

City Clerk File No. Ord. 10-009

Agenda No. 3.A 1st Reading

Agenda No. 4.A 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE

offered and moved adoption of the following ordinance:

CITY ORDINANCE 10-009

TITLE:

A FRANCHISE ORDINANCE GRANTING PERMISSION TO ONE LLC, ITS SUCCESSORS AND ASSIGNS, TO MAKE PRIVATE IMPROVEMENTS TO A PORTION OF LANDS WITHIN THE SIDEWALK AREA OF THE BOWERS STREET PUBLIC RIGHT-OF-WAY LOCATED ADJACENT TO 3438 KENNEDY BOULEVARD, JERSEY CITY, NJ

WHEREAS, One LLC, having its offices located at 53 Hillside Avenue, Berkeley Heights, New Jersey, is the owner of the property located at 3438 Kennedy Boulevard, Jersey City, and known as Block 866, Lot E on the current tax maps of the City of Jersey City, and as part of its development desires to make site improvements to a portion of lands located within the sidewalk area of the Bowers Street public right-of-way. The proposed development of the property includes the renovation of the existing building and continue its use for retail purposes (a Dunkin' Donuts); and

WHEREAS, the property is located on the corner of Kennedy Boulevard and Bowers Street; and

WHEREAS, part of the renovation includes the proposed construction of a handicap ramp and landing within the Bowers Street sidewalk area of the public right-of-way; and

WHEREAS, One LLC has filed a petition for relief and represented to the Municipal Council of the City of Jersey City that the passage of this Ordinance is essential for the construction of the handicap ramp for handicap accessibility to the building; and

WHEREAS, after due notice was given in accordance with law, a public hearing was held on the Petition filed by One LLC to grant permission to construct private improvements within the public right-of-way for the following purposes:

1. The contemplated improvements will include the installation of a handicap ramp and landing to be located within the sidewalk area of the Bowers Street public right-of-way for the purpose of providing handicap accessibility to the building.
2. All costs associated with these improvements will be incurred by the Petitioner.

and there being no objections thereto; and

WHEREAS, the Jersey City Zoning Officer and Building Department approved the construction of the improvements at the subject property conditioned upon the Petitioner being granted a franchise ordinance by the City Council of the City of Jersey City; and

WHEREAS, a franchise ordinance is required to permit the construction of the private improvements within the public right-of-way; and

WHEREAS, by reason of the character of the development of the area within which this property is situated, and the area requested for the franchise is minimal, and the said improvements will assist in meeting handicap access to the property and greatly benefit Jersey City and the surrounding neighborhood; and

WHEREAS, the public interest will be served by said improvements, which will be of great benefit to the citizens of Jersey City and Hudson County and the rights of the public will not be injuriously or adversely affected by the requested relief;

A FRANCHISE ORDINANCE GRANTING PERMISSION TO ONE LLC, ITS SUCCESSORS AND ASSIGNS, TO MAKE PRIVATE IMPROVEMENTS TO A PORTION OF LANDS WITHIN THE SIDEWALK AREA OF THE BOWERS STREET PUBLIC RIGHT-OF-WAY LOCATED ADJACENT TO 3438 KENNEDY BOULEVARD, JERSEY CITY, NJ

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

SECTION I. Permission be, and is hereby granted to One LLC, its successors and assigns, to make private improvements to a portion of lands located at the corner of Kennedy Boulevard and Bowers Street (3438 Kennedy Boulevard), and known as Block 866, Lot E in the City of Jersey City, said areas being more particularly described as follows and on the plan attached hereto as Exhibit A (survey and metes and bounds description).

1. The contemplated improvements will include the installation of a handicap ramp and landing to be located within the sidewalk area of the Bowers Street public right-of-way (see Exhibits A & B); and
2. The contemplated improvements will be constructed consistent with the Plans approved by the Jersey City Zoning Officer and Building Department and will provide a minimum of five (5) feet clearance for the respective pedestrian sidewalks.
3. All costs associated with these improvements will be incurred by the Petitioner.

SECTION II. All the work herein authorized shall be done under the supervision of the proper department or departments of the City of Jersey City. Further, all the work herein authorized shall comply with any State of New Jersey Uniform Construction Code requirements. The construction plans shall be submitted to the City Engineer for his review and comments prior to the start of construction. After construction there shall remain no damage to the sidewalk or roadway or interference with the free and safe flow of pedestrian traffic and vehicular traffic. One LLC, and its successors and assigns, shall maintain all improvements installed by it for the entire term of this Franchise at no cost to the City.

SECTION III. This Ordinance shall remain in full force and effect for a period of ninety-nine (99) years. This Ordinance shall take effect upon final passage and publication according to law. In the event that the Municipal Council determines that this Ordinance must be canceled in whole or in part because of a public purpose, the City reserves the right to cancel this Ordinance or any part thereof by giving written notice to the Petitioners one year prior to the date of cancellation.

SECTION IV. All costs and expenses incident to the introduction, passage and publication of this Ordinance shall be borne and paid by said One LLC.

SECTION V. In accepting the privileges of this Ordinance and the installation, maintenance and use hereby authorized, One LLC, its successors and assigns hereby agree to assume full, complete and undivided responsibility for any and all injury or damage to persons or property by reason of said installation, maintenance and use, and to indemnify and hold the City of Jersey City harmless from all injury or damage to persons or property by reason of such installation, maintenance and use (except such injury or damage which is caused by the negligence or misconduct of the City or its officers, employees or agents) for the term of this Ordinance. One LLC, its successor and assigns, shall maintain in effect, during the term of this franchise, liability insurance naming the City of Jersey City, its officers and employees as additional insured, covering the use and occupancy of the public property subject to this franchise. A certificate of insurance, in the amount of \$1,000,000.00 in a form deemed acceptable by the City's Risk Manager, shall be delivered to the Risk Manager before use or occupancy of the premises subject to this Franchise Ordinance.

SECTION VI. This Ordinance shall not become effective unless an acceptance hereof in writing is filed by the Petitioner with the City Clerk. In the event, that the Petitioner shall not file with the City Clerk its acceptance in writing of the provisions of this Ordinance within 30 days after receiving notice of its passage, this Ordinance shall become void and be of no effect.

SECTION VII. Only with prior written consent and approval by the City Council of the City of Jersey City, which consent and approval shall not be unreasonably withheld, shall Petitioner have the right to assign or otherwise transfer its rights under this Franchise Ordinance.

A FRANCHISE ORDINANCE GRANTING PERMISSION TO ONE LLC, ITS SUCCESSORS AND ASSIGNS, TO MAKE PRIVATE IMPROVEMENTS TO A PORTION OF LANDS WITHIN THE SIDEWALK AREA OF THE BOWERS STREET PUBLIC RIGHT-OF-WAY LOCATED ADJACENT TO 3438 KENNEDY BOULEVARD, JERSEY CITY, NJ

SECTION VIII. An easement for the duration of this Ordinance is reserved for the benefit of the City of Jersey City 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 Franchise Ordinance in order to maintain, repair or replace existing utility facilities including water lines, 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 Franchise Ordinance.

SECTION IX. For the rights and privileges herein granted, said beneficiaries hereunder, their successors and assigns, shall pay annually to the City of Jersey City the sum of One Dollar (\$1.00), which payment shall be made annually on the 1st day of July next succeeding the time when this Ordinance shall become effective and on each first day of July thereafter until the termination of this Ordinance.

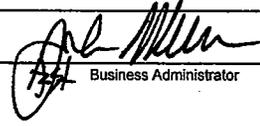
SECTION X.

- 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 certified 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.

APPROVED AS TO LEGAL FORM

Corporation Counsel

APPROVED: _____

APPROVED:  _____
Business Administrator

Certification Required
Not Required

DMC ASSOCIATES, INC. LAND SURVEYORS

211 Main Street, Butler, New Jersey 07405

Phone: 973-838-9187 Fax: 973-838-4389

November 13, 2009

RE: DMC NO. 0908024 – LOT E, BLOCK 866 A.K.A. 3438 KENNEDY BOULEVARD
CITY OF JERSEY CITY, COUNTY OF HUDSON, NJ

The purpose of this description is to describe a tract of land/area located within the R.O.W. of J. F. Kennedy Boulevard, a 80.00 wide R.O.W. and the R.O.W. of Bowers Street, a 65.00 feet wide R.O.W. Said land/area is to occupy a handicap ramp for the benefit of Lot E in Block 866 a.k.a. 3438 J. F. Kennedy Boulevard. Said description is in accordance with a survey entitled "Exhibit A Lot E, Block 866, 3438 Kennedy Boulevard" prepared by DMC Associates, Inc. Land Surveyors. Said survey/exhibit is to be made part of this description. Said lands being more particularly described as follows:

Beginning at a point, said point being North 48 degrees 30 minutes 00 seconds West for a distance of 1.00 feet from the point of intersection formed by the southeasterly R.O.W. line of J. F. Kennedy Boulevard, an 80.00 feet wide R.O.W. formerly known as both Hudson Boulevard and Grand Avenue and the southwesterly R.O.W. line of Bowers Street, a 66.00 feet wide R.O.W. formerly known as Ludlow Place and running thence;

- (1) North 41 degrees 30 minutes 00 seconds East for a distance of 3.50 feet to a point, thence;
- (2) South 48 degrees 30 minutes 00 seconds East for a distance of 16.50 feet to a point, thence;
- (3) South 41 degrees 30 minutes 00 seconds West for a distance of 3.50 feet to a point, thence;
- (4) North 48 degrees 30 minutes 00 seconds West for a distance of 16.50 feet to the point and place of beginning herein described.

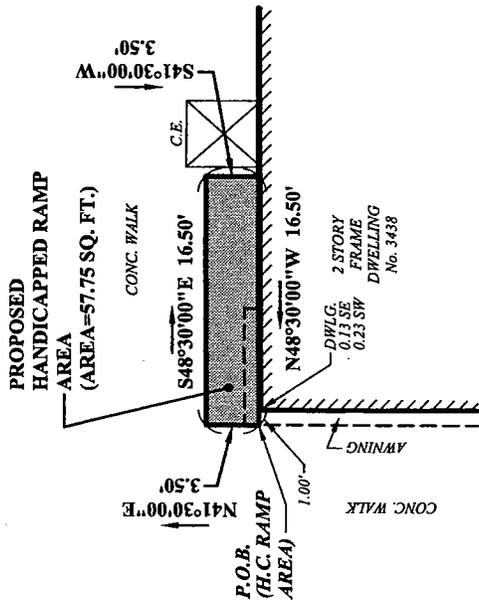

Robert L. Cigol, P.L.S.

N.J. License No. 24GS04026100

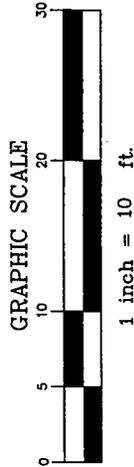
Certificate of Authorization No. 24GA27919000

"A"

BOWERS STREET



DETAIL
SCALE: 1" = 10'



OVERALL PROPERTY VIEW
SCALE: 1" = 20'

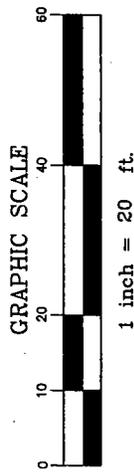
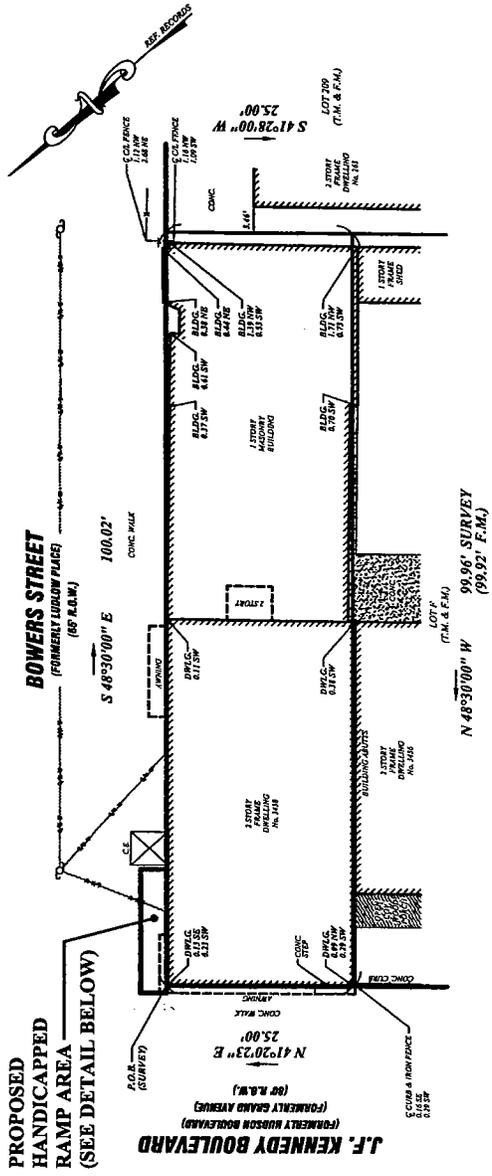


EXHIBIT "A"

LOT E, BLOCK 866
3438 KENNEDY BOULEVARD
CITY OF JERSEY CITY,
HUDSON COUNTY, NEW JERSEY

DMC ASSOCIATES, INC.
LAND SURVEYORS
211 MAIN STREET, BUTLER N.J. 07405
973-838-9187 FAX 973-838-4389

DRAWN	DATE	PROJECT No.
JSL	11-13-08	0908024

ROBERT L. CIGOL, N.J.L.S. NO. 24GS04026100
CERTIFICATE OF AUTHORIZATION NO. 24GA27919000

J.F. KENNEDY BOULEVARD

B

City of Jersey City Office of the City Clerk

FRANCHISE/VACATION ORDINANCE REPLY SHEET

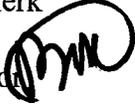
Franchise Ordinance 3438 Kennedy Blvd. Construction of a handicap ramp.					
DEPARTMENT	DATE	COMMENT	YES	NO	REVISE
Business Administrator Brian O'Reilly - 5147	12/15		X		
Construction Official Raymond Meyer - 5697	12/17		X		
Engineering William Goble, Mun. Engineer - 4413					
Fire Department Armando Roman, Director - 4239	1/4		X		
Housing, Economic Dev. & Commerce Carl Czaplicki, Director - 5070					
Div. of Planning Robert Cotter, Director - 4499	12/29		X		
Law Department Ext. 5229 William Matsikoudis, Corp. Counsel	1/7		X		
Police Department Samuel Jefferson, Director - 5300	1/4		X		
Public Works John Yurchak, Director - 4402	12/24		X		
Risk Manager Peter Soriero - 6929	12/13		X		
Tax Assessor Ed Toloza - 4707	1/4		X		
Tax Collector Maureen Cosgrove - 5120	12/16		X		
Traffic & Transportation Joao D'Souza - 4530					

*Last Updated: January 8, 2010
by Tolonda Griffin-Ross, Deputy City Clerk*

Charles J. Harrington, Esq. Of Connell Foley
 Harborside Financial Center
 2510 Plaza Five
 Jersey City, New Jersey 07311
 Tel. 201-521-1000 : Fax 201-521-0100
Charrington@connellfoley.com.



City of Jersey City
Office of the Business Administrator
Interdepartmental Memorandum

DATE: December 15, 2009
TO: Tolonda Griffin-Ross, Deputy City Clerk
FROM: Brian O'Reilly, Business Administrator 
SUBJECT: Proposed Franchise Ordinance- One LLC, 3438 Kennedy Boulevard

Please be advised that I have no objectives in regards to the handicap ramp for access.

Thank You.

RECEIVED
2009 DEC 16 A 10:18
CITY CLERK'S OFFICE
JERSEY CITY, N.J.

From: Raymond Meyer
To: Tolonda Griffin-Ross
Date: 12/17/2009 3:53 PM
Subject: 3438 Kennedy Blvd

I have no objections for the ramp installation



CITY OF JERSEY CITY
FIRE DEPARTMENT



INTERDEPARTMENTAL MEMORANDUM

To: ROBERT BYRNE, CITY CLERK

From: Armando Roman, Director of Fire & Emergency Services 

Date: December 16, 2009

Re: PROPOSED FRANCHISE ORDINANCE
PETITIONER: ONE LLC
ADDRESS 3438 KENNEDY BLVD. - BLOCK 866, LOT E
DESCRIPTION: THE PETITIONER IS RENOVATING THE EXISTING
BUILDING AND WILL CONTINUE ITS USE FOR RETAIL
PURPOSES (A DUNKIN DONUTS), AND PROPOSES THE
CONSTRUCTION OF A HANDICAP RAMP AND LANDING TO
FACILITATE HANDICAP ACCESS WITHIN THE SIDEWALK AREA
OF THE BOWERS STREET RIGHT OF WAY.

The Fire Department has reviewed the above proposed Franchise Ordinance and has no objections to it's approval.

Additionally, we want to insure that the Fire Department has accessability to the fire hydrants located within the proposed plan.

Thank you for your assistance.

AR:ef

Sean Gallagher - 3438 Kennedy Boulevard

From: Robert Cotter
To: Franchise Ord Committee
Date: 1/6/2010 10:55 AM
Subject: 3438 Kennedy Boulevard
CC: Charles Harrington

Please be advised that the Division of City Planning has no objection to this franchise request.

Robert D. Cotter, PP, AICP
Jersey City Planning Director
Division of City Planning
30 Montgomery Street, Suite 1400
Jersey City, NJ 07302
Phone: 201-547-5050
Fax: 201-547-4323
email: bobbyc@jcnj.org

Tolonda Griffin-Ross - Franchise ordinance for ONE, LLC for property at 3438 Kennedy Blvd.

From: Raymond Reddington
To: tolonda@jcnj.org
Date: 1/7/2010 3:49 PM
Subject: Franchise ordinance for ONE, LLC for property at 3438 Kennedy Blvd.

The legal form of the proposed franchise ordinance is acceptable.



JERSEY CITY POLICE DEPARTMENT

OFFICE OF THE DIRECTOR

8 Erie Street – Jersey City, NJ 07302
Office # (201) -547-5300 – Fax # (201) 547-4283

Memorandum

Date: December 29, 2009

To: Tolonda Griffin- Ross, Deputy City Clerk

From: Samuel Jefferson, Director of Police

A handwritten signature in black ink, appearing to be "SJ", written over the "From:" line.

Subject: Proposed Franchise Ordinance 3438 Kennedy Boulevard

The attached Franchise Ordinance Proposal for 3438 Kennedy Boulevard has been reviewed. There are no problems with the handicap ramp being proposed for the site.

SJ/do
Cc: file

Attachment



**JERSEY CITY POLICE DEPARTMENT
OFFICE OF THE CHIEF**

8 Erie Street – Jersey City, NJ 07302
201-547-5301

**TO: SAMUEL JEFFERSON
DIRECTOR OF POLICE**

FROM: DEPUTY CHIEF PETER NALBACH
OFFICE OF THE CHIEF, O.D.C.

A handwritten signature in black ink, appearing to be "P. Nalbach", written over the text of the sender.

DATE: 12/23/09

SUBJECT: PROPOSED FRANCHISE ORDINANCE 3438 KENNEDY BOULEVARD

The attached Franchise Ordinance Proposal for 3438 Kennedy Boulevard was forwarded to the attention of Captain Philip Zacche, North District Commander. He reports no impediment to pedestrian traffic should the handicap ramp be constructed.

North District
282 Central Ave
Jersey City, NJ 07306

**Jersey City
Police Department**

Memo

To: D/C Peter Nalbach, Chief's Office

From: Captain Phil Zacche North

Date: 12/23/09

Re: 3438 Blvd. Dunkin Donuts

Sir,

The undersigned had the location above checked and there should be no problem with the handicap ramp being proposed for the site. There appears to be ample room for pedestrian traffic on the sidewalk.

Respectfully



Capt. Phil Zacche



JERSEY CITY POLICE DEPARTMENT
OFFICE OF THE CHIEF

8 Erie Street – Jersey City, NJ 07302
201-547-5301

TO: CAPTAIN PHILIP ZACCHE
NORTH DISTRICT COMMANDER

FROM: DEPUTY CHIEF PETER NALBACH 
OFFICE OF THE CHIEF, ODC

DATE: 12/21/09

SUBJECT: PROPOSE FRANCHISE ORDINANCE – 3438 KENNEDY BLVD.

Attached please find copies of a proposed franchise ordinance allowing the petitioner to erect a handicap on the Bowers Street side of the property. The property will house a Dunkin Donuts franchise. Please have the property inspected to determine if the construction of the handicap ramp, as proposed in the drawings, will negatively affect the right of way of pedestrians. Please return your evaluation to this office. Thank you.



JERSEY CITY POLICE DEPARTMENT

OFFICE OF THE DIRECTOR

8 Erie Street – Jersey City, NJ 07302
Office # (201) -547-5300 – Fax # (201) 547-4283

Memorandum

Date: December 15, 2009

To: Thomas Comey, Chief of Police

From: Samuel Jefferson, Director of Police

A handwritten signature in black ink, appearing to be "SJ", written over the "From:" line.

Subject: Proposed Franchise Ordinance Petitioner
3438 Kennedy Blvd. – Block 866, Lot E

See the attached Franchise Ordinance for your review and opinion. A prompt response will be appreciated.

SJ/do
Cc: file

I N T E R

MEMO

Department of Public Works Office of the Director

O F F I C E

To: Tolonda Griffin-Ross, Deputy City Clerk

From: John Yurchak, Director, Department of Public Works 

Subject: Proposed Franchise Ordinance - Proposal for Handicap Ramp at
3438 Kennedy Blvd. Block 866, Lot E
Petitioner One LLC

Date: December 28, 2009

I reviewed the above referenced petitioner's proposal for construction of a handicap ramp at 3438 Kennedy Blvd. Block 866, Lot E and I do not have any objection.

JMY/ak
File

RECEIVED
2009 DEC 29 10:05
CITY CLERK'S OFFICE
JERSEY CITY, N.J.

CITY OF JERSEY CITY

INTERDEPARTMENTAL MEMORANDUM

OFFICE OF RISK MANAGEMENT

PHONE 201-547-5034

FAX 201-547-4761

Franchise Ordinance: 3438 Kennedy Blvd- Blk 866, Lot E

The insurance requirements, as requested in the reference, are:

(A) General Liability Insurance Requirements:

() No insurance required

(x) Comprehensive General Liability Insurance, including

() a Contractual Liability Endorsement

(X) the inclusion of the City of Jersey City as Additional Insured

() the Immunity Clause

() A Broad Form Property Damage Endorsement

() other:

(x) Liability limits for the above: \$2.0 million combined single limit per occurrence for bodily injury and property damage liability.

() Comprehensive Automobile Liability covering owned, non-owned and hired vehicles, as applicable. \$ million combined single limit per accident for bodily injury and property damage liability.

(b) Property Damage Insurance Requirements:

() Real Property to be insured at 100% of Replacement Cost covering All Risks of physical loss or damage including Flood and Earthquake. The City of Jersey City shall be included as a Named Insured, and the policy shall be endorsed to include losses adjusted with, and payable to, the City of Jersey City.

() Builders' Risk Insurance (All Risk coverage) on a completed value form covering new construction, or existing property, and new construction covered under one form until construction is completed.

(c) Special Instructions:

() The above insurance requirements are preliminary requirements pending Risk Management's review of the draft agreement from originating department. Risk Management must receive a copy of the final draft agreement and the executed agreement in order to advise of the insurance submitted is in proper order.

INTERDEPARTMENTAL MEMORANDUM

OFFICE OF THE ASSESSOR

(201) 547-5131

DATE: December 28, 2009

TO: Tolanda Griffin-Ross, Deputy City Clerk

FROM: Ed Toloza, Assessor

SUBJECT: **Proposed Franchise Ordinance**
Petitioner: One LLC

I have reviewed the above subject Proposed Franchise Ordinance and find that the contemplated improvement will advance the public interest. Therefore, this Office recommends adoption.

Tolonda Griffin-Ross - Franchise Ordinance

From: Lorraine Cecchini
To: Tolonda Griffin-Ross
Date: 12/16/2009 11:36 AM
Subject: Franchise Ordinance

Hi Tolanda

Regarding 3438 Kennedy Boulevard/One LLC the Tax Collector's Office has no objection.

If you need any further information regarding the above, please do not hesitate to contact us.

Lorraine

Ordinance of the City of Jersey City, N.J.

ORDINANCE NO. Ord. 10-009
 TITLE: 3.A. JAN 27 2010 4.A.



A franchise ordinance granting permission to One LLC, its successors and assigns, to make private improvements to a portion of lands within the sidewalk area of the Bowers Street public right of way located adjacent to 3438 Kennedy Boulevard, Jersey City, New Jersey.

RECORD OF COUNCIL VOTE ON INTRODUCTION											
JAN 27 2010 8-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			FLOOD	✓		
LOPEZ	✓			RICHARDSON	✓			VEGA,	ABSENT		

✓ Indicates Vote N.V.-Not Voting (Abstain)

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING											
Councilperson _____ moved, seconded by Councilperson _____				to close P.H.							
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO				GAUGHAN				BRENNAN			
DONNELLY				FULOP				FLOOD			
LOPEZ				RICHARDSON				VEGA,			

✓ Indicates Vote N.V.-Not Voting (Abstain)

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
Councilperson _____ moved to amend* Ordinance, seconded by Councilperson _____				& adopted							
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO				GAUGHAN				BRENNAN			
DONNELLY				FULOP				FLOOD			
LOPEZ				RICHARDSON				VEGA			

✓ Indicates Vote N.V.-Not Voting (Abstain)

RECORD OF FINAL COUNCIL VOTE											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO				GAUGHAN				BRENNAN			
DONNELLY				FULOP				FLOOD			
LOPEZ				RICHARDSON				VEGA,			

✓ Indicates Vote N.V.-Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on JAN 27 2010

Adopted on second and final reading after hearing on _____

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on

APPROVED:

Robert Byrne, City Clerk

Peter M. Brennan, Council President

*Amendment(s):

Date: _____
APPROVED: _____

Jerramiah T. Healy, Mayor

Date _____

Date to Mayor _____

City Clerk File No. Ord. 10-010

Agenda No. 3.B 1st Reading

Agenda No. 4.B 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 10-010

TITLE: **ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 84 (ALCOHOLIC BEVERAGES)
ARTICLE I (PLENARY RETAIL CONSUMPTION AND DISTRIBUTION LICENSES) OF THE
JERSEY CITY CODE**

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

A. The following amendments and supplements to Chapter 84 (Alcoholic Beverages) Article I (Plenary Retail Consumption and Distribution) of the Jersey City Code are adopted:

ARTICLE I Plenary Retail Consumption and Distribution

§84-6.1 Redevelopment Areas.

- A. No Change.
- B. Without limiting the generality of the foregoing, any transfer of a plenary retail consumption license or a plenary retail distribution license that complies with the provisions of this subsection shall be permitted, notwithstanding that:
 - (1) The new building, renovated building, new mixed-use apartment building, renovated mixed-use apartment building or new retail shopping area is within ~~{750}~~ 520 feet of an existing plenary retail consumption license or an existing plenary retail distribution license; or
 - (2) The new building, renovated building, new mixed-use apartment building, renovated mixed-use apartment building or new retail shopping area is more than 1,000 feet from the premises from which the license is transferred.
- C. No Change.
- B. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- C. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
- D. This ordinance shall take effect at the time and in the manner as provided by law.
- E. The City Clerk and the Corporation Counsel may change any chapter numbers, article numbers and section numbers if codification 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.

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*.

RR/he
1/05/10

2009153

APPROVED AS TO LEGAL FORM

APPROVED: _____

Corporation Counsel

APPROVED: _____
Business Administrator

Certification Required

Not Required

Ordinance of the City of Jersey City, N.J.

ORDINANCE NO. Ord. 10-010
3.B. JAN 27 2010 4.B.
 TITLE:



Ordinance amending and supplementing Chapter 84
 (Alcoholic Beverages) Article I (Plenary Retail
 Consumption and Distribution Licenses) of the Jersey City
 Code. (Redevelopment Area Distance Reduction)

RECORD OF COUNCIL VOTE ON INTRODUCTION											
JAN 27 2010 6-1-1											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	ABSTAIN		
DONNELLY	✓			FULOP	✓			FLOOD	✓		
LOPEZ	✓			RICHARDSON		✓		VEGA	ABSENT		

✓ Indicates Vote N.V.-Not Voting (Abstain)

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING											
Councilperson _____				moved, seconded by Councilperson _____				to close P.H.			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO				GAUGHAN				BRENNAN			
DONNELLY				FULOP				FLOOD			
LOPEZ				RICHARDSON				VEGA			

✓ Indicates Vote N.V.-Not Voting (Abstain)

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
Councilperson _____				moved to amend* Ordinance, seconded by Councilperson _____				& adopted			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO				GAUGHAN				BRENNAN			
DONNELLY				FULOP				FLOOD			
LOPEZ				RICHARDSON				VEGA			

✓ Indicates Vote N.V.-Not Voting (Abstain)

RECORD OF FINAL COUNCIL VOTE											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO				GAUGHAN				BRENNAN			
DONNELLY				FULOP				FLOOD			
LOPEZ				RICHARDSON				VEGA			

✓ Indicates Vote N.V.-Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on JAN 27 2010

Adopted on second and final reading after hearing on _____

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on

APPROVED:

 Robert Byrne, City Clerk

 Peter M. Brennan, Council President

*Amendment(s):

Date: _____
 APPROVED: _____

 Jerramiah T. Healy, Mayor

Date _____

Date to Mayor _____



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 10-011
AN ORDINANCE SUPPLEMENTING CHAPTER 332 (VEHICLES AND TRAFFIC)
TITLE: ARTICLE XI (SCHEDULES) SCHEDULE 25 (PARKING FOR THE DISABLED) OF THE
JERSEY CITY CODE DESIGNATING A RESERVED PARKING SPACE 24 EASTERN
PARKWAY; 361 LIBERTY AVENUE; 82 POPLAR STREET; 77 PROSPECT STREET; 300
STEGMAN PARKWAY; 332 WEBSTER AVENUE; 224-222 WILKINSON AVENUE AND
AMEND THE RESERVED PARKING SPACE AT 7 APOLLO STREET AND 103 POPLAR
STREET AND REPEAL THE RESERVED PARKING SPACE AT 11 APOLLO STREET; 222
WILKINSON AVENUE AND 228 WILKINSON AVENUE

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

1. Chapter 332 (Vehicles and Traffic) Article XI (Schedules) of the Jersey City Code is hereby supplemented as follows:

Section 332-77

SCHEDULE 25
PARKING FOR THE DISABLED

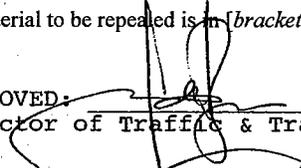
Restricted parking spaces, (measuring approximately 22 feet in length) in front of residential building for use by persons who have been issued special vehicle identification cards by the Division of Motor Vehicles and handicapped parking permits issued by the Traffic Division.

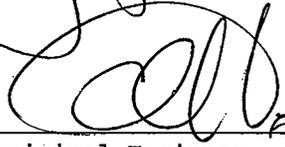
- | | |
|---|---------------------------------------|
| <u>Rosalind Bhimdass</u> [<i>James Andrew Visitacion</i>] | 7 Apollo Street |
| [<i>Rosalind Bhimdass</i>] | 11 Apollo Street] |
| <u>Eva Hernandez</u> | 24 Eastern Parkway |
| <u>Chandrakant J. Parikh</u> | <u>361 Liberty Avenue</u> |
| <u>John Calamanco</u> | 82 Poplar Street |
| <u>Neil Boyle and Peter Powers</u> [<i>Craig Gilmour</i>] | 103 Poplar Street |
| <u>Emillie Torres</u> | <u>77 Prospect Street</u> |
| <u>Mostafa M. Selim</u> | <u>300 Stegman Parkway</u> |
| <u>Kayla J. Allen</u> | <u>332 Webster Avenue</u> |
| [<i>Lillian Cromartie</i>] | <u>222 Wilkinson Avenue</u>] |
| Mary King | [228] <u>224-222 Wilkinson Avenue</u> |

- All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- 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.
- This ordinance shall take effect at the time and in the manner as prescribed by law.
- The City Clerk and the Corporation Counsel may change any chapter numbers, article numbers and section numbers if codification 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.

NOTE: The new material to be inserted is underscored; the material to be repealed is in [*brackets*].

JDS:pc1
01.21.10

APPROVED: 
Director of Traffic & Transportation

APPROVED:  1/25/10
Municipal Engineer

APPROVED AS TO LEGAL FORM

Corporation Counsel

APPROVED: _____
Business Administrator

Certification Required

Not Required

This summary sheet is to be attached to the front of any ordinance, resolution, cooperation agreement or contract that is submitted for Council consideration. Incomplete or sketchy summary sheets will be returned with the resolution or ordinance. The Department, Division or Agency responsible for the overall implementation of the proposed project or program should provide a concise and accurate statement of facts.

1. Full title of ordinance:

An ordinance supplementing Chapter 332(Vehicles and Traffic) Article VI(Schedules) Schedule 25(Parking for the Disabled) of the Jersey City designating a reserved parking space for the disabled at 24 Eastern Parkway; 361 Liberty Avenue; 82 Poplar Street; 77 Prospect Street; 300 Stegman Parkway; 332 Webster Avenue; 224-222 Wilkinson Avenue and amend the reserved parking space at 7 Apollo Street and 103 Poplar Street and repeal the reserved parking space at 11 Apollo Street; 222 Wilkinson Avenue and 228 Wilkinson Avenue

2. Name and title of person initiating the ordinance:

Joao D'Souza, Director of Traffic & Transportation, Division of Engineering, Traffic and Transportation

3. Concise description of program, project or plan proposed in the ordinance/resolution:

Designate a reserved parking space for the disabled at various locations throughout the City, for those disabled individuals whose applications have been reviewed and approved by The Municipal Council Committee for Disabled Parking. Delete the reserved parking spaces no longer warranted.

4. Reasons (need) for the proposed program, project, etc.:

To provide a reserved parking space for a disabled individual who has documented that his or her disability is severe enough to limit his mobility or so severe that he or she cannot be left unattended while the designated driver brings the vehicle to him or her or parks the vehicle.

5. Anticipated benefits to the community:

Allow those disabled individuals, whose application was approved by The Municipal Council Committee for Disabled Parking, to have a reserved parking space designated at his or her residence, therefore, improving the quality of his or her life.

6. Cost of proposed program, project, etc. (Indicate the dollar amount of City, state, and Federal Funds to be used, as well as match and in-kind contribution:

Approximately \$200.00 per sign/post installation for an approximate total of \$2,500.00
Approximately 12 channels and 14 reserved parking signs

7. Date proposed program, or project will commence:

Pending adoption by the Jersey City Municipal Council

8. Anticipated completion date:

Twenty days after adoption by the Jersey City Municipal Council

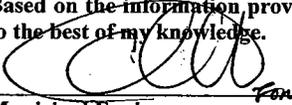
9. Person responsible for coordinating proposed program, project, etc.:

Patricia Logan, Supervising Traffic Investigator, Division of Engineering, Traffic and Transportation ex. 4492

10. Additional comments:

Ordinance proposed at the request of The Municipal Council Committee for Disabled Parking

Based on the information provided to me, I certify that all the facts presented herein are accurate, to the best of my knowledge.



Municipal Engineer

1/28/12

Date

Signature of Department Director

Date

Ordinance of the City of Jersey City, N.J.

ORDINANCE NO. Ord. 10-011
 TITLE: 3.C. JAN 27 2010 4.C.



An ordinance supplementing Chapter 332 (Vehicles and Traffic) Article XI (Schedules) Schedule 25 (Parking for the Disabled) of the Jersey City Code designating a Reserved Parking Space at 24 Eastern Parkway; 361 Liberty Avenue; 82 Poplar Street; 77 Prospect Street; 300 Stegman Parkway; 332 Webster Avenue; 224-222 Wilkinson Avenue and Amend the Reserved Parking Space at 7 Apollo Street and 103 Poplar Street and Repeal the Reserved Parking Space at 11 Apollo Street; 222 Wilkinson Avenue and 228 Wilkinson Avenue.

RECORD OF COUNCIL VOTE ON INTRODUCTION											
JAN 27 2010 8-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			FLOOD	✓		
LOPEZ	✓			RICHARDSON	✓			VEGA,			ABSENT

✓ Indicates Vote N.V.-Not Voting (Abstain)

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING											
Councilperson _____ moved, seconded by Councilperson _____ to close PH.											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO				GAUGHAN				BRENNAN			
DONNELLY				FULOP				FLOOD			
LOPEZ				RICHARDSON				VEGA,			

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RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
Councilperson _____ moved to amend* Ordinance, seconded by Councilperson _____ & adopted											
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SOTTOLANO				GAUGHAN				BRENNAN			
DONNELLY				FULOP				FLOOD			
LOPEZ				RICHARDSON				VEGA,			

✓ Indicates Vote N.V.-Not Voting (Abstain)

RECORD OF FINAL COUNCIL VOTE											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO				GAUGHAN				BRENNAN			
DONNELLY				FULOP				FLOOD			
LOPEZ				RICHARDSON				VEGA,			

✓ Indicates Vote N.V.-Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on JAN 27 2010

Adopted on second and final reading after hearing on _____

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on

APPROVED:

Robert Byrne, City Clerk

Peter M. Brennan, Council President

*Amendment(s):

Date: _____

APPROVED: _____

Jerramiah T. Healy, Mayor

Date _____

Date to Mayor _____