

City Clerk File No. Ord. 11-112

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 11-112

TITLE:

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE LAND DEVELOPMENT ORDINANCE APPLICATION FEE TABLE AND APPLICATIONS AND CHECKLISTS

WHEREAS, the Municipal Council, pursuant to NJSA 40:55D-62, may adopt or amend a zoning ordinance relating to the nature and extent of the uses of land and of buildings and structures thereon; and

WHEREAS, the Municipal Council adopted the Land Development Ordinance, Chapter 345 of the Code of the City of Jersey City, on April 11, 2001, (Ordinance No. 01-042), and several amendments since then; and

WHEREAS, Article IV of the Land Development Ordinance includes a section on Application Fees and Article III includes a section on Applications and Checklists; and

WHEREAS, the existing Fee Schedule does not include fees for Special Meetings of the Historic Preservation Commission; and

WHEREAS, a fee should be added for Special Meetings of the Historic Preservation Commission to correspond to fees already in place for the Planning Board and Zoning Board of Adjustment; and

WHEREAS, language should be corrected in the Applications and Checklists section of the Land Development Ordinance to add the word "valid" for consistency throughout the Ordinance; and

WHEREAS, the Municipal Council, pursuant to NJSA 40:55D-64, has sought and received the recommendations of the Jersey City Planning Board relative to these issues; and

WHEREAS, the Planning Board at its meeting of August 23, 2011 did vote to recommend that the Municipal Council adopt an amended the Fee section of the Land Development Ordinance and the section on Applications and Checklists; and

WHEREAS, the amendments to the Land Development Ordinance are attached hereto and made a part hereof, and are available for public inspection at the Office 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 Land Development Ordinance, be and hereby is amended as per the attached document;

BE IT FURTHER ORDAINED THAT:

- A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.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. 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. 40:55D-15 and N.J.S. 40:55D-63 (if required). Upon the adoption of this Ordinance after public hearing thereon, the City Clerk is 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.

APPROVED AS TO LEGAL FORM

Randy Reddy
Assistant Corporation Counsel

APPROVED: *Robert D. Cotter* Robert D. Cotter, AICP, PP, Director
Division of City Planning

APPROVED: *John J. ...*
Business Administrator

Certification Required

Not Required

ORDINANCE FACT SHEET

1. Full Title of Ordinance:

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE LAND DEVELOPMENT ORDINANCE APPLICATION FEE TABLE AND APPLICATIONS AND CHECKLISTS

2. Name and Title of Person Initiating the Ordinance, etc.:

Carl Czaplicki, Director, Department of Housing, Economic Development, and Commerce

3. Concise Description of the Plan Proposed in the Ordinance:

This Ordinance will amend the Land Development Ordinance (Zoning Ordinance) with regard to Application Fees in order to charge applicants who wish to call a special meeting of the Historic Preservation Commission. Additionally language for Applications and Checklists has been amended for consistency throughout the Ordinance.

4. Reasons (Need) for the Proposed Program, Project, etc.:

Unlike the Planning and Zoning Board of Adjustment, there is currently no cost incurred for applicants who request a special meeting of the Historic Preservation Commission. This amendment will create that fee. Additionally language regarding Applications and Checklists has been amended for consistency throughout the Ordinance.

5. Anticipated Benefits to the Community:

Additional income, reduction in frivolous meeting requests

6. Cost of Proposed Plan, etc.:

None

7. Date Proposed Plan will commence:

Upon approval

8. Anticipated Completion Date: N/A

9. Persons Responsible for Coordinating Proposed Program, Project, etc.:

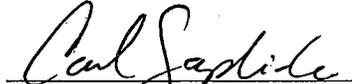
Carl Czaplicki, Director, Dept of HEDC
Robert D. Cotter, City Planning Director

10. Additional Comments: None

I Certify that all the Facts Presented Herein are Accurate.


Division Director

Aug 24, 2011
Date


Department Director Signature

8/24/11
Date

H. Schedule of Fees

<i>Application Type</i>	<i>Application Fees</i>
Planning Board and Board of Adjustment Applications	Non-Refundable
Minor Site Plan – Cell Antenna Application	\$2,500
Minor Site Plan – Signage and Storefronts	\$200
Minor Site Plan – Other	\$350
Preliminary Major Site Plan Residential	\$50 per Dwelling Unit or a Minimum of \$500
Preliminary Major Site Plan Non Residential	With principal buildings over 1,000 sq. ft. GFA: \$50 per 1000 sq. ft. GFA or part thereof or a minimum of \$500
Preliminary Major Site Plan Non Residential	Without principal building over 1,000 sq. ft. GFA: \$50 per 1,000 sq. ft. lot area or part thereof or a minimum of \$500
Final Major Site Plan	50% of current Preliminary Major Site Plan Fee
Site Plan Amendment	50% of the current application fee or a minimum of \$1,000
Conceptual Site Plan	\$500 (to be deducted from Fees for formal Application for Development)
Extension of Site Plan Approval	\$300
Minor Subdivision	\$500
Preliminary Major Subdivision	\$1,000 plus \$100 per lot
Final Major Subdivision	50% of current Preliminary Major Subdivision fee
SPECIAL MEETING REQUESTED BY APPLICANT	\$1,000
REZONING OR REDEVELOPMENT PLAN AMENDMENT REQUESTED BY DEVELOPER	Fee as specified in applicable redevelopment plan or \$1,000, if no fee specified in plan
APPEALS, INTERPRETATIONS AND VARIANCES	\$150

"a" & "b" Appeals and Interpretations as per NJSA 40:55D-70 a & b	\$150
Application Type	Application Fees
Planning Board and Board of Adjustment Applications	Non-Refundable
"c" Variance as per NJSA 40:55D-70(c) & deviation from redevelopment plan	\$500 for the first variance or deviation when not accompanied by a Major or Minor Site Plan or Subdivision \$300 for the first variance or deviation when accompanied by a Major or Minor Site Plan or Subdivision \$150 for each additional
"d" Variance as per NJSA 40:55D-70 (d)	\$1,000 for the first variance \$250 for each additional
Extension of Variance Approval	\$300 (when not filed concurrently with extension of Site Plan)

Application Type	Application Fees
Historic Preservation Commission Applications	Non-Refundable
CERTIFICATE OF NO EFFECT	
<u>Non-Residential</u> With Principal Building Without Principal Building Unlit Interior window sign only Sidewalk repair/replacement when not filed concurrently with other work	\$40 per 1,000 square feet GFA or part thereof \$40 per 1,000 square feet of lot area or part thereof \$40 \$40 for first 25 linear feet of frontage, additional \$20 for each 25 feet of frontage over 25 or part thereof
<u>Residential</u> Interior work only Exterior work only or Interior & exterior work filed concurrently Sidewalk repair/replacement when not filed concurrently with other work	\$10 per affected dwelling unit to a Maximum of \$60 \$20 per dwelling unit to a maximum of \$750 \$20 per dwelling unit to a maximum of \$60

CERTIFICATE OF APPROPRIATENESS (COA)	
<u>Residential</u> New Construction on Vacant Land All Others: 1-4 Dwelling Units 5 Dwelling Units or over	 \$500 \$100 \$20 per dwelling unit to a maximum of \$1,000
<u>Non-Residential</u> With Principal Building Without Principal Building Exterior Sign application only Outdoor Café only	 \$100 per 1,000 square feet of GFA or part thereof \$100 per 1,000 square feet lot area or part thereof \$100 \$100
Extension of COA Approval	\$200
SPECIAL MEETING REQUESTED BY APPLICANT	\$700

345-31 APPLICATIONS AND CHECKLISTS

No application for development shall be deemed **valid or** complete unless the items, information and documentation listed in the applicable checklist are submitted to the Division of City Planning. If any required item is not submitted, the applicant must request in writing a waiver and state the reasons supporting each request.

SUMMARY STATEMENT

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE LAND DEVELOPMENT ORDINANCE APPLICATION FEE TABLE AND APPLICATIONS AND CHECKLISTS

This Ordinance will amend the Land Development Ordinance (Zoning Ordinance) with regard to Application Fees in order to charge applicants who wish to call a special meeting of the Historic Preservation Commission. Additionally language for Applications and Checklists has been amended for consistency throughout the Ordinance.

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

ORDINANCE NO. Ord. 11-112
 TITLE: 3.A. SEP 14 2011 4.A.



Ordinance of the Municipal Council of the City of Jersey
 City adopting amendments to the Land Development
 Ordinance application fee table and application and
 checklists.

RECORD OF COUNCIL VOTE ON INTRODUCTION								SEP 14 2011 7-0			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	ABSENT			AHMAD	✓		
LOPEZ	✓			RICHARDSON	✓			VELAZQUEZ	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				AHMAD			
LOPEZ				RICHARDSON				VELAZQUEZ			

✓ 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				AHMAD			
LOPEZ				RICHARDSON				VELAZQUEZ			

✓ 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				AHMAD			
LOPEZ				RICHARDSON				VELAZQUEZ			

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

Adopted on first reading of the Council of Jersey City, N.J. on SEP 14 2011

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. 11-113

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 11-113

An Ordinance Dedicating the Southwest Corner of
Ocean Avenue and Stevens Avenue as
BISHOP TOMMIE HOWELL JR. WAY

TITLE:

WHEREAS, Bishop Tommie Howell Jr. was born August 19, 1943 in Sparta, Georgia. He was the seventh of eight children of the late Tommie Howell Sr. and Minnie H. Howell. Bishop Howell was educated in the Hancock County school system graduating from Hancock Central High School; and

WHEREAS, Bishop Tommie Howell Jr. entered into Holy Matrimony with his high school sweetheart, Gertrude Lewis in 1963. Their union produced three children Carolyn, Michael, and Vernise; they are also the loving grandparents of Ambria, Daniels and Keith Howell; and

WHEREAS, Bishop Tommie Howell Jr. and his wife moved to Jersey City in 1963 and have remained as faith filled residents ever since. Shortly after arriving in Jersey City, Bishop Howell and Gertrude joined the Mt. Sinai Missionary Baptist Church on Armstrong Avenue. In 1965, Bishop Howell was ordained a deacon and faithfully served in that role for five years. Bishop Howell and his wife, Evangelist Howell became members of the True Gospel Holiness Church in 1970, under the leadership of the late Bishop Francisco Calderon, its founder; and

WHEREAS, Bishop Tommie Howell Jr. served as a deacon at True Gospel Holiness Church for five years before being ordained a minister at the Holy Convocation in 1976. As the church and Bishop Calderon's ministry expanded to provide leadership for three churches, he appointed Bishop Howell as Assistant Pastor in 1977. In 1978 Bishop Howell was confirmed as Pastor of True Gospel Holiness Church; he served in that capacity for thirteen years; and

WHEREAS, in August 1991, Bishop Howell was appointed to the position of Jr. Bishop by Bishop Calderon. He served in that position until the death of Bishop Calderon in May 1996 and the ordaining council of True Gospel Holiness Churches ordained Bishop Howell as Sr. Bishop and Overseer of its churches. Today Bishop Howell is the Overseer of five True Gospel Holiness Churches, one of which, has been located on the corner of Stevens Avenue and Ocean Avenue for the past fifteen years. Bishop Howell has been associated with the Ocean Avenue church since its inception. His leadership has been its cornerstone. True Gospel Holiness Church offers many worship services all week, Sunday services include a Haitian Service, Sunday School and Worship. Week days and evenings have various prayer services and Bible study sessions; and

WHEREAS, Bishop Tommie Howell Jr. and True Gospel Holiness Church has served not only the spiritual needs of the community but also its social needs, by giving clothes, food, personal supplies to area homeless, back to school items for school children, counsel to those in need and has partnered with various block association to better the community.

NOW, THEREFORE, BE IT ORDAINED, that the Municipal Council of the City of Jersey City does hereby dedicate that Stevens Avenue and Ocean Avenue be also known as Bishop Tommie Howell, Jr. Way.

- 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 repealers of existing provisions.

G:\WPDOCS\TOLONDA\RESOS\RENAME\Bishop Tommie Howell Jr. Way.wpd

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. 11-113
3.B. SEP 14 2011 4.B.



An ordinance dedicating the southwest corner of Ocean Avenue and Stevens Avenue also be known as Bishop Tommie Howell, Jr. Way.

RECORD OF COUNCIL VOTE ON INTRODUCTION											
										SEP 14 2011 7-0	
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	ABSENT			AHMAD	✓		
LOPEZ	✓			RICHARDSON	✓			VELAZQUEZ	ABSENT		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING											
				moved, seconded by Councilperson							
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO				GAUGHAN				BRENNAN			
DONNELLY				FULOP				AHMAD			
LOPEZ				RICHARDSON				VELAZQUEZ			

✓ Indicates Vote

N.V.-Not Voting (Abstain)

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

✓ 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				AHMAD			
LOPEZ				RICHARDSON				VELAZQUEZ			

✓ Indicates Vote

N.V.-Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on SEP 14 2011

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. 11-114

Agenda No. 3.C 1st Reading

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



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 11-114

TITLE:

Ordinance Dedicating that the Northeast Corner of
Beacon Avenue and Central Avenue Be Also Known as
PHILIP "PHILLY" PIPARO WAY

WHEREAS, Philip Piparo, better known as "Philly," was born on August 18, 1932 at 104 Beacon Avenue in Jersey City, New Jersey. He attended Public School #6 Elementary School and Dickinson High School in Jersey City; and

WHEREAS, Philly Piparo joined the United States Marine Corps. at the age of 18. This was the first time he left his neighborhood. His laudable contributions and tireless endeavors allowed him to move up rank as a Sergeant and serve in the Korean War in 1950; and

WHEREAS, Philly's life was his neighborhood. He was known as the "Mayor" of the corner of Beacon Avenue and Central Avenue. "Mayor Philly" was loved for being himself. His real, raw and charming personality made him who he was, and why he was loved. His energy, love of life, and his commitment contributed to the neighborhood's well being. Philly Piparo was an admired and respected throughout the community as a charming straight to the point character; and

WHEREAS, Philip "Philly" Piparo departed this life on October 8, 2010 in his house on Beacon Street. He was laid to rest at his place of birth. He will be greatly missed. He was beloved by his niece and nephew Donna and John, his nephews Joseph, Donald, Timothy and Anthony, his brother-in-law Donald, his brother Anthony and his best friend, Mickey.

NOW, THEREFORE, BE IT ORDAINED, that the Municipal Council of the City of Jersey City deems it fitting and appropriate to honor the memory of Philip "Philly" Piparo by dedicating that the northeast corner of Beacon Avenue and Central Avenue also be known as Philip "Philly" Piparo Way.

- 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 repealers of existing provisions.

G:\WPDOCSTOLONDAIRESOS\RENAME\Philip Philly Piparo Way.wpd

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. 11-114

TITLE: 3.C. SEP 14 2011 4.C.



Ordinance dedicating the northeast corner of Beacon Avenue and Central Avenue also be known as Philip "Philly" Piparo Way.

RECORD OF COUNCIL VOTE ON INTRODUCTION								SEP 14 2011 7-0			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	ABSENT			AHMAD	✓		
LOPEZ	✓			RICHARDSON	✓			VELAZQUEZ	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				AHMAD			
LOPEZ				RICHARDSON				VELAZQUEZ			

✓ 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				AHMAD			
LOPEZ				RICHARDSON				VELAZQUEZ			

✓ 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				AHMAD			
LOPEZ				RICHARDSON				VELAZQUEZ			

✓ Indicates Vote

N.V.-Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on SEP 14 2011

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. 11-116

Agenda No. 3.E 1st Reading

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



ORDINANCE OF JERSEY CITY, N.J.

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

TITLE: **CITY ORDINANCE 11-116
REFUNDING BOND ORDINANCE PROVIDING FOR
PAYMENT OF AMOUNTS OWING TO OTHERS FOR
TAXES LEVIED IN AND BY THE CITY OF JERSEY CITY,
IN THE COUNTY OF HUDSON, NEW JERSEY,
APPROPRIATING \$7,000,000 THEREFOR AND
AUTHORIZING THE ISSUANCE OF \$7,000,000 BONDS OR
NOTES OF THE CITY OF JERSEY CITY FOR
FINANCING THE COST THEREOF.**

**BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY
CITY, IN THE COUNTY OF HUDSON, NEW JERSEY (not less than two-thirds of all
members thereof affirmatively concurring) AS FOLLOWS:**

Section 1. The City of Jersey City, in the County of Hudson, New Jersey (the "City") is hereby authorized to pay an aggregate amount not exceeding \$7,000,000 for amounts owed by the City to the owners of various properties for taxes levied in the City, as more particularly described on the List of Owners and Properties involved in Tax Appeals available for inspection in the office of the City Clerk, which list is hereby incorporated by reference as if set forth at length herein, and which amounts are due and owing from the City on or before December 31, 2011.

Section 2. An aggregate amount not exceeding \$500,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-51(b) has been included in the aggregate principal amount of refunding bonds authorized herein.

Section 3. In order to finance the cost of the project described in Section 1 hereof, negotiable refunding bonds are hereby authorized to be issued in the principal amount of \$7,000,000 pursuant to the Local Bond Law.

Section 4. In anticipation of the issuance of the refunding bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law. All refunding bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that no note

shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations.

All notes issued hereunder may be renewed from time to time, but all such notes including renewals shall mature and be paid no later than the tenth anniversary of the date of the original notes; provided, however, that no notes shall be renewed beyond the first or any succeeding anniversary date of the original notes unless an amount of such notes, at least equal to the first legally payable installment of the bonds in anticipation of which the notes are issued, determined in accordance with the maturity schedule for the bonds approved by the Local Finance Board, is paid and retired on or before such anniversary date; and provided, further, that the period during which the bond anticipation notes and any renewals thereof and any permanent bonds are outstanding, shall not exceed the period set for the maturity of the bonds by the Local Finance Board.

The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. A certified copy of this refunding bond ordinance as adopted on first reading has been filed with the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey prior to final adoption, together with a complete statement in the form prescribed by the Director and signed by the Chief Financial Officer of the City as to the indebtedness to be financed by the issuance of the refunding bonds authorized herein. Such statement shows that the gross debt of the City as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this refunding bond ordinance by \$7,000,000, but that the net debt of the City determined as provided in the Local Bond Law is not increased by virtue of a deduction pursuant to N.J.S.A.

40A:2-52.

Section 6. To the extent the refunding bonds or notes authorized hereunder are issued as tax-exempt obligations, the City hereby covenants to take any action necessary or refrain from taking such action in order to preserve the tax-exempt status of the refunding bonds and notes authorized hereunder as is or may be required under the Internal Revenue Code of 1986, as amended, and the regulations promulgated thereunder (the "Code"), including compliance with the Code with regard to the use, expenditure, investment, timely reporting and rebate of investment earnings as may be required thereunder. The City reasonably expects to expend general funds or other available moneys for the purpose described in Section 1 hereof prior to the issuance of refunding bonds or notes hereunder. To the extent such funds are spent, the City further reasonably expects to reimburse such expenditures from the proceeds of the refunding bonds or notes authorized by this refunding bond ordinance, in an aggregate not to exceed the amount of refunding bonds or notes authorized in Section 3 hereof.

Section 7. The City hereby covenants to comply with Rule 15c2-12 promulgated under the Securities Exchange Act of 1934 to the extent applicable to the issuance of refunding bonds or notes issued pursuant to this refunding bond ordinance.

Section 8. The full faith and credit of the City is hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this refunding bond ordinance. The obligations shall be direct, unlimited obligations of the City, and the City shall be obligated to levy ad valorem taxes upon all the taxable real property within the City for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 9. This refunding bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law, provided that the consent of the Local Finance Board has been endorsed upon a certified copy of this ordinance as finally adopted.

APPROVED: *Donna Mauer, CFO* APPROVED AS TO LEGAL FORM

APPROVED: _____ Business Administrator Corporation Counsel

Certification Required
Not Required

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

ORDINANCE NO. Ord.11-116
 TITLE: 3.E. SEP 14 2011 4.D.



Refunding bond ordinance providing for payment of amounts owing to others for taxes levied in and by the City of Jersey City, in the County of Hudson, New Jersey, appropriating \$7,000,000 therefor and authorizing the issuance of \$7,000,000 bonds or notes of the City of Jersey City for financing the cost thereof.

RECORD OF COUNCIL VOTE ON INTRODUCTION												SEP 14 2011 7-0
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	
SOTTOLANO				GAUGHAN				BRENNAN				
DONNELLY				FULOP		ABSENT		AHMAD				
LOPEZ				RICHARDSON				VELAZQUEZ		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				AHMAD			
LOPEZ				RICHARDSON				VELAZQUEZ			

✓ 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				AHMAD			
LOPEZ				RICHARDSON				VELAZQUEZ			

✓ 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				AHMAD			
LOPEZ				RICHARDSON				VELAZQUEZ			

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

Adopted on first reading of the Council of Jersey City, N.J. on SEP 14 2011

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 _____