jurisdiction the ordinance or resolution would devolve. Said report shall be in writing where practicable. The Department Director shall forward his or her report together with a copy of the ordinance or resolution to the Legislative Review Committee of the Council for its review. Thereafter, but before introduction by the Council, the same shall be approved, pursuant to law, by the Corporation Council or his or her designee.

D. Introducing for passage or approval. Ordinances, resolutions or other matters requiring action by the Council shall only be introduced by a member of the Council. When a Council member introduces an ordinance or resolution, his or her name shall appear on the same.

E. Period. All ordinances shall take effect twenty (20) days after final passage and approval by the Mayor. Two-thirds (2/3) of the Council may, however, declare an emergency by written resolution to reduce this twenty-day period, except the period for bond ordinances shall not be reduced.

F. Adoption. Ordinances, other than bond ordinances, shall require five (5) affirmative votes for adoption. Bond ordinances shall require six (6) affirmative votes for adoption, except as otherwise provided by law.

G. Veto by the Mayor. Ordinances vetoed by the Mayor shall require six (6) affirmative votes of the Council to override the veto.

H. Preparation. Ordinances amending any existing ordinances shall contain, in brackets, the part repealed, and the new part to be inserted shall be underscored.

I. Emergency resolutions. Emergency resolutions for appropriations and resolutions for budgetary transfers shall require six (6) affirmative votes for adoption.

§ A350-25. - Rule XXIII: Nominations.

NO CHANGE.

§ A350-26. - Rule XXIV: Reports, filing.

NO CHANGE.

§ A350-27. - Rule XXV: Adjournment.

NO CHANGE.

§ A350-28. - Rule XXVI: Ordinances, certification of passage.

NO CHANGE.

§ A350-29. - Rule XXVII: Minutes of Council meetings.

NO CHANGE.

I. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

II. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.

III. This Ordinance shall take effect at the time and in the manner as provided by law.

IV. The City Clerk and the Corporation Counsel may change any chapter numbers, article numbers and section numbers if codification of the ordinance reveals a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

NOTE: All new material is underlined; words ~~struck through~~ are omitted. For the purposes of advertising only, new matter is in **boldface** and matter to be repealed is in *italics.*

JJH/mma
6/20/19

APPROVED AS TO LEGAL FORM

APPROVED:

Corporation Counsel

APPROVED:

Business Administrator

Certification Required ☐
Not Required ☐

ORDINANCE FACT SHEET

This summary sheet is to be attached to the front of any Ordinance that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the Ordinance.

Full Title of Ordinance

AN ORDINANCE AMENDING CHAPTER A350 OF THE JERSEY CITY MUNICIPAL CODE (COUNCIL RULES OF ORDER) TO MANDATE THAT ALL ORDINANCES HAVE A THIRD READING PRIOR TO ADOPTION AND TO MANDATE THAT ALL RESOLUTIONS BE ELIGIBLE FOR CONSIDERATION AT THE NEXT COUNCIL MEETING FOLLOWING SUBMISSION TO THE COUNCIL

Initiator

Department/Division	The Municipal Council	Office of the Municipal Council President
Name/Title	Rolando R. Lavarro, Jr.	Municipal Council President
Phone/email	201-547-5268	rlavarro@jcnj.org

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Ordinance Purpose

This Ordinance establishes mandates that all ordinances have a Third Reading prior to adoption and mandates that all resolutions be eligible for consideration at the next council meeting following the Resolution's submission to the council

I certify that all the facts presented herein are accurate.

June 20, 2019

Rolando R. Lavarro, Jr.
Municipal Council President

Date

City Clerk File No. Ord. 19-084

Agenda No. 3.10 1st Reading

Agenda No. _____ 2nd Reading & Final Passage

ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 19-084

TITLE:
AN ORDINANCE SUPPLEMENTING CHAPTER 332 (VEHICLES AND TRAFFIC) ARTICLE III (PARKING, STANDING AND STOPPING) AMENDING SECTION 332-22 (PARKING PROHIBITED AT ALL TIMES) AND SECTION 332-24 (PARKING PROHIBITED CERTAIN HOURS) ON COLUMBUS DRIVE

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:

1. Chapter 332 (Vehicles and Traffic) Article III (No Parking Any Time) of the Jersey City Code is hereby supplemented as follows:

Section 332-22 Parking prohibited at all times
No person shall park a vehicle on any of the streets or parts thereof described.

Name of Street	Side	Limits
Columbus Dr	Both	Merseles St to Brunswick St
	South	Grove St 280 feet west
	South	95 feet east of Barrow St 60 feet east
	North	Grove St 360 feet west
	North	55 feet east of Marin Blvd 70 feet east
		267 feet east of Marin Blvd 40 feet east

Section 332-24 No parking certain hours
No person shall park a vehicle between the times specified upon any of the streets, or parts thereof, listed below.

Name of Street	Side	Days of Week	Hours	Limits
Columbus Dr	[*North*	*M – F*	*8:00 a.m. to 9:30 a.m.*	*Jersey Av to Grove St*]
	North	M - F	4:00 p.m. to 6:00 p.m.	Brunswick St to Monmouth St
	South	M - F	7:00 a.m. to 9:00 a.m.	Brunswick to Monmouth
	[*South*	*M - F*	*8:30 a.m. to 4:30 p.m.*]	*283 feet east of Barrow St 25 east*

2. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
3. This ordinance shall be a part of the Jersey City Code as though codified and incorporated in the official copies of the Jersey City Code.
4. The City Clerk and the Corporation Counsel be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.
NOTE: New material to be inserted is underscored; material to be repealed is in [*brackets*].

AV:pcl
(6.18.19)

APPROVED: _____
Director of Traffic & Transportation

APPROVED AS TO LEGAL FORM

_____
Corporation Counsel

APPROVED: _____ For
Municipal Engineer

APPROVED: _____
Business Administrator

Certification Required ☐
Not Required ☐

ORDINANCE FACT SHEET – NON-CONTRACTUAL

This summary sheet is to be attached to the front of any ordinance that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the resolution.

Full Title of Ordinance

AN ORDINANCE SUPPLEMENTING CHAPTER 332 (VEHICLES AND TRAFFIC) ARTICLE III (PARKING, STANDING AND STOPPING) AMENDING SECTION 332-22 (PARKING PROHIBITED AT ALL TIMES) AND SECTION 332-24 (PARKING PROHIBITED CERTAIN HOURS) ON COLUMBUS DRIVE

Initiator

Department/Division	Administration	Engineering, Traffic and Transportation
Name/Title	Andrew Vischio, P.E.	Director of Traffic & Transportation
Phone/email	201.547.4419	AVischio@jcnj.org

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Ordinance Purpose

The proposed parking restrictions will facilitate safer loading and passenger pick-up/drop-off activities near the Grove Street Transit Hub.

Parking is already prohibited on the south side of Columbus Drive from Grove Street to a point 120 feet west due to a bus stop and parking is prohibited on the north side of Columbus Drive from Grove Street to a point 160 feet west due to the Citi Bike Dock. This Ordinance will extend the no parking areas 160 feet and 200 feet respectively.

I certify that all the facts presented herein are accurate.

Director of Traffic & Transportation	6/15/19 **Date**
Signature of Department Director	6/19 **Date**

Morgan St
WORD
Grove St
Grove Corner Bar
Roman Nose
Grove Square
Barrow St
JC Studios
Christopher Columbus Dr
Pr&ince
McDonald's
Grove St
Duane Reade
Red Feast Wine
& Liquors
Grove Pointe Apartm
ME Casa Catering and
Western Union
Grove Street Path Trains
Grove Pointe Cleane
Shampoo JC Salon
Starbucks
sion
Wayne St
Christopher Columbus Dr
Barrow St
Stella's 24 Hour Eatery
Grove St
Wayne St
Subway
Pilot
El Sazon De
Las Americas
BNY Mellon
Innovation Center
Wayne St
Ibby's
Krispy Kreme
Wayne St
Mercer St
Map data ©2019 Google
100 ft

City Clerk File No. Ord. 19-085

Agenda No. 3.11 1st Reading

Agenda No. _____ 2nd Reading & Final Passage

ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 19-085

TITLE: **AN ORDINANCE AMENDING CHAPTER 3, (ADMINISTRATION OF GOVERNMENT) ARTICLE X (DEPARTMENT OF HOUSING, ECONOMIC DEVELOPMENT AND COMMERCE) OF THE JERSEY CITY MUNICIPAL CODE TO REQUIRE CREATE A REVOLVING RELOCATION ASSISTANCE FUND PURSUANT TO N.J.S.A. 20:4-4.1a & CREATING THE OFFICE OF TENANT RELOCATION TO ADMINISTER THE FUND**

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:

WHEREAS, the New Jersey Relocation Assistance Act, N.J.S.A. 20:4-4.1 et seq., authorizes municipalities to create a revolving Relocation Assistance Fund which shall be used to provide relocation assistance to individuals who are displaced from their dwelling as a result of code enforcement activities; and

WHEREAS, the fund shall be comprised of any sums realized by the municipality from any relocation costs, and interest thereon, paid by an owner of real property who have been held liable for a civil or criminal penalty in the case of any displacement of persons by housing or construction code enforcement pursuant to N.J.S.A. 20:4-4.1; any sums realized by the municipality from the enforcement of municipal liens or liquidation of any property acquired by virtue of code enforcement pursuant to N.J.S.A. 20:4-4.1; any sums realized by the municipality relating to any relocation cost and interest thereon upon enforcement or liquidation of any property acquired by virtue of enforcement and collected pursuant to N.J.S.A. 20:4-4.2 and any monies that the Council deems appropriate to allocate to the Fund through its discretion to adopt a municipal budget; and

WHEREAS, any moneys appropriated from the Fund by the municipality shall only be used to provide relocation assistance and for no other purpose whatsoever.

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that Chapter 3, (Administration of Government) Article X (Department of Housing, Economic Development and Commerce) be amended as follows:

CHAPTER 3

ADMINISTRATION OF GOVERNMENT

ARTICLE X

Department of Housing, Economic Development and Commerce

§ 3-72. - Department established; head.

NO CHANGE.

§ 3-73. - Director of Housing, Economic Development and Commerce; functions.

NO CHANGE.

§ 3-74. - Organization of Department.

Within the Department of Housing, Economic Development and Commerce, there shall be the following divisions, offices, bureaus and boards:

A. Division of Economic Development.

B. Division of Construction Code Official.

(1) Bureau of Plumbing Subcode Official.

(2) Bureau of Electrical Subcode Official.

(3) Bureau of Building Subcode Official.

C. Division of Housing Preservation.

(1) Office of Housing Code Enforcement

(2) Office of Landlord/Tenant Relations.

(a) Bureau of Rent Leveling

(b) Rent Leveling Board

D. Division of Community Development.

E. Division of City Planning.

(1) Urban Research and Design.

(2) Planning Board.

F. Division of the Zoning Officer.

G. Division of Commerce.

§ 3-75. - Division of Construction Code Official.

NO CHANGE.

§ 3-76. - Division of Economic Development.

NO CHANGE.

§ 3-77. - ~~(Reserved)~~ Revolving Relocation Assistance Fund created.

A. Pursuant to N.J.S.A. 20:4-4.1a, there is hereby created a Revolving Relocation Assistance Fund which shall be used to provide relocation assistance to individuals who are displaced from their dwelling as a result of code enforcement activities initiated by the City.

Relocation Assistance shall include the costs of temporary lodging, moving expenses and broker fees up to four-thousand dollars ($4,000). Relocation Assistance shall not include the costs of individual transportation, food, groceries or the replacement of personal items.

In accordance with all applicable State laws, the City shall contract directly with the vendors providing the temporary lodging, moving services and brokerage services. Under no circumstances shall funds shall be disbursed directly to a displaced tenant.

Any payment of relocation assistance funding under this section shall be subject to the availability of funds within the Revolving Relocation Assistance Fund at the time of the request for relocation assistance.

B. Funding sources

There shall be deposited into the Revolving Relocation Assistance Fund the following sums, less any money required to be repaid to the State:

(1) Any relocation costs, and interest thereon, paid by an owner of real property who has been held liable for a civil or criminal penalty in the case of any displacement of persons by housing or construction code enforcement pursuant to N.J.S.A. 20:4-4.1;

(2) Any sums realized by the City upon enforcement of municipal liens or liquidation of any property acquired by virtue of enforcement pursuant to N.J.S.A. 20:4-4.1; and

(3) Any sums realized by the City relating to any relocation cost and interest thereon upon enforcement or liquidation of any property acquired by virtue of enforcement and collected pursuant to N.J.S.A. 20:4-4.2.

(4) Any additional sum that the Council deems appropriate.

C. Qualifying tenants

The following shall qualify for Relocation Assistance:

(1) Any tenant who is forced to vacate a premise as a result of from code enforcement activity for an illegal occupancy; and

(2) Any tenant displaced by housing or construction code enforcement, including any rehabilitation necessitated by that enforcement.

Every tenant who wishes to avail him or herself of the Relocation Assistance Fund Program, prior to accepting any such financial assistance from the City, must first certify that he or she has no rental insurance policy to draw from. No Relocation Assistance will be provided to any tenant meeting the description above who can avail him or herself of insurance proceeds and the City will prosecute anyone who falsely claims not to have a rental insurance policy to draw from and accepts City Relocation Assistance.

D. Landlord's obligation to repay the Revolving Relocation Assistance Fund; penalty for failure to comply

Immediately following the landlord's adjudication of responsibility for causing tenant's displacement by the Municipal Court, the City shall present a Statement of Relocation Costs to the landlord who shall have ten (10) days from the Court's adjudication to repay the City for the Relocation Assistance it paid on behalf of the displaced tenant. In the event the landlord fails to repay the relocation expenses by the date such repayment becomes due and payable, the same shall accrue interest at a rate of 18% per annum and become a lien against the subject real property as provided for in N.J.S.A. 20:4-4.1. In addition to the remedies available under N.J.S.A. 20:4-4.1, the City may proceed under N.J.S.A. 20:4-4.2 in a civil action to recover unpaid relocation expenses, attorney's fees, interest and costs from the owner-landlord of the real property as set forth in the statute.

§ 3-78. - Division of Housing Preservation.

A. Creation of the Division of Housing Preservation; Director of Housing Preservation in charge. There is hereby created within the Department of Housing, Economic Development and Commerce, the Division of Housing Preservation, the head of which shall be the Director of Housing Preservation.

B. Division of Housing Preservation; functions. Under the supervision of the Director of Housing Preservation, the Division of Housing Preservation shall administer the following:

(1) Through the Office of Housing Code Enforcement, administer and enforce the Property Maintenance Code, Chapter 254 and ordinances which relate to housing and neighborhoods as may be assigned to it for administration.

(2) Through the Office of Landlord/Tenant Relations, administer and enforce the Rent Control Ordinance, Chapter 260; provide education, information and referrals to City residents in connection with Landlord/Tenant related issues;

administer the Revolving Relocation Assistance Fund; provide appropriate personnel to attend all meetings of the Rent Leveling Board; and assist the Rent Leveling Board in its duties.

§ 3-79. - Division of Community Development.

NO CHANGE.

§ 3-80. - Division of City Planning.

NO CHANGE.

§ 3-81. - Division of the Zoning Officer.

NO CHANGE.

§ 3-82. - (Reserved)

NO CHANGE.

§ 3-82.1. - Division of Commerce.

NO CHANGE.

§ 3-82.2. - Community Service Block Grant Board.

NO CHANGE.

I. All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.

II. This Ordinance shall be part of the Jersey City Code as though codified and fully set forth therein. The City shall have this Ordinance codified and incorporated in the official copies of the Jersey City Code.

III. This Ordinance shall take effect twenty (20) days after enactment.

IV. The City Clerk and the Corporation Counsel be and hereby are authorized and directed to change any chapter numbers, article numbers and section numbers in the event the codification of this Ordinance reveals that there is conflict between those numbers and the existing code.

NOTE: All new material is underlined; words ~~struck through~~ are omitted. For purposes of advertising only, new matter is **boldface** and repealed by *italics.*

06/19/19

APPROVED AS TO LEGAL FORM

Corporation Counsel

APPROVED:

APPROVED:

Business Administrator

Certification Required ☐

Not Required ☐

ORDINANCE FACT SHEET

This summary sheet is to be attached to the front of any ordinance that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the ordinance.

Full Title of Ordinance/Resolution

AN ORDINANCE AMENDING CHAPTER 3, (ADMINISTRATION OF GOVERNMENT) ARTICLE X (DEPARTMENT OF HOUSING, ECONOMIC DEVELOPMENT AND COMMERCE) OF THE JERSEY CITY MUNICIPAL CODE TO REQUIRE CREATE A REVOLVING RELOCATION ASSISTANCE FUND PURSUANT TO N.J.S.A. 20:4-4.1a & CREATING THE OFFICE OF TENANT RELOCATION TO ADMINISTER THE FUND

Initiator

	Office of the Mayor	
Name/Title	Allison Solowsky	Deputy Chief of Staff
Phone/email	201-547-4306	asolowsky@jcnj.org

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Ordinance Purpose

The purpose of this Ordinance is to amend Chapter 3 (Administration of Government) Article X (Department of Housing, Economic Development and Commerce) of the Jersey City Municipal Code to require create a revolving relocation assistance fund pursuant to N.J.S.A. 20:4-4.1a and creating the office of tenant relocation to administer the fund.

I certify that all the facts presented herein are accurate.

Signature of Deputy Chief of Staff

6/19/19
Date

City Clerk File No. Ord. 19-086

Agenda No. 3 .12 1st Reading

Agenda No. _____ 2nd Reading & Final Passage

ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 19-086

TITLE: **ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY JERSEY CITY ADOPTING AMENDMENTS TO THE NEIGHBORHOOD DISTRICT OF THE JERSEY AVENUE LIGHT RAIL REDEVELOPMENT PLAN THAT INCLUDES AN AFFORDABLE HOUSING PROVISION**

WHEREAS, the Municipal Council of the City of Jersey City adopted the Jersey Avenue Light Rail Redevelopment Plan (the "Plan"); and

WHEREAS, the Municipal Council seeks to promote affordable housing and appropriate development in the Jersey Avenue Light Rail Redevelopment Area (the "Area"); and

WHEREAS, the attached amendments to the Neighborhood District of the Plan will be reviewed by the Planning Board, before second reading of this Ordinance; and

WHEREAS, a copy of the proposed amendments to the Plan is attached hereto and made a part hereof, and is available for public inspection at the Offices of the City Clerk, City Hall, 280 Grove Street, Jersey City, NJ.

NOW, THEREFORE BE IT ORDAINED by the Municipal Council of the City of Jersey City that the aforementioned amendments to the Plan be, and hereby are, adopted.

BE IT FURTHER ORDAINED THAT:

A. All ordinance and parts of ordinance inconsistent herewith are hereby repealed.

B. This ordinance shall be part of the Jersey City Code as though codified and set forth fully herein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.

C. This ordinance shall take effect at the time and in the manner as provided by law.

D. The City Clerk and the Corporation Council be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible repealers of existing provisions.

E. The City Planning Division is hereby directed to give notice at least ten days prior to the hearing on the adoption of this Ordinance to the Hudson County Planning board and to all other persons entitled thereto pursuant to N.J.S. 40:55D015 and N.J.S. 40:55D-63 (if required). Upon the adoption of this Ordinance after public hearing thereon, the City Clerk is hereby directed to publish notice of the passage thereof and to file a copy of the Ordinance as finally adopted with the Hudson County Planning Board as required by N.J.S. 40:55D-16. The clerk shall also forthwith transmit a copy of this Ordinance after final passage to the Municipal Tax Assessor as required by N.J.S. 40:49-2.1.

06/20/19

APPROVED AS TO LEGAL FORM

_____
Corporation Counsel

APPROVED: _____

APPROVED: _____
Business Administrator

Certification Required ☐
Not Required ☐

Proposed Amendment
Jersey Avenue Light Rail Redevelopment Plan
Neighborhood District

NEW SUB-PARARAPH 6.
LOT CONSOLIDATION / INCLUSIONARY HOUSING OVERLAY

Comparison Version (2019-06-19) – indicating original text of the Neighborhood District with Proposed Amendments Added.

The amendments presented are indicated as:

1. Language to be retained is indicated as plain text.
2. Language to be deleted is indicated as a ~~strikethrough~~.
3. Language to be added is indicated as ***bold italic***.

SECTION X. SPECIFIC LAND USE PROVISIONS

Paragraph A. High Rise District – **NO CHANGES**

Paragraph B. High Rise District – **NO CHANGES**

C. Neighborhood District

1. Formula Business Objectives
   a. All commercial retail areas within each structure or within a single tax lot shall limit formula business establishments, as defined by the Land Development Ordinance, to a maximum of 30% of ground floor gross leasable commercial area. For the purposes of this area restriction, the formula business definition shall apply to the following uses, whether functioning as a principal or accessory use:
      1. Retail sales of goods and services
      2. Restaurants, all categories.
      3. Bars.
      4. Financial Service Facilities and Banks.
   b. Grocery Stores greater than 15,000 square feet may exceed 30% of gross leasable commercial area, but shall be the only formula business within such structure or lot.

2. Permitted Uses
   - Residential
   - Parks/Public Open Space
   - Restaurants
   - Office/retail
   - Public Utilities, except that natural gas transmission lines shall be prohibited

3. Accessory Uses
   - On-Site/Off-Street Parking & Loading Facilities
   - Fences & Walls
   - Signs
   - Health Clubs
   - Ground floor retail space
   - Day Care Centers

4. Area Yard, and Bulk Requirements – See chart

NEIGHBORHOOD DISTRICT PRINCIPAL

	OFFICE BLDGS	RESI-DEN-TIAL	COMM. RETAIL	REST./ BARS/ N'CLUBS	PARKS/ OPEN SPACE
HEIGHT	70'	75'	70'	70'	N/A
COVERAGE [1]	75%	75%	75%	75%	N/A
LOT AREA IN SQ. FT.	2,500	2,500	2,500	2,500	2,500
DENSITY [2]	N/A	50	N/A	N/A	N/A
FRONT YARD MIN.	5'	5'	5'	5'	N/A
FRONT YARD MAX.	15'	15'	15'	15'	N/A
EACH SIDE YARD					
REAR YARD	10'	10'	10'	10'	N/A
F.A.R. [3]	3.5	3.5	3.5	3.5	N/A

1 Total percentage, buildings and impervious surfaces, subject to bonus provisions of IX.F.
2 Dwelling units per acre.
3 Floor Area Ratio.

- Existing structures to be rehabilitated shall be exempt from area, yard and bulk requirements except any additions to existing structures shall not cause the total building area to exceed the floor area ratio specified in the appropriate district. In the event that an existing building exceeds the permitted floor area ratio, that structure shall not be permitted any additional floor area.

5. Building Design Requirements for the Neighborhood District

Building Facades

- Building design and exterior materials of all new construction,

renovations and re-use within the Neighborhood District shall conform to the Design Standards, Section IV of this redevelopment plan and the Design Guidelines of the Historic Preservation Districts entitled, Regulations for Alterations & Additions to Buildings & New Construction In Historic Districts

- Building facades of structures shall be constructed of masonry including but not limited to stone, brick, textured concrete, etc. Concrete block is prohibited. Street facades shall employ color schemes and other elements complementary and harmonious in color, scale and material to those in the Hamilton Park Historic District.

- At a height between 15 and 40 feet all buildings shall provide a horizontal visual cue, through the use of a cornice, belt coursing, change in materials or ratio of glass to solid area, or any other visual indicator consistent with the design, proportions and materials of the entire building.

- All buildings shall be designed to front on public streets in order to create a uniform street wall.

- All buildings shall provide a main entrance onto a public street. Other secondary entrances may be provided from parking areas or any other place necessary by the design of the building.

- Entrances shall be designed to be attractive and functional. Indicators such as awnings, changes in sidewalk paving materials, changes in height incorporating stairs or any other indicator shall be incorporated into the main entrance design. These indicators shall similar in design, proportions, material and character of the Neighborhood District and other adjacent conforming buildings.

6. ***Lot Consolidation / Inclusionary Housing Overlay***
Block 7103 (formerly Block 223)

   a. ***In order to encourage more significant comprehensive development within Block 7103; the following development regulations shall apply to development parcels on Block 7103 that meet the criteria listed below:***
      i. ***Consist of an assemblage of tax lots that total at least 30,000 square feet in area; and***
      ii. ***Provides at least 20% of the total residential units developed as affordable housing consistent with the requirements found in paragraph d. below.***
      iii. ***In the alternative, if the City of Jersey City adopts an Affordable Housing Ordinance, then the developer may choose to comply with such adopted ordinance.***

   b. ***Permitted Principal Uses***
      i. ***Permitted uses in the Neighborhood District of this***

Redevelopment Plan.

ii. *Hotels*

iii. *Health Clubs*

iv. *Child Care Centers*

v. *More than one use may occupy any building or site.*

c. *Permitted Accessory Uses*

i. *Accessory uses as permitted in the Neighborhood District of this Redevelopment Plan.*

ii. *Uses customarily associated with, and subordinate and incidental to a permitted principal use on the same property.*

d. *Inclusionary Housing Criteria*

i. *Definitions for Inclusionary Housing.*

- *AFFORDABLE HOUSING - means residential housing, which is restricted for occupancy by households whose combined annual income for all members does not exceed 80 percent of the median income. This term shall refer to the broad classification, and not be confused with more specific terms that define different income divisions.*
- *"HUD" – means the United States Department of Housing and Urban Development.*
- *INCLUSIONARY DEVELOPMENT means a development containing both affordable and market rate units.*
- *LOW-INCOME HOUSEHOLD means a household in which the combined total annual income for all members of a household, that does not exceed 50 percent of the average median income. These income limits shall be adjusted by household size based on multipliers used by HUD to adjust median income by household size. In no event shall the income limits be less than those for the previous year.*
- *LOW-INCOME UNIT means a restricted unit that is affordable to a low-income household.*
- *MARKET-RATE UNITS mean housing not restricted to low-, moderate-income and workforce households that may sell or rent at any price.*
- *MEDIAN INCOME means the median income by household size for Hudson county, as adopted by HUD income requirements by ordinance by the City Council.*
- *MODERATE-INCOME HOUSEHOLD means a household in which the combined total annual income for all members of a household is not less than 50 percent and does not exceed 80 percent of the median income. These income limits shall be adjusted by household size based on multipliers used by HUD to adjust median income by household size. In no event shall the income limits be less than those for the previous year.*
- *MODERATE-INCOME UNIT means a restricted unit that is affordable to a moderate-income household.*
- *REDEVELOPMENT PLAN means a plan adopted by the*

governing body of the City of Jersey City for the redevelopment or rehabilitation of all or any part of a redevelopment area, or area in need of rehabilitation, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A: 12A-1 et seq.

- *RESIDENTIAL means any real property and the improvements, buildings, structures or house thereon, whether single or multi-family, whether or not owner occupied, used for residential purposes.*
- *RESTRICTED UNIT means a dwelling unit, whether a rental unit or ownership unit, that is subject to affordability controls.*
- *VERY LOW-INCOME HOUSEHOLD means a household in which the combined total annual income for all members of a household does not exceed 30 percent of the median income. These income limits shall be adjusted by household size based on multipliers used by HUD to adjust median income by household size. In no event shall the income limits be less than those for the previous year.*
- *VERY LOW INCOME UNIT means a restricted unit that is affordable to a very low- income household.*

ii. *Inclusionary Housing Set-Aside – All developments in Block 7103 of the Neighborhood District pursuant to this Redevelopment Plan shall set aside not less than twenty percent (20%) of the total number of residential units, as identified herein, as affordable housing. This requirement shall apply to both rental units and all forms of ownership. All affordable units shall be consistent with Chapter 188 of the Jersey City Code.*

iii. *In each affordable housing development at least 50% of the restricted units within each bedroom distribution shall be low-income units.*

iv. *All inclusionary units shall be required to be income restricted for a minimum of 30 years*

v. *Affordable developments that are age-restricted shall be structured such that the number of bedrooms shall equal the number of age-restricted low- and moderate-income units within the inclusionary development. The standard may be met by having all one-bedroom units or by having a two-bedroom unit for each efficiency unit.*

vi. *All inclusionary Development Applications shall be reviewed and approved by the Director of the Office of Affordable Housing, the Director of Housing, Economic Development and Commerce or their designee, the Director of Community Development, and the Executive Director of the Jersey City Redevelopment Agency, or their designee.*

vii. *All Inclusionary Developments must be formalized with an Affordable Housing Agreement as required in Chapter 188 of the Jersey City Code. The Affordable Housing Agreement shall be included in any Development Application to the Planning Board.*

e. *Area, Yard and Bulk requirements*

i. ***All buildings shall have a base, which shall have a maximum height of 60 feet.***

ii. ***Buildings may also have a tower or towers above the base. The maximum height of any tower, inclusive of the base height, shall be:***

(a) For lots from 30,000 to 50,000 square feet – 265 feet.

(b) For lots over 50,000 square feet – 325 feet

iii. ***Maximum Permitted Building Coverage:100% for the base of the building and 75% for the tower portion(s) of the building.***

iv. ***Maximum Residential Density:***

(a) For lots from 30,000 to 50,000 square feet – 625 units/acre

(b) For lots over 50,000 square feet – 750 units/acre

v. ***Minimum Front Yard Setback (applies to all street frontages):***

(a) Zero - except that buildings must be setback the distance necessary to achieve a 15 foot wide sidewalk width along all street frontages.

(b) Above the ground floor, at a height of not less than 20 feet above grade, the upper floors may extend into the setback area; but may not extend beyond the street line.

vi. ***Minimum Interior Lot Line Setbacks:***

(a) The minimum required setback for the base of any building shall be zero, except as necessary to meet building, fire and safety codes.

(b) The tower element of any building adjacent to an interior property line shall be setback a minimum of 3.1 feet, or such distance as necessary to allow for glazing in the façade of the tower element in order to avoid the appearance of a blank façade; to meet building, fire and safety codes.

(c) The rear wall of the tower element of any building shall not be located more than 75 feet distant from the street line adjacent to the front wall of said building. Any building wall facing a street line shall be considered a front wall.

f. *Parking Requirements*

i. ***Residential: Minimum of 0.5 space per unit, except parking is not required for inclusionary or affordable dwelling units.***

ii. ***Retail/Restaurants/Other Commercial: Minimum of 1.0 spaces per 1,000 square feet, excluding the first 5,000 square feet of each use.***

iii. ***Hotels: Minimum of 0.2 space per room.***

iv. ***Shared use of parking facilities is permitted and encouraged.***

v. ***Bicycle parking shall be provided as required by the Jersey City Land Development Ordinance.***

(END of DOCUMENT)

City Clerk File No. Ord. 19-087

Agenda No. 3.13 1st Reading

Agenda No. _____ 2nd Reading & Final Passage

ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 19-087

TITLE: **ORDINANCE AMENDING CHAPTER 332 (VEHICLES & TRAFFIC), ARTICLE VIII (PERMIT PARKING), OF THE JERSEY CITY MUNICIPAL CODE**

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY HEREBY ORDAINS:

WHEREAS, municipalities can and have regulated parking; and

WHEREAS, a growing number of residents and businesses have led to a need for more parking enforcement in Jersey City

WHEREAS, because of the expanding needs of Jersey City residents, the Mayor and Council have concluded that residents can be better served by adding more residentially zoned streets and increasing enforcement hours

WHEREAS, on or about January 26, 2019 the Mayor and Council approved a number of changes that have been welcomed by the community; and

WHEREAS, a number of residents suggested a few additional modifications to be made in order to accommodate parking around City Hall; and

WHEREAS, all Jersey City residents need to be able to park near City Hall for public meetings and events.

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that:

THE FOLLOWING AMENDMENTS TO CHAPTER 332 (VEHICLES & TRAFFIC), ARTICLE VIII (PERMIT PARKING), ARE HEREBY ADOPTED:

CHAPTER 332

VEHICLES & TRAFFIC

ARTICLE VIII

Permit Parking

§ 332-58. - Parking restrictions in residential zones.

Parking Zone 1

A. No person shall park a vehicle in excess of ~~three (3)~~ two (2) hours; between the hours of 7:00 a.m. and ~~11:00~~ 9:00 p.m., Monday through Friday, except public holidays, without a valid permit upon any of the streets or parts of streets as described below.

B. Zone 1 permits shall be valid in Zone 19 and any border streets contained within the two zones

Name of Street	Limits
Barrow St	Between Grand St and Newark Av
Bright St	North side; between Monmouth St and Jersey Av
	Both sides; between Jersey Av and Grove St
Columbus Dr	Between Grove St and Brunswick St
Grand St	Between Jersey Ave and Marin Blvd
Grove St	Between Grand St and ~~Columbus Dr~~ York St Between Wayne St and Columbus Drive
Jersey Av	Between Grand St and Columbus Dr
Marin Blvd	Between Grand St and ~~Columbus Dr~~ York St Between Wayne St and Columbus Dr
Maxwell St	Between Jersey Av and Coles St
Mercer St	Between ~~Marin Blvd~~ Grove St and Monmouth St
Monmouth St	Between Bright St and Columbus Dr
Montgomery St	~~Monmouth Street and Marin Blvd~~ Between Brunswick St and Grove St
Wayne St	Between ~~Marin Blvd~~ Grove St and Varick St
York St	Between ~~Marin Blvd~~ Center St and Monmouth St
Varick St	Between Bright St and Columbus Dr
Brunswick St	Between Columbus Dr and York St

Zone 2 No Change

Parking Zone 3

A. No person shall park a vehicle in excess of ~~three (3)~~ two (2) hours; between the hours of 7:00 a.m. and ~~11:00~~ 9:00 p.m., Monday through Friday, except public holidays, without a valid permit upon any of the streets or parts of streets as described below.

Name of Street	Limits
Canal St	Entire length; Grove St to Jersey Av
Dudley St	Between Washington St and Warren St
Grand St	From Marin Blvd to Greene Street
Greene St	From Morris Canal to Sussex St
Morris St	From Greene St to Van Vorst St
Sussex St	From Hudson St to westerly dead-end
Van Vorst St	From Dudley Street-to York St
Washington St	Dudley St to York St
Warren St	From Southern Terminus to York St
York St	South side; From Marin Blvd to Hudson St

Parking Zone 3

A. No person shall park a vehicle in excess of ~~three (3)~~ two (2) hours; between the hours of 8:00 a.m. and 5:00 Monday through Friday, except public holidays, without a valid permit upon any of the streets or parts of streets as described below.

Name of Street	Limits
Essex St	From the eastern terminus to Van Vorst St

Parking Zone 4

A. No person shall park a vehicle in excess of ~~three (3)~~ two (2) hours; between the hours of 7:00 a.m. and ~~11:00~~ 9:00 p.m., Monday through Friday, except public holidays, without a valid permit upon any of the streets or parts of streets as described below.

Name of Street	Limits
Bay St	From Greene St to Marin Blvd
First St	Marin Blvd to Washington Street
Greene St	From York St to 2nd St

Hudson St	Entire length
Marin Blvd	From Columbus Dr to Second St
Montgomery St	From Exchange Pl to Marin Blvd
Morgan St	From Greene St to Marin Blvd
Pearl St	Entire length
Provost St	Entire length
Second St	From the Eastern Terminus to Marin Blvd
Steuben St (north side only)	From Marin Blvd to Warren St
Warren St	From York St to Second St
Washington St	From York St to Second St
York St	North Side; From Hudson St to Marin Blvd

Parking Zone 5

A. No person shall park a vehicle in excess of ~~three (3)~~ two (2) hours; between the hours of 7:00 a.m. and ~~11:00~~ 9:00 p.m., Monday through Friday, except public holidays, without a valid permit upon any of the streets or parts of streets as described below.

Name of Street	Limits
Bay St	Between Marin Blvd and Newark Av
Coles St	East Side; Between Sixth St and Columbus Dr
Erie St	Between Newark Av and Sixth St
Fifth St	Between Coles St and Manila Av
First St	Between Marin Blvd and Coles St
Fourth St	Between Manila Av and Coles St
Grove St	Columbus Dr and Sixth St
Jersey Av	Between Columbus Dr and Sixth St
Lauren Ct	Entire length

Manila Av	Between Sixth St and Columbus Dr
Morgan St	Between Grove St and Marin Blvd
Saddlewood Ct	Entire length
Second St	Between Marin Blvd and Coles St
Third St	Between Coles St and Marin Blvd
Newark Ave	Between Grove St and Coles St
Sixth street	South Side: Between Newark Ave and Marin Blvd

Parking Zone 6

A. No person shall park a vehicle in excess of ~~three (3)~~ two (2) hours; between the hours of 7:00 a.m. and ~~11:00~~ 9:00 p.m., Monday through Friday, except public holidays, without a valid permit upon any of the streets or parts of streets as described below.

Name of Street	Limits
Brunswick St	Between Tenth St and Sixth St
Coles St	Between Sixth St and Twelfth St
Division St	Between Newark Ave and Eighth St
Eighth St	Between the western terminus and Marin Blvd
Erie St	Between Sixth St and Twelfth St
Jersey Av	Between Sixth St and Tenth St
McWilliams Pl	Entire length
Manila Av	Between Boyle Plaza and Sixth St
Monmouth St	Between Sixth St and Ninth St
Monmouth St	East side; Ninth St to Tenth St
Monmouth St	Between Tenth St and Twelfth St
Ninth St	Between the western terminus and Brunswick St
Ninth	South side; Brunswick St to Monmouth St

Ninth	Between Western terminus and Marin Blvd
Pavonia Av	Between Brunswick St and Manila Av
Seventh St	Between the western terminus and Manila Av
Sixth St	North Side between Newark Ave and Marin Blvd
Tenth St	Between Marin Blvd and Brunswick St
West Hamilton Pl	Entire length

Parking Zone 7

A. No person shall park a vehicle in excess of ~~three (3)~~ two (2) hours; between the hours of 7:00 a.m. and ~~11:00~~ 9:00 p.m., Monday through Friday, except public holidays, without a valid permit upon any of the streets or parts of streets as described below.

Name of Street	Limits
Erie St	Between Twelfth St and Hoboken City Line
Fifteenth St	Between Marin Blvd and Erie St
Grove St	Between Hoboken City Line and Boyle Plaza
Jersey Av	Between Twelfth St and Hoboken City Line
Manila Av	Between Boyle Plaza and Sixth St
Newport Pkwy	Between River Dr South and Washington Blvd
Sixteenth St	Between Marin Blvd and Jersey Av
River Dr South	Entire length

Zone 8 No Change

Zone 10 No Change

Zone 11 No Change

Zone 13 No Change

Zone 14 No Change

Parking Zone 15

A. No person shall park a vehicle in excess of ~~three (3)~~ two (2) hours; between the hours of 7:00 a.m. and ~~11:00~~ 9:00 p.m., Monday through Friday, except public holidays, without a valid permit upon any of the streets or parts of streets as described below.

Name of Street	Limits
Grove St	Between Morris Blvd and Sussex St
Marin Blvd	Between Southern Terminus and Grand St
Morris Blvd	Between Marin Blvd and Grove St
St. Peter's St	Between Morris Blvd and Sussex St
Sussex St	Between Marin Blvd and Grove St

Zone 16 No Change

Parking Zone 17

A. No person shall park a vehicle in excess of ~~three (3)~~ two (2) hours; between the hours of 7:00 a.m. and ~~11:00~~ 9:00 p.m., Monday through Friday, except public holidays, without a valid permit upon any of the streets or parts of streets as described below.

Name of Street	Limits
Brunswick St	Between Sixth St and Columbus Drive
Coles St	West Side: Between Columbus Dr and Sixth St
Colgate St	Between First St and Third St
Fifth Street	Between Newark and Coles St
First St	Between Merseles and Coles St
Fourth St	Between Merseles and Coles St
Merseles St	Between Newark Av and First St
Monmouth St	Between Columbus Dr and Sixth St
Newark Av	Between ~~Division St~~ Seventh St and Coles St
Second St	Between Merseles and Coles St
Third St	Between Merseles and Coles St

Parking Zone 18

A. No person shall park a vehicle in excess of ~~three~~ two (2) hours; between the hours of 7:00 a.m. and ~~11:00~~ 9:00p.m., Monday through Friday, except public holidays, without a valid permit upon any of the streets or parts of streets as described below.

Name of Street	Limits
Erie St	Between Fourteenth and Sixteenth St
Fifteenth St	Between Jersey Ave to Marin Blvd
Jersey Av	Between Fourteenth and Sixteenth St
Sixteenth St	Between Marin Blvd and Jersey Av

Parking Zone 19

A. No person shall park a vehicle in excess of two hours; between the hours of 8:00 a.m. and 5 p.m., Monday through Friday, except public holidays, without a valid permit upon any of the streets or parts of streets as described below.

B. Zone 19 permits shall be valid in Zone 1 and any border streets contained within the two zones

Name of Street	Limits
Grove St.	York St and Wayne St
Marin Blvd	Between York St. and Wayne St.
Mercer St.	Between Marin Blvd and Grove St.
Montgomery St.	Between Marin Blvd. and Grove St.
Wayne St.	Between Marin Blvd and Manila Ave

Border Streets

A. No person shall park a vehicle in excess of ~~three (3)~~ two (2) hours; between the hours of 7:00 a.m. and ~~11:00~~ 9:00p.m., Monday through Friday, except public holidays, without a valid permit upon any of the streets or parts of streets as described below.

Name of Street	Limits	Zones
Coles Street	Between Columbus Dr and Sixth Street	Zones 5 and 17
Sixth street	Between Newark Ave and Marin Blvd	Zone 5 and 6

Columbus Dr	Between Jersey Ave and Brunswick St	Zone 17 and 1
Marin Blvd	Between Columbus Dr and Second St	Zones 5 and 4
York St	From Marin Blvd to Washington St	Zone 3 and 4

Border St explanation: The above streets are designated Border Streets because they are located on a block that falls at the edge of two zones. On the streets between the limits above, on either side of the road, any person can park their car if they have one of the two zone permits allowed. Street-sweeping and hours of enforcement still apply.

C.2. D through L No Change

§ 332-58.1. – No Change.
§ 332-59. – No Change.
§ 332-60. – No Change.
§ 332-61. – No Change.
§ 332-62. - No Change.
§ 332-63. – Changes made in Chapter 160.
§ 332-64. - No Change.
§ 332-65. – No Change.
§ 332-66. – No Change.
§ 332-67. – No Change.

B. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

C. This ordinance shall be a part of the Jersey City Code as though codified and fully set forth therein. The City shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.

D. This ordinance shall take effect on October 1st, 2019 and in the manner as provided by law, with the exception of any Zone 1 permit holders who are now in Zone 17 or Zone 19. Zone 1 Permits will be allowed in Zone 17 or Zone 19 for a period of twelve (12) months from effective date of this ordinance.

E. The City Clerk and the Corporation Counsel be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repeal of existing provisions.

NOTE: All new material is underlined; words in ~~[brackets]~~ are omitted. For purposes of advertising only, new matter is indicated by **boldface** and repealed matter by *italic.*

06/20/19

APPROVED AS TO LEGAL FORM

Corporation Counsel

APPROVED: _____

APPROVED: _____
Business Administrator

Certification Required ☐
Not Required ☐

RESOLUTION FACT SHEET – NON-CONTRACTUAL

This summary sheet is to be attached to the front of any resolution that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the resolution.

Full Title of Ordinance/Resolution

An ordinance of the Municipal Council of the city of Jersey City proposing an amendment to Chapter 332 (Parking) Article VIII (Permit Parking), specifically amending Ordinance 19-006.

Initiator

Department/Division	Council Office	
Name/Title	James Solomon	Ward E Councilman
Phone/email	(201)-547-5315	jsolomon@jcnj.org

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Resolution Purpose

This ordinance proposes the below changes to the residential parking zones of Ward E:

- Creates a Zone around City Hall to allow for free parking during events
- Proposes enforcement from 7am-9pm with a 2 hour gap in all zones excluding the City Hall zone
- Adds a section of Newark Ave from 7th to 6th street to Zone 17 (The Village)
- Expand Zone 1 into three streets of Ward F
- Changes the effective date of this Ordinance to October 1, 2019

This proposal came from requests from City Council members for equitable access to City Hall and community members with requests for zone parking.

I certify that all the facts presented herein are accurate.

Signature of Department Director **Date** 6/19/19

City Clerk File No. Ord. 19-088

Agenda No. 3.14 1st Reading

Agenda No. _____ 2nd Reading & Final Passage

ORDINANCE
OF
JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 19-088

TITLE: **ORDINANCE AMENDING CHAPTER 3 (ADMINISTRATION OF GOVERNMENT) TO CREATE THE DEPARTMENT OF FINANCE.**

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:

1. Chapter 3 (Administration of Government) Article VI (Department of Administration) and Article XIII (Reserved) and Article XVIII (Department of Human Resources) are hereby amended as follows:

CHAPTER 3

ADMINISTRATION OF GOVERNMENT

ARTICLE VI

Department of Administration

§ 3-42. - Organization of Department.

The Department of Administration shall consist of the following divisions and offices:

A. [~~Division of Management and Budget~~] Reserved.

B. Division of Real Estate.

C. Division of Architecture

D. Division of Engineering, Traffic and Transportation

E. Office of Municipal Public Defender.

F. Division of Communications.

G. Reserved.

H. Reserved.

I. Division of Purchasing and Central Services.

J. Office of Sustainability.

K. Division of Information Technology.

L. Office of Diversity and Inclusion; Heads.

M. Office of Utility Management.

N. Bureau of Innovation.

O. Reserved.

P. Reserved.

Q. Reserved.

R. Division of Economic Opportunity.

S. Office of Risk Management.

T. [~~Division of Collections.~~] Reserved.

U. [~~Division of Treasury and Debt Management.~~] Reserved.

W. [~~Division of Accounts and Control~~] Reserved.

X. Division of Internal Audit.

Y. Office of Tax Abatement

§ 3-43. – [~~Division of Management and Budget.~~] Reserved.

[~~A. Creation of the Division of Management and Budget; Budget Officer in charge; qualifications. Within the Department of Administration there shall be a Division of Management and Budget, the head of which shall be the Budget Officer. The Budget Officer shall, prior to his or her appointment, be qualified by training or experience in the administration of governmental or large corporate budgets, in management policies, in the analysis of budgetary costs, and in the administration and enforcement of grants.~~

~~B. Division of Management and Budget; functions.~~

~~(1) Prepare and prescribe uniform forms and procedures for budget preparation for all departments and other spending agencies.~~

~~(2) Assist the Business Administrator in the review and analysis of budget requests.~~

~~(3) Develop and install records and procedures to enable each department to evaluate work load and performance reports.~~

~~(4) Assist in the preparation of the budget document and related appropriation statements.~~

~~(5) Evaluate from a budgetary viewpoint various municipal programs and administer budgetary considerations as to all grants received by the city.~~

~~(6) Supervise management services, studies and programs.~~

~~(7) Conduct continuing studies for determining quality of work and devising improvements in efficiency and economy.~~

~~(8) Preparation of recommended budget.~~

~~(i) The city budget shall be prepared by the Mayor with the assistance of the Business Administrator and the Budget Officer. During the month of November, the Mayor shall require all Department Directors to submit requests for appropriations for the ensuing budget year and to appear before the Mayor or the Business Administrator at public hearings, which shall be held during that month, on the various requests. On or before January 15, the Mayor shall submit to the Council his or her recommended budget, together with such explanatory comment or statement as he or she may deem desirable.~~

~~(ii) The budget document shall be prepared in such form as is required by law for municipal budgets. There shall be appended to the budget a detailed analysis of all items of expenditure and revenue as far as practicable. Such analysis shall include a comparison of the total number of positions of each class and grade to be authorized by the budget with the actual number thereof employed at the beginning of the preceding budget period. So far as practicable, such analysis shall include appropriate statements of the cost of performance of functional programs and activities stated in terms of quantitative, countable units of work for operating and capital expenditures. The Business Administrator, with the assistance of the Budget Officer, shall prepare an estimate of non-property tax revenues anticipated for the support of each annual budget.~~

~~(9) Supervision of administration of the budget by Business Administrator.~~

~~(i) The Business Administrator shall supervise the administration of each annual budget. In consultation with Department Directors, he or she shall establish quarterly or such other periodic allotments or appropriations as he or she may deem necessary. Each department shall plan and administer its expenditure program within the limits of such allotments.~~

~~(ii) If at any time during the budget year the Business Administrator shall ascertain that the city government is faced with the probability of incurring a~~

~~cash deficit for the current year, he or she shall reconsider the work programs and allotments of the several departments. Upon such reconsideration and with the approval of the Mayor, he or she may revise budget allotments so as to forestall, as far as possible, the making of commitments and expenditures in excess of the revenues to be realized during the fiscal year.~~

~~C. Grants; functions.~~

~~(1) Identify potential new grant sources for municipal projects, programs and departments;~~

~~(2) Manage and assist the preparation of all City grant applications to the federal and state government;~~

~~(3) Manage, coordinate and monitor all states of the City grant process, including the proper execution and implementation of all grant agreements and contracts and programs once grants are awarded; and~~

~~(4) Implement appropriate audit and other controls on all City grant programs to maintain compliance with grant terms and conditions and maintain comprehensive records on all grant programs.]~~

~~§ 3-60.4.~~ – [~~Division of Collections.~~] Reserved.

[~~A. Creation of the Division of Collections; City Tax Collector in charge; qualifications. There shall be a Division of Collections, which shall be headed by the City Tax Collector, who shall be a certified tax collector.~~

~~B. City Tax Collector; functions. The City Tax Collector shall perform the duties assigned to him or her by the Business Administrator and state law and shall supervise the following responsibilities of his/her division relating to the collection of real estate taxes, assessments and other municipal charges:~~

~~(1) Administer all ordinances and state statutes necessary for the billing, collection and enforcement of other municipal charges that he/she is responsible for.~~

~~(2) Maintain the necessary records and periodically report upon his/her activities in order to keep municipal governing officials and citizens aware of the state of municipal finances.~~

~~(3) Impose interest and other penalties for the nonpayment of real estate taxes, assessments and other municipal charges.~~

~~(4) Ensure that all taxpayers are treated fairly and honestly and that there is no discrimination in his/her performance.~~

~~(5) Assign by private sale municipally owned tax sale certificates pursuant to N.J.S.A. 54:5-113; except that no municipally owned tax sale certificate shall be assigned to any employee of the City of Jersey City.~~

~~(6) Post payments to account records and produce delinquent notices as is required.~~

~~(7) Monitor and ensure the payment of land taxes.~~

~~(8) Hire and monitor as is necessary external auditing firms to ensure compliance as is required by the Local Fiscal Affairs Law, N.J.S.A. 40A:5-1 et seq.~~

~~C. Fees.~~

~~(1) The City Tax Collector shall impose the service charges as provided in Chapter 160, Fees and Charges, to be added to any account owing to the City of Jersey City.~~

~~(2) If the payment for which a check or other written instrument has been returned for insufficient funds is for a tax or special assessment, the service charge as provided in Chapter 160, Fees and Charges, shall be included on any list of delinquent accounts prepared for the enforcement of liens.~~

~~(3) Any service charge authorized by Subsection C(1) dealing with checks returned for insufficient funds shall be collected in the same manner prescribed by law for the collection of the account for which the check or other written instrument was tendered in cash or by certified or cashier's check.~~

~~(4) Persons aged sixty-five (65) and older shall be exempt from the fees specified under Subsection C(1) dealing with redemption statements, issuance of duplicate tax bills or responses to inquiries regarding tax payments.~~]

~~§ 3-60.5. – [Division of Treasury and Debt Management.]~~ Reserved.

[~~A. Creation of the Division of Treasury and Debt Management; City Treasurer in charge. There is hereby created within the Department of Administration, the Division of Treasury and Debt Management, the head of which shall be the City Treasurer. He or she shall be assisted in the operation of the Division by such personnel as he or she shall select with the approval of the Business Administrator.~~

~~B. Division of Treasury and Debt Management functions.~~

~~(1) Receive funds entrusted to or under the control of any department, administrative unit or statutory agency and deposit all funds received by him or her in depositories authorized by the Council by resolution.~~

~~(2) Have custody of all investments and invested funds of the city or in possession of the city in fiduciary capacity, except as otherwise provided by law.~~

~~(3) Have the safekeeping of all bonds and notes of the city and the receipt and delivery of city bonds and notes for transfer, registration or exchange.~~

~~(4) Receive, account for separately and safely keep and disburse all moneys raised and received for the public schools, provided that no money shall be paid out of the public school funds by the Treasurer except on warrant signed by the President and Clerk of the Board of Education pursuant to an order or resolution passed at a stated meeting of the Board of Education and entered in its minutes.~~

~~(5) Make disbursements of the city funds upon warrant of the Business Administrator by an individual warrant check for each bill, claim wage and salary payment, provided that the person entitled to receive the same shall specify the purpose for which it is drawn and the account or appropriation to which it is chargeable, and shall bear such signatures as are required by the Administrative Code.~~

~~(6) Keep a full account of all cash receipts and disbursements by the Division according to the system of accounts approved by the Business Administrator and, at least once a month and more often if the Council requires, furnish the Business Administrator with a statement of all money received and expended by him, including school moneys.~~]

~~§ 3-60.6.~~ –[~~Division of Accounts and Control~~]. Reserved.

[~~A. Creation; officer in charge; assistance. There is hereby created in the Department of Administration, the Division of Accounts and Control, the head of which shall be the Comptroller. The Comptroller shall be assisted in the operation of the Division by the Chief Accountant.~~

~~B. Functions. Under the direction of the Comptroller, the Chief Accountant shall be responsible for the following functions:~~

~~(1) Develop, maintain and enforce a uniform system of accounts for all departments and agencies of the city and all federal and state grants and subsidized programs.~~

~~(2) Maintain and operate the city's central bookkeeping and accounting records to sound principles, including such records and reports as may be prescribed or approved by the business Administrator for the determination of the cost of performance of each functional program or activity in such work units as may be appropriate thereto.~~

~~(3) Certify searches for tax, water and other liens on real property as may be authorized by law after such information has been received from the respective departments; and charge for the use of the city the fee required pursuant to law for any such search, and the Division may appoint or designate one of its employees as Official Tax Searcher to perform these functions.~~

~~(4) Preaudit all bills, claims and demands against the city, including payrolls, and require each department head to certify that the materials, supplies or equipment have been received and accepted as specified and that the services have been duly rendered.~~

~~(5) Audit receipts and disbursements of each department and require reports thereon to be made daily or at such intervals as will most efficiently protect the public interest.~~

~~(6) Control all expenditures to assure that budget appropriations are not exceeded and maintain such books and records as may be required for the proper exercise of such budgetary control, including an encumbrance system of budget operations.~~

~~(7) Review each proposed expenditure and commitment to be made on behalf of any city department for conformity with the Charter and applicable provisions of the Jersey City Code and authorize only such expenditures and commitments as conform with the requirements of the Code.~~]

ARTICLE XIII

DEPARTMENT OF FINANCE

§ 3-110. – Department created; head

There shall be a Department of Finance, the head of which shall be the Director of the Department of Finance. The Director of the Department of Finance shall oversee the divisions and offices contained therein. Each division within the Department of Finance shall be supervised by a director and shall comply with all applicable laws. Each Division Director shall be appointed by the Director of the Department of Finance.

§ 3-111. – Organization of Department

A. Within the Department of Finance, there shall be the following divisions:
   1. Division of Management and Budget
   2. Division of Collections
   3. Division of Treasury and Debt Management
   4. Division of Accounts and Control
   5. Division of Payroll

§ 3-112. – Division of Management and Budget

A. Creation of the Division of Management and Budget; Director in charge; qualifications. Within the Department of Finance, there shall be a Division of Management and Budget, the head of which shall be the Director of the Division of Management and Budget. The Director of the Office of Management and Budget shall, prior to his or her appointment, be qualified by training in the administration of governmental or large corporate budgets, in management policies, in the analysis of budgetary costs, and in the administration and enforcement of grants.

B. Division of Management and Budget; functions.

   (1) Prepare and prescribe uniform forms and procedures for budget preparation for all departments and other spending agencies.

   (2) Assist the Business Administrator in the review and analysis of budget requests.

   (3) Develop and install records and procedures to enable each department to evaluate work load and performance reports.

   (4) Assist in the preparation of the budget document and related appropriation statements.

   (5) Evaluate from a budgetary viewpoint various municipal programs and administer budgetary considerations as to all grants received by the city.

(6) Supervise management services, studies and programs.

(7) Conduct continuing studies for determining quality of work and devising improvements in efficiency and economy.

(8) Preparation of recommended budget.

(i) The city budget shall be prepared by the Mayor with the assistance of the Business Administrator and the Budget Officer. During the month of November, the Mayor shall require all Department Directors to submit requests for appropriations for the ensuing budget year and to appear before the Mayor or the Business Administrator at public hearings, which shall be held during that month, on the various requests. On or before January 15, the Mayor shall submit to the Council his or her recommended budget, together with such explanatory comment or statement as he or she may deem desirable.

(ii) The budget document shall be prepared in such form as is required by law for municipal budgets. There shall be appended to the budget a detailed analysis of all items of expenditure and revenue as far as practicable. Such analysis shall include a comparison of the total number of positions of each class and grade to be authorized by the budget with the actual number thereof employed at the beginning of the preceding budget period. So far as practicable, such analysis shall include appropriate statements of the cost of performance of functional programs and activities stated in terms of quantitative, countable units of work for operating and capital expenditures. The Business Administrator, with the assistance of the Budget Officer, shall prepare an estimate of non-property-tax revenues anticipated for the support of each annual budget.

(9) Supervision of administration of the budget by Business Administrator.

(i) The Business Administrator shall supervise the administration of each annual budget. In consultation with Department Directors, he or she shall establish quarterly or such other periodic allotments or appropriations as he or she may deem necessary. Each department shall plan and administer its expenditure program within the limits of such allotments.

(ii) If at any time during the budget year the Business Administrator shall ascertain that the city government is faced with the probability of incurring a cash deficit for the current year, he or she shall reconsider the work programs and allotments of the several departments. Upon such reconsideration and with the approval of the Mayor, he or she may revise budget allotments so as to forestall, as far as possible, the making of commitments and expenditures in excess of the revenues to be realized during the fiscal year.

C. Grants; functions

(1) Identify potential new grant sources for municipal projects, programs and departments;

(2) Manage and assist the preparation of all City grant applications to the federal and state government;

(3) Manage, coordinate and monitor all states of the City grant process, including the proper execution and implementation of all grant agreements and contracts and programs once grants are awarded; and

(4) Implement appropriate audit and other controls on all City grant programs to maintain compliance with grant terms and conditions and maintain comprehensive records on all grant programs.

§ 3-113. – Division of Collections

A. Creation of the Division of Collections; City Tax Collector in charge; qualifications. There shall be a Division of Collections, which shall be headed by the City Tax Collector, who shall be a certified tax collector.

B. City Tax Collector; functions. The City Tax Collector shall perform the duties assigned to him or her by the Director of the Department of Finance and state law and shall supervise the following responsibilities of his/her division relating to the collection of real estate taxes, assessments, and other municipal charges:

(1) Administer all ordinances and state statutes necessary for the billing, collection and enforcement of other municipal charges that he/she is responsible for.

(2) Maintain the necessary records and periodically report upon his/her activities in order to keep municipal governing officials and citizens aware of the state of municipal finances.

(3) Impose interest and other penalties for the nonpayment of real estate taxes, assessments and other municipal charges.

(4) Ensure that all taxpayers are treated fairly and honestly and that there is no discrimination in his/her performance.

(5) Assign by private sale municipally owned tax sale certificates pursuant to N.J.S.A. 54:5-113; except that no municipally owned tax sale certificate shall be assigned to any employee of the City of Jersey City.

(6) Post payments to account records and produce delinquent notices as is required.

(7) Monitor and ensure the payment of land taxes.

(8) Hire and monitor as is necessary external auditing firms to ensure compliance as is required by the Local Fiscal Affairs Law, N.J.S.A. 40A:5-1 et seq.

C. Fees

(1) The City Tax Collector shall impose the service charges as provided in Chapter 160, Fees and Charges, to be added to any account owing to the City of Jersey City.

(2) If the payment for which a check or other written instrument has been returned for insufficient funds is for a tax or special assessment, the service charge as provided in Chapter 160, Fees and Charges, shall be included on any list of delinquent accounts prepared for the enforcement of liens.

(3) Any service charge authorized by Subsection C(1) dealing with checks returned for insufficient funds shall be collected in the same manner prescribed by law for the collection of the account for which the check or other written instrument was tendered in cash or by certified or cashier's check.

(4) Persons aged sixty-five (65) and older shall be exempt from the fees specified under Subsection C(1) dealing with redemption statements, issuance of duplicate tax bills or responses to inquiries regarding tax payments.

§ 3-114. – Division of Treasury and Debt Management

A. Creation of the Division of Treasury and Debt Management; City Treasurer in charge. There is hereby created within the Department of Finance, the Division of Treasury and Debt Management, the head of which shall be the City Treasurer. He or she shall be assisted in the operation of the Division by such personnel as he or she shall select with the approval of the Director of the Department of Finance.

B. Division of Treasury and Debt Management functions.

(1) Receive funds entrusted to or under the control of any department, administrative unit or statutory agency and deposit all funds received by him or her in depositories authorized by the Council by resolution.

(2) Have custody of all investments and invested funds of the city or in possession of the city in fiduciary capacity, except as otherwise provided by law.

(3) Have the safekeeping of all bonds and notes of the city and the receipt and delivery of city bonds and notes for transfer, registration or exchange.

(4) Receive, account for separately and safely keep and disburse all moneys raised and received for the public schools, provided that no money shall be paid out of the public school funds by the Treasurer except on warrant signed by the President and Clerk of the Board of Education pursuant to an order or resolution passed at a stated meeting of the Board of Education and entered in its minutes.

(5) Make disbursements of the city funds upon warrant of the Business Administrator by an individual warrant check for each bill, claim wage and salary payment, provided that the person entitled to receive the same shall specify the purpose for which it is drawn and the account or appropriation to which it is chargeable, and shall bear such signatures as are required by the Administrative Code.

(6) Keep a full account of all cash receipts and disbursements by the Division according to the system of accounts approved by the Business Administrator and, at least once a month and more often if the Council requires, furnish the Business Administrator with a statement of all money received and expended by him, including school moneys.

§ 3-115. – Division of Accounts and Control

A. Creation; officer in charge; assistance. There is hereby created in the Department of Finance, the Division of Accounts and Control, the head of which shall be the Comptroller. The Comptroller shall be assisted in the operation of the Division by the Chief Comptroller.

B. Functions. Under the direction of the Comptroller, the Chief Comptroller shall be responsible for the following functions:

(1) Develop, maintain and enforce a uniform system of accounts for all departments and agencies of the city and all federal and state grants and subsidized programs.

(2) Maintain and operate the city's central bookkeeping and accounting records to sound principles, including such records and reports as may be prescribed or approved by the business Administrator for the determination of the cost of performance of each functional program or activity in such work units as may be appropriate thereto.

(3) Certify searches for tax, water and other liens on real property as may be authorized by law after such information has been received from the respective departments; and charge for the use of the city the fee required pursuant to law for any such search, and the Division may appoint or designate one of its employees as Official Tax Searcher to perform these functions.

(4) Preaudit all bills, claims and demands against the city, including payrolls, and require each department head to certify that the materials, supplies or equipment have been received and accepted as specified and that the services have been duly rendered.

(5) Audit receipts and disbursements of each department and require reports thereon to be made daily or at such intervals as will most efficiently protect the public interest.

(6) Control all expenditures to assure that budget appropriations are not exceeded and maintain such books and records as may be required for the proper exercise of such budgetary control, including an encumbrance system of budget operations.

(7) Review each proposed expenditure and commitment to be made on behalf of any city department for conformity with the Charter and applicable provisions of the Jersey City Code and authorize only such expenditures and commitments as conform with the requirements of the Code.

§ 3-115. – Division of Payroll

A. Creation of the Division of Payroll; Supervisor in charge; qualifications. There is hereby created within the Department of Finance, a Division of Payroll, the head of which shall be the Director of the Division of Payroll. The Director or the Division of Payroll shall, prior to his or her appointment, be qualified by training or experience in the administration of governmental or large corporate payroll operations, which shall be under the direct supervision of the Director of the Department of Finance and which shall have the following duties:

(1) Administer payroll operations for all municipal employees.

(2) Administer a centralized timekeeping system for City employees.

(3) Provide for the use and installation of a central payroll system.

ARTICLE XVIII

DEPARTMENT OF HUMAN RESOURCES

§ 3-135. - Organization of Department.

A. Within the Department of Human Resources there shall be the following divisions and offices:

(1) Division of Workforce Management

(2) Office of Affirmative Action

(3) Division of Health Benefits

(4) Division of Pension.

(5) [~~Division of Payroll~~] Reserved.

~~[§ 3-140. - Division of Payroll; duties.~~

~~A. Creation of the Division of Payroll; Supervisor in charge; qualifications. There is hereby created within the Department of Human Resources a Division of Payroll, the head of which shall be the Supervisor of the Division of Payroll. The Supervisor of the Division of Payroll shall, prior to his or her appointment, be qualified by training or experience in the administration of governmental or large corporate payroll operations, which shall be under the direct supervision of the Director of the Department of Human Resources and which shall have the following duties:~~

~~(1) Administer payroll operations for all municipal employees.~~

~~(2) Administer a centralized timekeeping system for City employees.~~

~~(3) Provide for the use and installation of a central payroll system.]~~

2. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

3. This ordinance shall be part of the Jersey City Code as though codified and fully set forth therein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.

4. This ordinance shall take effect January 1, 2020.

5. The City Clerk and the Corporation Counsel are hereby authorized and directed to change any chapter numbers, article numbers, and section numbers in the event that the codification of this ordinance reveals a conflict between those numbers and the existing code, in order to avoid confusion and possible repeals of existing provisions.

NOTE: All new material to be inserted is underscored and material [~~struck-through~~] is omitted.

AF/mma

06/20/19

APPROVED AS TO LEGAL FORM

Corporation Counsel

APPROVED:

APPROVED:

Business Administrator

Certification Required ☐

Not Required ☐

City Clerk File No. Ord. 19-089

Agenda No. 3.15 1st Reading

Agenda No. _____ 2nd Reading & Final Passage

ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 19-089

TITLE: **ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 69 (SPECIAL IMPROVEMENT DISTRICTS) IMPLEMENTING ARTICLE VII (WEST SIDE AVE SPECIAL IMPROVEMENT DISTRICT) OF THE JERSEY CITY MUNICIPAL CODE**

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY HEREBY ORDAINS:

WHEREAS, municipalities can and have regulated special improvement districts; and

WHEREAS, the West Side Ave Special Improvements District has formalized a board of directors and is now doing business as the West Side Partnership; and

WHEREAS, the West Side Partnership is finalizing the budget for the first year; and

WHEREAS, upon evaluation of the assessment formula minor adjustments needed to be made to the initial ordinance; and

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that:

The following amendments to Chapter 69 (Special Improvement Districts), Article VII (West Side Ave Special Improvement District) are hereby adopted:

ARTICLE VII - West Side Ave Special Improvement District

§69-68. Purpose.

The purposes of this Article are to:

A. Promote economic growth and employment within the West Side Avenue business district;

B. Foster and encourage self-help programs to enhance the local business climate;

C. Create a self-financing Special Improvement District to assist in meeting local needs, goals and objectives;

D. Designate a District Management Corporation to implement and manage the programs and carry out local needs, goals and objectives;

E. Impose and collect a special assessment on property and parking lots located within the West Side Ave Business District.

§69-69. Definitions.

A. Special Improvement District (also referred to as "District") means that area of West Side Ave and Communipaw Avenue as described by Block and Lot numbers and street addresses as set

forth in Schedule A, copy of the assessment role dated October 25, 2018 which is on-file in the office of the City Clerk, and designated by this Ordinance, in which a special assessment on the commercial property within the District (~~including multi-tenant residential rental buildings~~), including without limitation those properties set forth on Schedule B, shall be imposed for the purposes of promoting the economic and general welfare of the District and the City. The amount of the special assessment for each property subject to the special assessment shall be equal to the budget proposed by the District Management Corporation and approved by the Municipal Council divided by the total combined lineal feet of all properties abutting or bordering upon a street or streets within the Special Improvement District that are subject to the special assessment multiplied by the lineal feet of the individual property abutting or bordering upon a street or streets within the Special Improvement District.~~the percentage derived by dividing the assessed value of such property as of January 1 of any given calendar year, notwithstanding that the assessment may thereafter change, by the assessed value of all properties subject to the special assessment on January 1 of a given year, notwithstanding that the assessment may thereafter change, multiplied by the total amount of the budget proposed by the District Management Corporation and approved by the Municipal Council.~~

B. "District Management Corporation means the ~~West Side Ave Special Improvement District~~West Side Partnership, (also referred to as "Management Corporation") an entity incorporated pursuant to Title 15A of the New Jersey Statutes and designated by this Ordinance to receive funds collected by a special assessment within the Special Improvement District, as authorized by this Ordinance and any amendments thereto.

§69-70. No Change.

§69-71. Creation of District.

A. There is hereby created and designated within the City of Jersey City a Special Improvement District to be known as the West Side Avenue Special Improvement District consisting of those properties designated by tax Block and Lot and street addresses on Schedule A attached hereto and on file in the Office of the City Clerk. The properties within the Special Improvement District that shall be subject to special assessment for the purposes of promoting the economic and general welfare of the District and the City includes all commercial properties (~~including multi-tenant residential rental buildings~~), including without limitation those properties set forth on Schedule B, shall be imposed for the purposes of promoting the economic and general welfare of the District and the City. The amount of the special assessment for each property subject to the special assessment shall be equal to the budget proposed by the District Management Corporation and approved by the Municipal Council divided by the total combined lineal feet of all properties abutting or bordering upon a street or streets within the Special Improvement District that are subject to the special assessment multiplied by the lineal feet of the individual property abutting or bordering upon a street or streets within the Special Improvement District.~~the percentage derived by dividing the assessed value of such property as of January 1 of any given calendar year, notwithstanding that the assessment may thereafter change, by the assessed value of all properties subject to the special assessment on January 1 of a given year, notwithstanding that the assessment may thereafter change, multiplied by the total amount of the budget proposed by the District Management Corporation and approved by the Municipal Council.~~

B. All commercial properties within the Special Improvement District, [~~including multi-tenant residential rental buildings~~), including without limitation those properties set forth on Schedule B, all private properties; and tax exempt land which contain improvements subject to property tax, are deemed included in the assessing and taxing provisions of this Article and are expressly subject to any fee, tax or assessment made for Special Improvement District purposes.

C. Only those properties within the Special Improvement District that are fully tax exempt or are deemed excluded from the assessing provisions of this Article and are expressly exempt from any fee, tax or assessment made for Special Improvement District purposes.

§69-72. No Change.

§69-72. No Change.

§69-73. Designation of District Management Corporation.

The nonprofit corporation, The West Side ~~Avenue Special Improvement District~~ Partnership, is hereby designated as the District Management Corporation for the District. This corporation shall conduct its business in accordance with the Open Public Meetings law. It shall file copies of its minutes of its meetings with the City Clerk, so as to be available for public inspection. This Management Corporation, in addition to acting as an Advisory Board to the Mayor and Council, shall have all powers necessary and requisite to effectuate the purposes of this Article and the District. In order to receive any funds or exercise any of the powers granted herein, the Board of Trustees of the West Side ~~Avenue Special Improvement District~~ Partnership must include as members the Mayor or his designee and a Member of the Municipal Council as appointed by the Council. The Mayoral and Council members shall serve at the pleasure of, respectively, the Mayor and the Council.

§69-74. Powers of District Management Corporation.

The West Side ~~Avenue Special Improvement District~~ Partnership may:

A. Adopt by-laws for the regulation of its affairs and the conduct of its business and to prescribe rules, regulations and policies in connection with the performance of its functions and duties.

B. Employ such persons as may be required and fix and pay their compensation from funds available to the Corporation.

C. Apply for, accept, administer and comply with the requirements respecting an appropriation of funds or a gift, grantor donation of property or money.

D. Make and execute agreements which may be necessary or convenient to the exercise of the powers and functions of the Corporation, including contracts with a person, firm, corporation, governmental agency or other entity.

E. Administer and manage its own funds and accounts and pay its own obligations.

F. Borrow money from private lenders for periods not to exceed one hundred eighty (180) days and from governmental entities for that or longer periods.

G. Fund the improvement for the exterior appearance of properties in the District through grants or loans.

H. Fund the rehabilitation of properties in the District.

I. Accept, lease or manage property in the District.

J. Enforce the conditions of any loan, grant, sale or lease made by the Corporation.

K. Provide security, sanitation and other services to the District, supplemental to those provided normally by the municipality.

L. Undertake improvements designated to increase the safety or attractiveness of the district to businesses which may wish to locate there or to visitors to the District including, but not limited to, litter cleanup and control, landscaping, parking areas and facilities, recreational and rest areas and facilities, pursuant to pertinent regulations of the City of Jersey City.

M. Publicize the District and the businesses included within the District boundaries,

N. Recruit new businesses to fill vacancies in and to balance the business mix of the District.

O. Organize special business related events in the District.

P. Provide special parking arrangements for the District for customers of businesses within the District.

Q. Provide temporary decorative lighting in the District to attract customers to businesses in the District.

R. Advise the Municipal Council in connection with the acquisition and construction of improvements in the Special Improvement District, the making of a plan therefore and the operation and maintenance thereof, and to meet and furnish recommendations or comments and requests of members of the public and of owners and occupants of property Included within the Special Improvement District.

§69-75. By-laws.

The West Side ~~Avenue Special Improvement District~~Partnership shall file with the City Clerk a certified copy of the adopted by-laws of the Corporation, which by-laws shall be in substantial conformity with the draft by-laws filed with the Clerk prior to the adoption of this Article. The West Side ~~Avenue Special Improvement District~~Partnership shall have the right to amend these by-laws from time to time as its members so decide, provided that a certified copy of the adopted amendments shall be filed with the City Clerk no later than fourteen C14) days prior to the date they are to become effective.

§69-76. No Change.

§69-77. No Change.

§69-78. No Change.

§69-79. No Change.

§69-80. Implementation.

This Special Improvement District shall become operable when the by-laws of the West Side ~~Avenue Special Improvement District~~ Partnership are adopted by a vote of the eligible participants in the manner provided for in the draft by-laws on file with the City Clerk.

§69-81. No Change.

§69-82. Effective date.

This article shall take effect upon the passage and publication as required by law, and adoption of the bylaws of the District Management Corporation.

I. All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.

II. This Ordinance shall be part of the Jersey City Code as though codified and fully set forth therein. The City shall have this Ordinance codified and incorporated in the official copies of the Jersey City Code.

III. This ordinance shall take effect at the time and in the manner as provided by law.

IV. The City Clerk and the Corporation Counsel be and hereby are authorized and directed to change any chapter numbers, article numbers and section numbers in the event the codification of this Ordinance reveals that there is conflict between those numbers and the existing code.

A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
B. This ordinance shall be a part of the Jersey City Code as though codified and fully set forth therein. The City shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
C. This ordinance shall take effect at the time and in the manner as provided by law.
D. The City Clerk and the Corporation Counsel be and they are hereby authorized and directed

to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repeal of existing provisions.

NOTE: All new material is underlined; words in ~~[brackets]~~ are omitted. For purposes of advertising only, new matter is indicated by **boldface** and repealed matter by *italic.*

APPROVED AS TO LEGAL FORM

Corporation Counsel

APPROVED:

APPROVED:

Business Administrator

Certification Required ☐

Not Required ☐

ORDINANCE FACT SHEET

This summary sheet is to be attached to the front of any ordinance that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the ordinance.

Full Title of Ordinance/Resolution

ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 69 (SPECIAL IMPROVEMENT DISTRICTS) IMPLEMENTING ARTICLE VII (WEST SIDE AVE SPECIAL IMPROVEMENT DISTRICT) OF THE JERSEY CITY MUNICIPAL CODE

Initiator

Department/Division		
Name/Title	**Councilwoman Mira Prinz-Arey**	
Phone/email	201-547-5092	MPrinz-Arey@jcnj.org

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Resolution Purpose

The West Side Ave Special Improvements District has formalized a board of directors and is now doing business as the West Side Partnership. The West Side Partnership is finalizing the budget for the first year. Upon evaluation of the assessment formula minor adjustments needed to be made to the initial ordinance.

I certify that all the facts presented herein are accurate.

Signature of Department Director **Date** 6/20/19

City Clerk File No. Ord. 19-090

Agenda No. 3.16 1st Reading

Agenda No. _____ 2nd Reading & Final Passage

ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 19-090

TITLE: **AN FRANCHISE ORDIANCE BY THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY VACATING COOK STREET AND A POITION OF HOBOKEN AVENUE, JERSEY CITY, NEW JERSEY**

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:

WHEREAS, the City of Jersey City (the "City") does possess rights-of-way through all public streets, thoroughfares and sidewalks located within the City; and

WHEREAS, the City is authorized pursuant to N.J.S.A. 40:67-1 *et seq.* and N.J.S.A. 40A:12-5 to establish, change the grade of or vacate any public street, highway, lane or alley, or any part thereof at the discretion of the City; and

WHEREAS, the County of Hudson, a body corporate and politic of the State of New Jersey, ("Petitioner"), in furtherance of its obligation for providing sufficient facilities for use by the Courts of this state and such other operations as the administration of justice may require, is planning the construction of new structures upon the land within the City of Jersey City designated on the official Tax Map of the City as Blocks 8101, 8102 and 6702, all of which land is currently owned by the County of Hudson; and

WHEREAS, the Petitioner has filed a petition with the Municipal Council of the City of Jersey City requesting the vacation of a portion of Cook Street and Hoboken Avenue, which parcels are depicted on the Right of Way Plan [Exhibit A] and more particularly described by the metes and bound description of property to be vacated for Cook Street [Exhibit B] and Hoboken Avenue [Exhibit C], both attached to this Ordinance; and

WHEREAS, said portions of Cook Street and Hoboken Avenue are located within the City of Jersey City, County of Hudson, State of New Jersey; and

WHEREAS, the Petitioner plans to dedicate a portion of the lands currently owned by the County of Hudson (within Block 8101) to the City to be used as an extension of Central Avenue, such that Central Avenue will be connected from Hoboken Avenue to Newark Avenue, as such area to be dedicated is depicted on the Right of Way Plan [Exhibit A], and more particularly described by the metes and bound description of property to be dedicated as Central Avenue contained in Petitioner's Petition as Exhibit D; and

WHEREAS, the Petitioner plans to further dedicate a portion of the lands currently owned by the County of Hudson (within Block 8102) to the City to enhance Oakland Avenue such that Oakland Avenue, between Hoboken Avenue and Newark Avenue, is to be widened allowing for two-way traffic, as such area to be dedicated is depicted on Right of Way Plan [Exhibit A], and more particularly described by the metes and bound description of property to be added to Oakland Avenue contained in Petitioner's Petition as Exhibit E; and

WHEREAS, due to the extension of Central Avenue and the widening and improvement of Oakland Avenue, there is no municipal or public need for those portions of Cook Street and Hoboken Avenue which the Petitioner now desires to be vacated; and

WHEREAS, the area being Vacated will no longer be necessary for the general public use, and the rights of the public will not be injuriously or adversely affected by the requested vacation, and such vacation advances the public safety and welfare; and

WHEREAS, the City is authorized to vacate that portion of Cook Street and Hoboken Avenue and to accept the dedication of that portion of Central Avenue and the widened and improved Oakland Avenue as set forth above; and

WHEREAS, the Petitioner owns all of the property located on both sides of the desired portion of Cook Street and Hoboken Avenue to be vacated, more specifically identified as Block 8101, Lots 15, 16, 17, 19.01, 22, 23 & 24; Block 8102, Lots 1, 9.01, 19, 24, 25, 26 & 27; and Block 6702, Lot 1 on the official tax Map of the City of Jersey City (the "County Property"); and

WHEREAS, the Municipal Engineer and Municipal Traffic Engineer have reviewed and approved the proposed vacations and future dedications set forth herein; and

WHEREAS, said Petition has been duly advertised and proof of the giving of due notice of the Petition requesting enactment of this ordinance as required by law has been filed with the City Clerk, and the Municipal Council having held a public hearing thereon, and no objections having been made thereto:

NOW THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that:

Section I: All such area of Cook Street and Hoboken Avenue, as depicted on Exhibit A and more particularly described in the metes and bounds descriptions contained in Exhibits B and C annexed to this Ordinance and incorporated herein by reference, be and the same are hereby vacated and included into Block 8101, and the public easement and rights therein be and the same are hereby extinguished.

Section II: All costs and expenses related to the introduction, passage and publication of this ordinance, including the preparation and mailing of any and all notices related to this ordinance upon property owners within 200 feet of the area to be vacated, shalt be borne and paid by the Petitioner.

Section III: The Petitioner shall file this Ordinance and the Maps with the Register of the County of Hudson within sixty (60) days after the Ordinance becomes effective.

Section IV: This Ordinance shall be subject to the following:

1) In the event the utilities, if any, presently located under the roadways being vacated hereunder, are not moved to another location or abandoned in place, an easement in perpetuity is reserved for the benefit of the City of Jersey City, Jersey City Municipal Utilities Authority and all public utility companies, including any cable television company as defined in the "Cable Television Act", P.L. 1972, c. 186 (c. 48:5A-1, *et seq.*) for the purpose of ingress and egress over and upon the area subject to this vacation ordinance in order to maintain; repair or replace existing utility facilities including water tines, sewer lines, gas lines and telephone, electrical and cable television wires and poles which may be located either beneath or above the surface of the area subject to this vacation ordinance.

2) No buildings or structures of any kind may be constructed over the water or sewer utilities, if any, within this area subject to the easement without the consent of the Chief Engineer of the City of Jersey City and/or the Jersey City Municipal Utilities Authority unless and until those utilities are relocated and/or abandoned.

3) In the event that utilities, if any, presently lying in the portion of Cook Street and Hoboken Avenue being vacated hereby are relocated, then the easement otherwise created under Section IV(1), shall immediately terminate and the same shall be considered as abandoned, and the prohibition of building on such land created in Section iV(2) above shall be deemed void.

Section V: All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.

Section VI: This Ordinance shall be a part of the Jersey City Code as though codified and fully set forth therein. The City Clerk shall have this Ordinance codified and incorporated in the official copies of the Jersey City Code.

Section VII: This Ordinance shall take effect at the time and in the manners provided by law.

Section VIII: The City Clerk and the Corporation Counsel are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this Ordinance reveals that there is a conflict between those numbers and the existing code in order to avoid confusion and possible accidental repeal of the existing provisions.

APPROVED AS TO LEGAL FORM

Corporation Counsel

APPROVED: _____

APPROVED: _____
Business Administrator

Certification Required ☐

Not Required ☐

PETITION

TO THE MUNICIPAL COUNCIL OF JERSEY CITY, NEW JERSEY

Your Petitioner, The County of Hudson, a body corporate and politic of the State of New Jersey, ("Petitioner"), having an address c/o Hudson County Law Department, 567 Pavonia Avenue, Jersey City, New Jersey, respectfully petitions the City of Jersey City.

WHEREAS, the Petitioner, in furtherance of its obligation for providing sufficient facilities for use by the Courts of this State and such other operations as the administration of justice may require, is planning the construction of new structures upon the land within the City of Jersey City designated on the official Tax Map of the City as Blocks 8101, 8102 and 6702, all of which land is currently owned by the County of Hudson, to be used for the Courts venued in this County and for other uses ancillary thereto (the "Project"); and

WHEREAS, the Petitioner desires to vacate Cook Street and a portion of Hoboken Avenue, which parcels are depicted on the Right of Way Plan [Exhibit A] and more particularly described by the metes and bound description of property to be vacated for Cook Street [Exhibit B] and Hoboken Avenue [Exhibit C]; and

WHEREAS, the Petitioner also plans on dedicating a portion of the lands currently owned by the County of Hudson (within Block 8101) to the City to be used as an extension of Central Avenue, such that Central Avenue will be connected from Hoboken Avenue to Newark Avenue, as such area to be dedicated is depicted on the Right of Way Plan, and more particularly described by the metes and bound description of property to be dedicated as Central Avenue [Exhibit D]; and

WHEREAS, the Petitioner also plans to further dedicate a portion of the lands currently owned by the County of Hudson (within Block 8102) to the City to enhance Oakland Avenue such that Oakland Avenue, between Hoboken Avenue and Newark Avenue, is to be improved and widened allowing for two-way traffic, as such area to be dedicated is depicted on the Right of Way Plan, and more particularly described by the metes and bound description of property to be added to Oakland Avenue [Exhibit E];

WHEREAS, the Project will allow the Petitioner to better provided services to the County in general, including the residents of the City of Jersey City, such that the proposed vacation and future dedication of new roadways and pedestrian walkways adjacent thereto, will promote the general public interest; and

WHEREAS, all the roadways described herein are located within the City of Jersey City, County of Hudson, State of New Jersey such that the City of Jersey City is authorized pursuant to N.J.S.A. 40:67-1 *et seq*. and N.J.S.A. 40A:12-5 to establish, change the grade of or vacate any public street, highway, lane or alley, or any part thereof; and

WHEREAS, the vacation of Cook Street and a portion of Hoboken Avenue described herein, when considered with the future dedication of new or improved roadways and pedestrian walkways, will not create any land locked or inaccessible parcels nor injuriously or adversely affect the rights of the public; and

WHEREAS, on March 28, 2019 the Board of Chosen Freeholders of the County of Hudson adopted Resolution Number 183-3-2019, enabling and authorizing the application herein, a copy of said Resolution being submitted herewith [Exhibit F]; and

NOW THEREFORE, Petitioner hereby requests that the Municipal Council of Jersey City adopt an ordinance, in substantially the form of Ordinance submitted with and made a part of this Petition [Exhibit G], which shall ordain the vacation of Cook Street and a portion of Hoboken Avenue, which parcels are described herein and depicted on the Right of Way Plan.

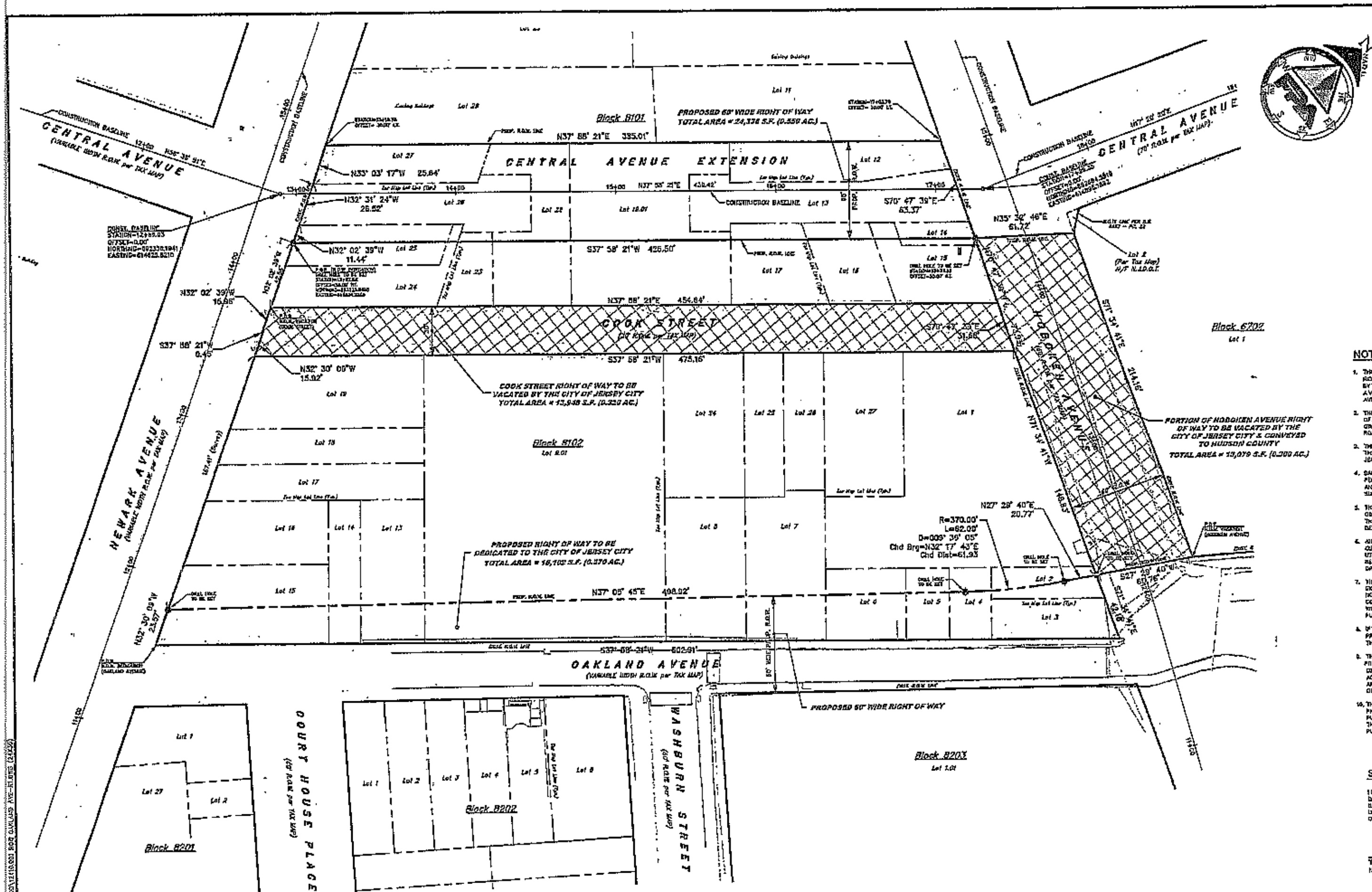
Respectfully,

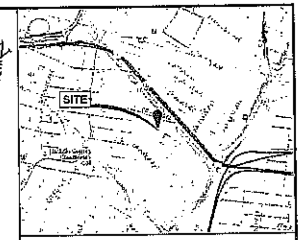
Hugh A. McGuire III, Esq.
Attorney for Petitioner,
The County of Hudson

Dated: April 2, 2019

RIGHT OF WAY PLAN

EXHIBIT A





LOCATION MAP

SCALE 1" = 2000'

NOTES:

1. THIS PLAN AND THE INFORMATION SHOWN HEREON IS INTENDED TO DEPICT A DEDICATION OF RIGHT OF WAY TO THE CITY OF JERSEY CITY THROUGH PROPERTIES OWNED OR TO BE OWNED BY THE COUNTY OF HUDSON WITHIN BLOCK 8102 ALONG A PORTION OF OAKLAND AVENUE AND A VACATION OF RIGHT OF WAY BY THE CITY OF JERSEY CITY ALONG A PORTION OF HOBOKEN AVENUE FOR THE PURPOSES OF PROPOSED DEVELOPMENT BY HUDSON COUNTY.
2. THIS PLAN AND THE INFORMATION SHOWN HEREON IS INTENDED TO DEPICT THE DEDICATION OF RIGHT OF WAY TO THE CITY OF JERSEY CITY THROUGH PROPERTIES OWNED OR TO BE OWNED BY THE COUNTY OF HUDSON WITHIN BLOCK 8101 FOR THE PURPOSES OF PROPOSED ROADWAY IMPROVEMENTS AND DEVELOPMENT OF THE CENTRAL AVENUE EXTENSION.
3. THIS PLAN AND THE INFORMATION SHOWN HEREON IS INTENDED TO DEPICT THE VACATION OF THE COOK STREET RIGHT OF WAY, CURRENTLY OWNED AND MAINTAINED BY THE CITY OF JERSEY CITY, HUDSON COUNTY, NEW JERSEY.
4. BACKGROUND PHYSICAL FEATURES SHOWN HEREON ARE BASED ON FIELD SURVEYS PERFORMED BY FRENCH & PARRELLO ASSOCIATES IN AUGUST OF 2017 AND JANUARY OF 2018, AND HAVE BEEN SUPPLEMENTED WITH AERIAL MAPPING DEVELOPED BY ATLANTIS AERIAL SURVEY COMPANY, INC. BASED ON PHOTOGRAPHY DATED AUGUST 12, 2017.
5. THE NORTH ARROW AND METES AND BOUNDS INDICATED ON THIS PLAN ARE BASED ON GPS OBSERVATIONS AND ARE RELATIVE TO THE NEW JERSEY PLANE COORDINATE SYSTEM (NAD83); THESE MAY DIFFER FROM THE METES AND BOUNDS OF THE INDIVIDUAL PROPERTY DEED DESCRIPTIONS.
6. ANY UNDERGROUND UTILITIES SHOWN HEREON ARE BASED ON ABOVE GROUND OBSERVATIONS, UTILITY MARKINGS FOUND IN THE FIELD AND/OR INFORMATION SUPPLIED BY THE UTILITY COMPANIES. SINCE NO PHYSICAL LOCATION OF THE UNDERGROUND FACILITIES HAVE BEEN MADE BY THE UNDERSIGNED, NO GUARANTEE IS BEING MADE FOR THEIR COMPLETENESS OR ACCURACY.
7. THE UNDERSIGNED PROFESSIONAL IS NOT QUALIFIED TO MAKE ANY DETERMINATION AS TO THE EXISTENCE OR NON-EXISTENCE OF WETLANDS AND/OR HAZARDOUS MATERIALS. THEREFORE, NO STATEMENT IS BEING MADE OR IMPLIED HEREIN, NOR SHOULD IT BE ASSUMED OR CONSTRUED THAT ANY STATEMENT IS BEING MADE BY THE FACT THAT NO EVIDENCE OF WETLANDS AND/OR HAZARDOUS MATERIALS IS PORTRAYED HEREON. THE CLIENT SHOULD PURSUE THESE MATTERS SEPARATE AND APART FROM THIS SURVEY.
8. IF THIS DOCUMENT DOES NOT CONTAIN THE RAISED SEAL OF THE UNDERSIGNED PROFESSIONAL, IT IS NOT A VALID COPY OF THE SURVEY AND NO LIABILITY IS ASSUMED FOR THE INFORMATION SHOWN HEREON.
9. THE USE OF THE WORD "CERTIFY" OR "CERTIFICATION" CONSTITUTES AN EXPRESSION OF PROFESSIONAL OPINION REGARDING THOSE FACTS OR FINDINGS WHICH ARE THE SUBJECT OF THE UNDERSIGNED PROFESSIONAL'S KNOWLEDGE, INFORMATION AND BELIEF, AND IN ACCORDANCE WITH THE COMMONLY ACCEPTED PROCEDURE CONSISTENT WITH THE APPLICABLE STANDARDS OF PRACTICE, AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE EITHER EXPRESSED OR IMPLIED.
10. THIS SURVEY AND THE INFORMATION SHOWN HEREON IS PRIVILEGED AND HAS BEEN PREPARED FOR THE EXCLUSIVE USE OF HUDSON COUNTY FOR RIGHT OF WAY DEDICATION PURPOSES AND THE CITY OF JERSEY CITY FOR RIGHT OF WAY VACATION PURPOSES ONLY. THIS SURVEY AND THE INFORMATION CONTAINED HEREON CANNOT BE USED FOR ANY OTHER PURPOSE WITHOUT THE WRITTEN PERMISSION OF THE UNDERSIGNED PROFESSIONAL.

SURVEYOR'S CERTIFICATION:

I CERTIFY THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF THIS MAP AND LAND SURVEY, DATED FEBRUARY 8, 2018, MEET THE MINIMUM SURVEY DETAIL REQUIREMENTS OF THE STATE BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND THE MAP HAS BEEN MADE UNDER MY SUPERVISION AND COMPLIES WITH THE "MAP FILING LAW" AND THAT THE OUTBOUND CORNER MARKERS AS SHOWN HAVE BEEN FOUND OR SET

Thomas J. Ertle, PLS   Date
New Jersey Professional Land Surveyor, No. 24GS03883400

MAP REFERENCES:

1. MAP ENTITLED, "MAP OF SURVEY OF PROPERTY LOCATED AT LOTS 14-17, 19.01, & 22-25, IN BLOCK 8101 (PRIOR BLOCK 626), JERSEY CITY, HUDSON COUNTY, N.J.", PREPARED BY CAULFIELD ASSOCIATES, LLP., DATED DECEMBER 24, 2014.
2. MAP ENTITLED, "SURVEY FOR THE PROPERTY LOCATED AT: 622 NEWARK AVENUE, TAX BLOCK 8101, LOT 26, CITY OF JERSEY CITY, HUDSON COUNTY, N.J., PREPARED BY BEHAR SURVEYING ASSOCIATES, P.C., DATED DECEMBER 17, 2012.
3. MAP ENTITLED, "SURVEY FOR THE PROPERTY LOCATED AT: 624 NEWARK AVENUE, TAX BLOCK 8101, LOT 27, CITY OF JERSEY CITY, HUDSON COUNTY, N.J., PREPARED BY BEHAR SURVEYING ASSOCIATES, P.C., DATED DECEMBER 17, 2012.
4. MAP ENTITLED, "LOCATION SURVEY FOR THE PROPERTY LOCATED AT: 606, 608-610 NEWARK AVENUE, TAX BLOCK 8102, LOTS 14-17, CITY OF JERSEY CITY, HUDSON COUNTY, N.J., PREPARED BY BEHAR SURVEYING ASSOCIATES, P.C., DATED NOVEMBER 14, 2014.
5. MAP ENTITLED, "LOCATION SURVEY FOR THE PROPERTY LOCATED AT: 15-17, 21 & 23 OAKLAND AVENUE & 16-20 COOK STREET, TAX BLOCK 8102, LOT 8.01, CITY OF JERSEY CITY, HUDSON COUNTY, N.J., PREPARED BY BEHAR SURVEYING ASSOCIATES, P.C., DATED OCTOBER 24, 2014.
6. MAP ENTITLED, "TOPOGRAPHIC SURVEY, COOK STREET FROM NEWARK AVE. TO HOBOKEN AVE., SITUATED IN THE CITY OF JERSEY CITY, HUDSON COUNTY, NEW JERSEY", PREPARED BY FRENCH & PARRELLO ASSOCIATES, DATED AUGUST 13, 2017.
7. MAP ENTITLED, "MAP OF PROPERTY OF MARCUS BEACH AND THE ESTATE OF THOMAS E. BRAY AT JERSEY CITY, HUDSON COUNTY, N.J.", PREPARED BY CHARLES HOPPER, CIVIL ENGINEER & SURVEYOR, DATED NOVEMBER 1880, FILED IN THE HUDSON COUNTY CLERK'S OFFICE ON NOVEMBER 28, 1900 AND DESIGNATED AS MAP NO. 1329.
8. THE OFFICIAL TAX MAPS FOR THE CITY OF JERSEY CITY, SHEET NOS. 67, 80, 81, & 82.

DEED REFERENCES:

DEED BOOK 7725 - PAGE 43: LOT 11, BLOCK 8101
DEED BOOK 9433 - PAGE 231: LOTS 12, & 13, BLOCK 8101
DEED BOOK 3078 - PAGE 114: LOTS 14, 15, 16, & 17, BLOCK 8101
DEED BOOK 6184 - PAGE 148: LOT 19.01, BLOCK 8101
DEED BOOK 7326 - PAGE 124 (TRACT 1) LOTS 22, 23, & 24, BLOCK 8101
DEED BOOK 8125 - PAGE 140: LOT 25, BLOCK 8101
DEED BOOK 7523 - PAGE 229 (TRACTS 3 & 4) LOT 26, BLOCK 8101
DEED BOOK 8304 - PAGE 771: LOT 27, BLOCK 8101
DEED BOOK 8327 - PAGE 148: LOT 24, BLOCK 8201

DEED REFERENCES:

DEED BOOK 9231 - PAGE 751: LOTS 1, 6, 7, 25, 26, & 27, BLOCK 8102
DEED BOOK 9333 - PAGE 131: LOTS 2, 3, 4, & 5, BLOCK 8102
DEED BOOK [illegible] - PAGE 561: LOT 8, BLOCK 8102
DEED BOOK 7350 - PAGE 61: LOT 8.01, BLOCK 8102
DEED BOOK 6724 - PAGE 317: LOT 13, BLOCK 8102
DEED BOOK 2601 - PAGE 410: LOTS 18 & 19, BLOCK 8102
DEED BOOK 7023 - PAGE 250: LOT 24, BLOCK 8102
DEED BOOK 7471 - PAGE 27: LOT 1, BLOCK 8201
DEED BOOK 7710 - PAGE 330: LOT 1, BLOCK 8202
DEED BOOK 8227 - PAGE 12: LOT 1, BLOCK 8202 (MASTER DEED)
DEED BOOK 4063 - PAGE 113: LOTS 2 & 3, BLOCK 8202
DEED BOOK 8175 - PAGE 410: LOT 4, BLOCK 8202
DEED BOOK 8721 - PAGE 347: LOT 5, BLOCK 8202
DEED BOOK 3108 - PAGE 1147: LOT 8, BLOCK 8202

DEED REFERENCES:

DEED BOOK 9269 - PAGE 634: LOT 1.01, BLOCK 8203
DEED BOOK 4733 - PAGE 344: LOT 1, BLOCK 6702
DEED BOOK 8892 - PAGE 22: LOT 2, BLOCK 6702 (PARCEL 120)

THE USE OF THIS SURVEY IN ITS PRESENT FORMAT IS SUBJECT TO THE STATE BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS ADMINISTRATIVE RULES AND REGULATIONS TITLE 13 CHAPTER 40 SUBCHAPTER 8 SECTION 13:40-8.2(a) "NO PERSON SHALL REMOVE A TITLE BLOCK FROM ANY PRINT OR REPRODUCTION" AND SECTION 13:40-8.2(b) "THE HANDWRITTEN SIGNATURE OF THE PERSON(S) RESPONSIBLE CHANGE AND DATE WHEN ISSUED".

No	Date	Revision	Revised By	Checked By
1	03/07/19	ADD DATA FOR COOK ST. & CENTRAL AVE. EXT.	J.C.L.	

SCALE IN FEET: 30 0 30 60

FRENCH & PARRELLO ASSOCIATES

Corporate Office
1800 Route 34, Suite 101
Wall, NJ 07719
732.312.9800
Regional Offices
Camden, NJ
Hackettstown, NJ
New York, NY

PRELIMINARY

THOMAS J. ERTLE, PLS
PROFESSIONAL LAND SURVEYOR, NJ LIC. No. 24GS03883400

RIGHT OF WAY VACATION & RIGHT OF WAY DEDICATION PLAN

COOK STREET, CENTRAL AVENUE EXTENSION, AND PORTIONS OF OAKLAND AVENUE & HOBOKEN AVENUE

SITUATED IN

THE CITY OF JERSEY CITY
HUDSON COUNTY, NEW JERSEY

DATE	DESIGNED BY	SCALE	PROJECT NUMBER
02-08-2019		1" = 30'	12410.001
DRAWN BY	CHECKED BY	FIELD BOOK	SHEET
J.C.L.	T.J.E.		1 of 1

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COOK STREET DESCRIPTION

EXHIBIT B

FRENCH & PARRELLO
ASSOCIATES

Corporate Office
1800 Route 34, Suite 101
Wall, NJ 07719
Regional Offices
Camden, NJ
Hackettstown, NJ
New York, NY

PROPOSED RIGHT OF WAY VACATION
FOR COOK STREET
CITY OF JERSEY CITY, HUDSON COUNTY, NEW JERSEY

All the certain parcel of land and right of way known as Cook Street situated between Newark Avenue and Hoboken Avenue in the City of Jersey City, Hudson County, New Jersey, and being more particularly described as follows:

Beginning at a point of intersection formed by the northeasterly line of Newark Avenue (a variable width right of way per Tax Map) and the northwesterly line of Cook Street (a 30 foot wide right of way per Tax Map), and from said point of beginning running thence;

1. N 37° 58' 21" E, a distance of 454.64 feet along the northwesterly line of Cook Street to a point in the southerly line of Hoboken Avenue (a 60 foot wide right of way per Tax Map), thence;

2. S 70° 47' 39" E, a distance of 31.68 feet to a point of intersection formed by the southeasterly line of Cook Street and the southerly line of Hoboken Avenue, thence;

3. S 37° 58' 21" W, a distance of 475.16 feet along the southeasterly line of Cook Street to a point in the northeasterly line of Newark Avenue, thence;

4. N 32° 30' 09" W, a distance of 15.92 feet along the northeasterly line of Newark Avenue to a point, thence;

5. S 37° 58' 21" W, a distance of 0.45 feet along the northeasterly line of Newark Avenue to a point, thence;

6. N 32° 02' 39" W, a distance of 15.96 feet along the existing northeasterly line of Newark Avenue to the point and place of beginning.

Containing 13,948 square feet or 0.320 acres.

SUBJECT TO:

The rights of others to various existing above ground and underground utilities within the vacated Cook Street right of way.

Any recorded or unrecorded easements, restrictions and covenants.

FRENCH & PARRELLO
ASSOCIATES

Corporate Office
1800 Route 34, Suite 101
Wall, NJ 07719
Regional Offices
Camden, NJ
Hackettstown, NJ
New York, NY

Being intended to describe a proposed right of way vacation of Cook Street as shown on a map entitled, "Right of Way Vacation Plan & Right of Way Dedication Plan, Cook Street, Central Avenue Extension, and Portions of Oakland Avenue & Hoboken Avenue, Situated in the City of Jersey City, Hudson County, New Jersey", prepared by French & Parrello Associates, dated February 8, 2019.

Thomas J. Ertle, P.L.S.
Professional Land Surveyor
N.J. License No. 24GS03583400

HOBOKEN AVENUE DESCRIPTION

EXHIBIT C

FRENCH & PARRELLO
ASSOCIATES

Corporate Office
1800 Route 34, Suite 101
Wall, NJ 07719

Regional Offices
Hackettstown, NJ
New York, NY

DESCRIPTION OF A PROPOSED RIGHT OF WAY VACATION FOR A PORTION OF HOBOKEN AVENUE, CITY OF JERSEY CITY, HUDSON COUNTY, NEW JERSEY

All the certain portion of existing right of way for Hoboken Avenue (a 60 foot wide right of way per Tax Map) between Oakland Avenue and the proposed Central Avenue Extension, lying within the City of Jersey City, Hudson County, New Jersey, and being more particularly described as follows:

Beginning at a point of intersection formed by the northwesterly line of Oakland Avenue (a variable width right of way) and the northerly line of Hoboken Avenue, running thence;

1. Southwesterly, S27° 29' 40" W, a distance of 60.76 feet along the proposed northwesterly line of Oakland Avenue to a point in the southerly line of Hoboken Avenue, thence;

2. Westerly, N 71° 34' 41" W, a distance of 148.83 feet along the southerly line of Hoboken Avenue to a point, thence;

3. Continuing westerly, N 70° 47' 39" W, a distance of 73.93 feet along the southerly line of Hoboken Avenue to a point in the proposed southeasterly line of Central Avenue (a 70 foot wide right of way per Tax Map), thence;

4. Northeasterly, N 35° 32' 46" E, a distance of 61.72 feet along the proposed southeasterly line of Central Avenue to a point in northerly line of Hoboken Avenue, thence;

5. Easterly, S 71° 34' 41" E, a distance of 214.16 feet along the northerly line of Hoboken Avenue to the point and place of beginning.

Containing 13,079 square feet or 0.300 acres.

SUBJECT TO:

Any recorded or unrecorded easements, restrictions and covenants.

FRENCH & PARRELLO
ASSOCIATES

Corporate Office
1800 Route 34, Suite 101
Wall, NJ 07719

Regional Offices
Hackettstown, NJ
New York, NY

Being intended to describe a proposed right of way vacation of Hoboken Avenue as shown on a map entitled, "Right of Way Vacation Plan & Right of Way Dedication Plan, Cook Street, Central Avenue Extension, and Portions of Oakland Avenue & Hoboken Avenue, Situated in the City of Jersey City, Hudson County, New Jersey", prepared by French & Parrello Associates, dated February 8, 2019.

Thomas J. Ertle, P.L.S.
Professional Land Surveyor
N.J. License No. 24GS03583400

CENTRAL AVENUE DESCRIPTION

EXHIBIT D

FRENCH & PARRELLO
ASSOCIATES

Corporate Office
1800 Route 34, Suite 101
Wall, NJ 07719

Regional Offices
Hackettstown, NJ
New York, NY

PROPOSED RIGHT OF WAY DEDICATION FOR CENTRAL AVENUE EXTENSION WITHIN BLOCK 8101 CITY OF JERSEY CITY, HUDSON COUNTY, NEW JERSEY

All the certain lots, tracts or parcels of land and premises, or portions thereof, lying within Block 8101, City of Jersey City, Hudson County, New Jersey, being proposed as a right of way dedication for the purposes of extending the Central Avenue roadway as shown on a construction plan entitled, "COUNTY OF HUDSON, THE EXTENSION OF CENTRAL AVENUE, CITY OF JERSEY CITY, COUNTY OF HUDSON, NEW JERSEY, MARCH 2018", prepared by French & Parrello Associates, dated March 30, 2018, and being more particularly described as follows:

Beginning at a point in the existing northeasterly line of Newark Avenue (a variable width right of way), said point being located at a distance of 30.00 feet right as measured at right angles to Central Avenue construction baseline station 12+97.68 as shown on the aforementioned construction plan, which plan is on file in the office of the Hudson County Engineer, running thence;

1. N 32° 02' 39" W, a distance of 11.44 feet along the existing northeasterly line of Newark Avenue to a point, thence;

2. N 32° 31' 24" W, a distance of 26.52 feet along the existing northeasterly line of Newark Avenue to a point, thence;

3. N 33° 03' 17" W, a distance of 25.64 feet along the existing northeasterly line of Newark Avenue to a point in the proposed northwesterly line of the Central Avenue Extension, said point being located at a distance of 30.00 feet left as measured at right angles to Central Avenue construction baseline station 13+18.78, thence;

4. N 37° 58' 21" E, a distance of 385.01 feet along the proposed northwesterly line of the Central Avenue Extension to a point in the existing southerly line of Hoboken Avenue (a 60 foot wide right of way), said point being located at a distance of 30.00 feet left as measured at right angles to Central Avenue construction baseline station 17+03.79, thence;

5. S 70° 47' 39" E, a distance of 63.37 feet along the existing southerly line of Hoboken Avenue to a point in the proposed southeasterly line of the Central Avenue Extension, said point being located at a distance of 30.00 feet right as measured at right angles to Central Avenue construction baseline station 17+24.18, thence;

6. S 37° 58' 21" W, a distance of 426.50 feet along the proposed southeasterly line of the Central Avenue Extension to the point and place of beginning.

FRENCH & PARRELLO
ASSOCIATES

Corporate Office
1800 Route 34, Suite 101
Wall, NJ 07719

Regional Offices
Hackettstown, NJ
New York, NY

Containing 24,338 square feet or 0.559 acres.

SUBJECT TO:

Any recorded or unrecorded easements, restrictions and covenants.

Being intended to describe the proposed right of way as shown on a map entitled, "Right of Way Vacation Plan & Right of Way Dedication Plan, Cook Street, Central Avenue Extension, and Portions of Oakland Avenue & Hoboken Avenue, Situated in the City of Jersey City, Hudson County, New Jersey", prepared by French & Parrello Associates, dated February 8, 2019.

Thomas J. Ertle, P.L.S.
Professional Land Surveyor
N.J. License No. 24GS03583400

OAKLAND AVENUE DESCRIPTION

EXHIBIT E

FRENCH & PARRELLO
ASSOCIATES

Corporate Office
1800 Route 34, Suite 101
Wall, NJ 07719

Regional Offices
Hackettstown, NJ
New York, NY

DESCRIPTION OF A PROPOSED RIGHT OF WAY DEDICATION WITHIN BLOCK 8102, CITY OF JERSEY CITY, HUDSON COUNTY, NEW JERSEY

All the certain lots, tracts or parcels of land and premises, or portions thereof, lying within Block 8102, City of Jersey City, Hudson County, New Jersey, being proposed as a right of way dedication for the purposes of road widening and improvements to Oakland Avenue, and being more particularly described as follows:

Beginning at a point of intersection formed by the northwesterly line of Oakland Avenue (a variable width right of way per Tax Map) and the northeasterly line of Newark Avenue (a variable with right of way per Tax Map), running thence;

1. Northwesterly, N 32° 30' 09" W, a distance of 23.57 feet along the existing northeasterly line of Newark Avenue to a point in the proposed northwesterly line of Oakland Avenue, thence;

2. Northeasterly, N 37° 05' 45" E, a distance of 498.92 feet along the proposed northwesterly line of Oakland Avenue to a point of curvature, thence;

3. Northeasterly along the proposed northwesterly line of Oakland Avenue and along a curve bearing to the left, said curve having a radius of 370.00 feet, an arc length of 62.00 feet, a central angle of 09° 36' 05", and a chord bearing of N 32° 17' 43" E, and a chord distance of 61.93 feet, to a point of tangent, thence;

4. Northeasterly, N 27° 29' 40" E, a distance of 20.77 feet along the proposed northwesterly line of Oakland Avenue to a point in the southerly line of Hoboken Avenue (a 60 foot wide right of way per Tax Map), thence;

5. Easterly, S 71° 34' 41" E, a distance of 42.18 feet along the southerly line of Hoboken Avenue to a point in the existing northwesterly line of Oakland Avenue, thence;

6. Southwesterly, S 37° 58' 21" W, a distance of 602.91 feet along the existing northwesterly line of Oakland Avenue to the point and place of beginning.

Containing 16,102 square feet or 0.370 acres.

SUBJECT TO:

Any recorded or unrecorded easements, restrictions and covenants.

FRENCH & PARRELLO
ASSOCIATES

Corporate Office
1800 Route 34, Suite 101
Wall, NJ 07719

Regional Offices
Hackettstown, NJ
New York, NY

Being intended to describe a proposed right of way dedication for Oakland Avenue as shown on a map entitled, "Right of Way Vacation Plan & Right of Way Dedication Plan, Cook Street, Central Avenue Extension, and Portions of Oakland Avenue & Hoboken Avenue, Situated in the City of Jersey City, Hudson County, New Jersey", prepared by French & Parrello Associates, dated February 8, 2019.

Thomas J. Ertle, P.L.S.
Professional Land Surveyor
N.J. License No. 24GS03583400

FREEHOLDER RESOLUTION

EXHIBIT F

BOARD OF CHOSEN FREEHOLDERS
COUNTY OF HUDSON
RESOLUTION

No. 183-3-2019

On Motion of Freeholder Walker
Seconded by Freeholder Kopacz

AUTHORIZING AN APPLICATION TO THE CITY OF JERSEY CITY TO VACATE COOK STREET AND A PORTION OF HOBOKEN AVENUE AND THE DEDICATION OF COUNTY LANDS TO THE CITY FOR PUBLIC IMPROVEMENTS FOR THE "NEW CRIMINAL COURTHOUSE PROJECT" CHANGED TO "FRANK J. GUARINI JUSTICE COMPLEX"

WHEREAS, the County of Hudson (herein referred to as the "County") has commenced a public purpose project in the City of Jersey City (herein referred to the "City") commonly known as the Frank J. Guarini Justice Complex (herein referred to as "Project") wherein the County is now the owner of Blocks 8101, 8102 and 6702; and

WHEREAS, it is necessary for the Project that Cook Street and a portion of Hoboken Avenue, City public right of ways within the Project area, be vacated; and

WHEREAS, it is also necessary that the County dedicate to the City a portion of its lands for a new section of Central Avenue between Newark Avenue and Hoboken Avenue and to add to Oakland Avenue between Hoboken Avenue and Newark Avenue to allow for the widening of Oakland Avenue and two-way traffic; and

WHEREAS, all roadways described herein are located within the City and the City, therefore, is authorized pursuant to N.J.S.A. 40:67-1 et. seq. and N.J.S.A. 40A:12-5 to establish, change the grade of or vacate any public street, highway, lane or alley, or any part thereof; and

WHEREAS, the vacation of Cook Street and a portion of Hoboken Avenue described herein, when considered with the future dedication of new or improved roadways and pedestrian walkways, will not create any land locked or inaccessible parcels nor injuriously or adversely affect the rights of the public; and

WHEREAS, therefore, in furtherance of this public purpose Project, it is hereby authorized that the County prepare and submit to the City a petition with all appropriate documentation as required under law to vacate Cook Street and a portion of Hoboken Avenue, said authorization includes the payment of filing fees, if any; and

WHEREAS, the County is further authorized to prepare and provide for the dedication of lands for a new section of Central Avenue between Newark Avenue and Hoboken Avenue and to dedicate lands to add to Oakland Avenue between Hoboken Avenue and Newark Avenue, said authorization includes the payment of filing fees, if any; and

WHEREAS, the proposed vacation and dedication is intended by the County to construct improvements incidental to the Project, said improvements to include but not be limited to the new Justice Complex, new roadways and pedestrian walkways thereby promoting the general public interest; and

WHEREAS, the County pursuant to N.J.S.A. 40A:12-1 et. seq. may accept land as a result of the vacation by the City for the purposes set forth herein; and

WHEREAS, the County pursuant to N.J.S.A. 40A:12-13.3 may sell to the municipality for nominal consideration a portion of its lands provided said lands are used for a public purpose only; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Chosen Freeholders of the County of Hudson, that:

1. The aforesaid recitals are incorporated herein as though fully set forth at length.

BOARD OF CHOSEN FREEHOLDERS
COUNTY OF HUDSON
RESOLUTION

No.

On Motion of Freeholder
Seconded by Freeholder

2. The Board hereby authorizes the County Executive, Thomas A. DeGise, or County Administrator, Abraham Antun, or Deputy County Administrator, David B. Drumeler, or their lawfully appointed designee, to execute any and all documents and take any and all actions necessary, including but not limited to the preparation and filing of the petition with the City of Jersey City to vacate Cook Street and a portion of Hoboken Avenue and to dedicate a portion of County lands for a new section of Central Avenue between Newark Avenue and Hoboken Avenue and to add to Oakland Avenue between Hoboken Avenue and Newark Avenue, to complete and realize the intent and purpose of this Resolution.

3. This Resolution shall take effect immediately.

Freeholder	Aye	Nay	Abst	N.P.	Freeholder	Aye	Nay	Abst.	N.P.
Walker	✓				Rivas	✓			
Cifelli				✓	Rodriguez	✓			
Kopacz	✓				Romano	✓			
Torres	✓				Chairperson Vainieri	✓			
O'Dea	✓								

It is hereby certified that at a regular meeting of the Board of Freeholders of the County of Hudson held on the 28th day of March A.D. 2019, the foregoing resolution was adopted with 8 members voting in the affirmative and 0 in the negative.

_____, Clerk

APPROVED AS TO LEGAL FORM
BY:
DONATO J. BATTISTA
HUDSON COUNTY COUNSEL
Source: Law Department
SM:dmp