

City Clerk File No. Ord. 12-023

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 12-023  
CALENDAR YEAR 2012

**TITLE: ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS  
AND TO ESTABLISH A CAP BANK  
(N.J.S.A. 40A: 4-45.14)**

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

**WHEREAS**, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

**WHEREAS**, the Municipal Council of the City of Jersey City in the County of Hudson finds it advisable and necessary to increase its CY 2012 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

**WHEREAS**, the Municipal Council hereby determines that a 1.0 % increase in the budget for said year, amounting to \$ 3,786,537 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and a prudent fiscal measure; and,

**WHEREAS**, the Municipal Council hereby determines that any amount authorized herein above that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW THEREFORE BE IT ORDAINED**, by the Municipal Council of the City of Jersey City, in the County of Hudson, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2012 budget year, the final appropriations of the City of Jersey City shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 1.0 %, amounting to \$ 3,786,537, and that the CY 2012 municipal budget for the City of Jersey City be approved and adopted in accordance with this ordinance; and,

**BE IT FURTHER ORDAINED**, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

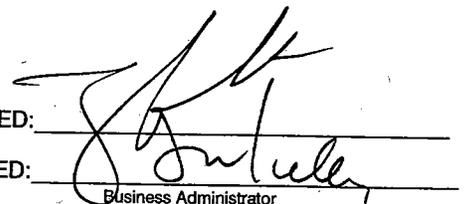
**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

APPROVED AS TO LEGAL FORM

  
Corporation Counsel

APPROVED:

APPROVED:

  
Business Administrator

Certification Required

Not Required

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

ORDINANCE NO. Ord. 12-023  
 TITLE: 3.A. FEB 22 2012 4.A. MAR 14 2012



Calendar Year 2012 Ordinance to exceed the Municipal Budget appropriation limits and to establish a Cap Bank (N.J.S.A. 40A:4-45.14).

RECORD OF COUNCIL VOTE ON INTRODUCTION											
FEB 22 2012 8-1											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP		✓		LAVARRO	✓		
LOPEZ	✓			RICHARDSON	✓			MASSEY	✓		

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

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING											
MAR 14 2012 7-0											
Councilperson <u>RICHARDSON</u>				moved, seconded by Councilperson <u>BRENNAN</u>				to close P.H.			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	ABSENT			BRENNAN	✓		
DONNELLY	ABSENT			FULOP	✓			LAVARRO	✓		
LOPEZ	✓			RICHARDSON	✓			MASSEY	✓		

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

YVONNE GALCER  
JASON BURG

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				LAVARRO			
LOPEZ				RICHARDSON				MASSEY			

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

RECORD OF FINAL COUNCIL VOTE											
MAR 14 2012 7-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	ABSENT			BRENNAN	✓		
DONNELLY	ABSENT			FULOP	✓			LAVARRO	✓		
LOPEZ	✓			RICHARDSON	✓			MASSEY	✓		

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

Adopted on first reading of the Council of Jersey City, N.J. on FEB 22 2012  
 Adopted on second and final reading after hearing on MAR 14 2012

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on MAR 14 2012

Robert Byrne  
Robert Byrne, City Clerk

APPROVED:  
Peter M. Brennan  
Peter M. Brennan, Council President

\*Amendment(s): \_\_\_\_\_

Date: MAR 14 2012  
 APPROVED:  
Jerramiah T. Healy  
Jerramiah T. Healy, Mayor

Date MAR 15 2012

Date to Mayor MAR 15 2012



# ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 12-024

TITLE: **REFUNDING BOND ORDINANCE OF THE CITY OF JERSEY CITY, IN THE COUNTY OF HUDSON, NEW JERSEY, PROVIDING FOR THE REFUNDING OF ALL OR A PORTION OF VARIOUS SERIES OF CITY BONDS, APPROPRIATING AN AMOUNT NOT EXCEEDING \$28,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$28,000,000 GENERAL OBLIGATION REFUNDING BONDS OF THE CITY OF JERSEY CITY FOR FINANCING THE COST THEREOF**

WHEREAS, pursuant to the Local Bond Law (N.J.S.A. 40A:2-1 et seq.), the City of Jersey City, in the County of Hudson, New Jersey (the "City") has heretofore issued \$5,350,000 aggregate principal amount of its Qualified General Improvement Bonds, Taxable Series 2003C, dated September 1, 2003 (the "General Improvement Taxable Series 2003C Bonds"), \$5,000,000 aggregate principal amount of its Qualified Water Improvement Bonds, Series 2003, dated March 1, 2003 (the "Water Improvement Series 2003 Bonds"), \$24,875,000 aggregate principal amount of its Qualified General Improvement Bonds, Series 2005A, dated May 15, 2005 (the "General Improvement Series 2005A Bonds") and \$5,000,000 aggregate principal amount of its Qualified Water Improvement Bonds, Series 2005B, dated May 15, 2005 (the "Water Improvement Series 2005B Bonds"), providing for the financing and refinancing of certain public improvements of the City; and

WHEREAS, the Municipal Council has determined that it is in the best interests of the City to refund all or a portion of the outstanding General Improvement Taxable Series 2003C Bonds, the Water Improvement Series 2003 Bonds, the General Improvement Series 2005A Bonds and the Water Improvement Series 2005B Bonds;

NOW, THEREFORE, 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), DO ORDAIN AS FOLLOWS:

Section 1. The City is hereby authorized (A) to refund all or part of the General Improvement Taxable Series 2003C Bonds, the Water Improvement Series 2003 Bonds, the General Improvement Series 2005A Bonds and the Water Improvement Series 2005B Bonds (collectively, the "Bonds to Be Refunded"), and (B) to provide for the payment of the costs of issuing the refunding bonds (including printing, advertising, accounting, financial and legal

services, and further including bond insurance premium (if any) and underwriting compensation).

Section 2. In order to finance the cost of the purpose described in Section 1 hereof, one or more series of negotiable general obligation refunding bonds (the "Refunding Bonds") are hereby authorized to be issued from time to time in the principal amount not to exceed \$28,000,000 pursuant to the Local Bond Law.

Section 3. 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 4. The purposes for which the refunding bonds are to be issued are (i) refunding the Bonds to Be Refunded and (ii) to provide for the payment of the costs of issuing the refunding bonds (including printing, advertising, accounting, financial and legal services, and further including bond insurance premium (if any) and underwriting compensation).

Section 5. Certain of the Bonds to Be Refunded may be called for redemption prior to maturity, as provided by subsequent resolution of the Municipal Council. If provided by subsequent resolution of the Municipal Council, all or a portion of the proceeds from the sale of the refunding bonds shall be deposited in a sinking fund in trust to provide for the payment and retirement of the Bonds to be Refunded. Any moneys in such sinking fund may be invested as provided in N.J.S.A. 40A:2-60, and any moneys in excess of the amounts required for such purpose may be used for any lawful purpose of the City.

Section 6. Further provisions as to the terms of sale, deposit, securing, regulation, investment, reinvestment, disposition or application of the proceeds of the refunding bonds, and any matters in connection therewith, shall be determined by resolution of the Municipal Council adopted prior to the issuance of the refunding bonds.

Section 7. All other matters relating to the refunding bonds shall be performed or determined by subsequent resolution of the Municipal Council, or the performance or determination thereof shall be delegated by resolution of the Municipal Council to a financial officer of the City.

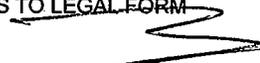
Section 8. The full faith and credit of the City are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this refunding bond ordinance. The obligations shall be direct, unlimited obligations of the City, and the City shall be obligated to levy 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. 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.

Section 10. 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 AS TO LEGAL FORM



Corporation Counsel

APPROVED:



APPROVED:

Business Administrator

Certification Required   
Not Required

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

ORDINANCE NO. Ord. 12-024  
 TITLE: 3.B. FEB 22 2012 4.B. MAR 14 2012



Refunding bond ordinance of the City of Jersey City, in the County of Hudson, New Jersey, providing for the refunding of all or a portion of various series of City Bonds, appropriating an amount not exceeding \$28,000,000 therefor and authorizing the issuance of not to exceed \$28,000,000 general obligation refunding bonds of the City of Jersey City for financing the cost thereof.

RECORD OF COUNCIL VOTE ON INTRODUCTION								FEB 22 2012 9-0			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			LAVARRO	✓		
LOPEZ	✓			RICHARDSON	✓			MASSEY	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING								MAR 14 2012 7-0			
Councilperson <u>SOTTOLANO</u>				moved, seconded by Councilperson <u>RICHARDSON</u>				to close PH.			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	ABSENT			BRENNAN	✓		
DONNELLY	ABSENT			FULOP	✓			LAVARRO	✓		
LOPEZ	✓			RICHARDSON	✓			MASSEY	✓		

✓ Indicates Vote

YVONNE BALZER ESTHER WINTNER  
JASON BURG

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				LAVARRO			
LOPEZ				RICHARDSON				MASSEY			

✓ Indicates Vote

N.V.-Not Voting (Abstain)

RECORD OF FINAL COUNCIL VOTE								MAR 14 2012 7-0			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	ABSENT			BRENNAN	✓		
DONNELLY	ABSENT			FULOP	✓			LAVARRO	✓		
LOPEZ	✓			RICHARDSON	✓			MASSEY	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on FEB 22 2012  
 Adopted on second and final reading after hearing on MAR 14 2012

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on MAR 14 2012

Robert Byrne  
Robert Byrne, City Clerk

APPROVED:  
Peter M Brennan  
Peter M. Brennan, Council President

\*Amendment(s):

Date: MAR 14 2012  
APPROVED:  
Jerramiah T. Healy  
Jerramiah T. Healy, Mayor

Date MAR 15 2012

Date to Mayor MAR 15 2012

City Clerk File No. Ord. 12-025

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 12-025

**TITLE:**

**ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE LAND DEVELOPMENT ORDINANCE PERTAINING TO THE R-4 MULTI-FAMILY HIGH-RISE ZONE**

WHEREAS, the Municipal Council, pursuant to N.J.S.A. 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 V of the Ordinance lays out permitted uses in zones citywide, including the R-4 Multi-Family High-Rise zone; and

WHEREAS, the existing R-4 zone has parking and lot coverage standards which could be improved to be more in keeping with the character of the area; and

WHEREAS, modifying the parking and coverage standards would encourage development in the R-4 district; and

WHEREAS, the Municipal Council, pursuant to N.J.S.A. 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 February 21, 2012 did vote to recommend that the Municipal Council amend the Land Development Ordinance Section V; 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.

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

APPROVED AS TO LEGAL FORM

Corporation Counsel

APPROVED:

APPROVED:   
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 PERTAINING TO THE R-4 MULTI-FAMILY HIGH-RISE ZONE**

**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 Article V of the Land Development Ordinance (Zoning Ordinance) to modify the parking and lot coverage standards in the R-4 Multi-Family High-Rise Zone.

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

The existing standards in the R-4 zone could be improved to be more in keeping with character of the area.

**5. Anticipated Benefits to the Community:**

The amendments will encourage development in the remaining undeveloped R-4 zone property.

**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  
Nick Taylor, Acting Director, Division of Zoning

**10. Additional Comments: None**

**I Certify that all the Facts Presented Herein are Accurate.**

  
Division Director

FEB 8, 2012  
Date

  
Department Director Signature

2/8/12  
Date

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

ORDINANCE NO. - Ord. 12-025

TITLE: 3.C. FEB 22 2012 4.C. MAR 14 2012



Ordinance of the Municipal Council of the City of Jersey City adopting amendments to the Land Development Ordinance pertaining to the R-4 Multi-Family High-Rise Zone.

RECORD OF COUNCIL VOTE ON INTRODUCTION											
FEB 22 2012 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			LAVARRO	✓		
LOPEZ	✓			RICHARDSON	✓			MASSEY	✓		

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

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING											
MAR 14 2012 7-0											
Councilperson <u>SOTTOLANO</u>				moved, seconded by Councilperson <u>MASSEY</u>				to close P.H.			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	ABSENT			BRENNAN	✓		
DONNELLY	ABSENT			FULOP	✓			LAVARRO	✓		
LOPEZ	✓			RICHARDSON	✓			MASSEY	✓		

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

YVONNE BALCER CATHERINE GRIMM  
JASON BURG

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				LAVARRO			
LOPEZ				RICHARDSON				MASSEY			

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

RECORD OF FINAL COUNCIL VOTE											
MAR 14 2012 7-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	ABSENT			BRENNAN	✓		
DONNELLY	ABSENT			FULOP	✓			LAVARRO	✓		
LOPEZ	✓			RICHARDSON	✓			MASSEY	✓		

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

Adopted on first reading of the Council of Jersey City, N.J. on FEB 22 2012

Adopted on second and final reading after hearing on MAR 14 2012

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on MAR 14 2012

Robert Byrne  
Robert Byrne, City Clerk

APPROVED: Peter M. Brennan  
Peter M. Brennan, Council President

Date: MAR 14 2012  
APPROVED:

J. Healy  
Jeremiah T. Healy, Mayor

Date MAR 15 2012

Date to Mayor MAR 15 2012

City Clerk File No. Ord. 12-027

Agenda No. 3.E 1st Reading

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



# ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 12-027

TITLE:

### ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING MAP CHANGE AMENDMENTS TO THE BEACON REDEVELOPMENT PLAN, AND REVISING OUTDATED LANGUAGE

WHEREAS, the Municipal Council of the City of Jersey City adopted the Beacon Redevelopment Plan (formerly the Medical Center) on November 20, 2984, and amended the Plan on December 17, 2008; and

WHEREAS, the Planning Board, at its meeting of February 7, 2012, determined that two new lots should be added to the Beacon Redevelopment Plan to encourage development (block 15303 lots 8 & 9); and

WHEREAS, the Planning Board also determined outdated language within the Plan should be revised to meet current standards; and

WHEREAS, a copy of the Planning Board's recommended amendments to the Beacon Redevelopment Plan is attached hereto, and made a part hereof, and is 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 aforementioned amendments to the Morris Canal Redevelopment Plan be, and hereby are, adopted.

**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.

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

APPROVED AS TO LEGAL FORM

  
Joanne Monahan  
Corporation Counsel

APPROVED:

APPROVED:

  
Paul Kelly  
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 MAP CHANGE AMENDMENTS TO THE BEACON REDEVELOPMENT  
PLAN, AND REVISING OUTDATED LANGUAGE**

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

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

**3. Concise Description of the Program, Project or Plan Proposed in the Ordinance:**

This ordinance adds two new lots on Clifton Place (block 15303 lots 8 & 9) to the Beacon Redevelopment Plan and updates outdated procedures and language.

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

At present, adjacent properties are being planned for development by the Jersey City Housing Authority and incorporating these lots into the Plan will enable that to proceed.

**5. Anticipated Benefits to the Community:**

Encourage more housing development consistent with the character of the area.

**6. Cost of Proposed Plan, etc.:**

\$0.00. Plan was prepared by Division of City Planning staff.

**7. Date Proposed Plan will commence:**

Upon Adoption.

**8. Anticipated Completion Date: N/A**

**9. Person Responsible for Coordinating Proposed Program, Project, etc.:**

Robert D. Cotter, Director, City Planning 547-5050

**10. Additional Comments:**

I Certify that all the Facts Presented Herein are Accurate.

  
\_\_\_\_\_  
Division Director

Feb 8, 2012  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Department Director Signature

2/8/12  
\_\_\_\_\_  
Date

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

ORDINANCE NO. Ord. 12-027  
3.E. FEB 22 2012 4.E. MAR 14 2012



Ordinance of the Municipal Council of the City of Jersey City adopting map change amendments to the Beacon Redevelopment Plan and revising outdated language.

RECORD OF COUNCIL VOTE ON INTRODUCTION											
FEB 22 2012 8-0-1											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			LAVARRO	ABSTAIN		
LOPEZ	✓			RICHARDSON	✓			MASSEY	✓		

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

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING											
MAR 14 2012 7-0											
Councilperson <u>SOTTOLANO</u>				moved, seconded by Councilperson <u>RICHARDSON</u>				to close PH.			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	ABSENT			BRENNAN	✓		
DONNELLY	ABSENT			FULOP	✓			LAVARRO	✓		
LOPEZ	✓			RICHARDSON	✓			MASSEY	✓		

✓ 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				LAVARRO			
LOPEZ				RICHARDSON				MASSEY			

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

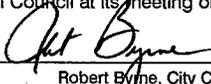
RECORD OF FINAL COUNCIL VOTE											
MAR 14 2012 6-0-1											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	ABSENT			BRENNAN	✓		
DONNELLY	ABSENT			FULOP	✓			LAVARRO	ABSTAIN		
LOPEZ	✓			RICHARDSON	✓			MASSEY	✓		

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

Adopted on first reading of the Council of Jersey City, N.J. on FEB 22 2012

Adopted on second and final reading after hearing on MAR 14 2012

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on MAR 14 2012

  
 Robert Byrne, City Clerk

APPROVED:   
 Peter M. Brennan, Council President

Date: MAR 14 2012

APPROVED:   
 Jerramiah T. Healy, Mayor

Date: MAR 15 2012

Date to Mayor MAR 15 2012

City Clerk File No. Ord. 12-017

Agenda No. 3.D 1st Reading

Agenda No. 4.C 2nd Reading & Amendment

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



## ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 12-017

**TITLE: ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 319 (TOWERS AND TOWING) OF THE JERSEY CITY MUNICIPAL CODE TO PERMIT PRIVATE TOWERS TO PROVIDE TOW POUND SERVICES TO THE CITY OF JERSEY CITY**

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

**WHEREAS**, the City of Jersey City (the City) desires to permit private towers to provide tow pound services to the City pursuant to N.J.S.A. 40:48-2.49 and N.J.S.A. 40:48-2.54; and

**WHEREAS**, the City will enjoy cost savings by eliminating the tow pound currently operated by the Jersey City Incinerator Authority.

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

A. The following supplement to Chapter 319 (Towers and Towing) of the Jersey City Municipal Code is adopted:

**§319-1. Definitions.**

As used in this chapter, the following terms shall have the meanings indicated:

**AUTHORIZED AGENT OF THE OWNER** - The driver of a vehicle if such driver is not the owner or the agent of the owner or the next-of-kin of the owner.

**CLASS A TOWER'S LICENSE (HEAVY DUTY)** - Required to be on police rotation list for ~~heavy-duty~~ Class III Vehicles and/or to pick up vehicles abandoned on private property within the City of Jersey City and/or to operate a vehicle towing business within the City of Jersey City.

**CLASS A TOWER'S LICENSE (LIGHT DUTY)** - Required to be on police rotation list for ~~light-duty~~ Class I and Class II Vehicles and/or to pick up vehicles abandoned on private property within the City of Jersey City and/or to operate a vehicle towing business within the City of Jersey City.

**CLASS B TOWER'S LICENSE (INCIDENTAL)** - Required to operate a vehicle towing business within the City of Jersey City ~~and~~ for towing operations that are incidental to another business which is located within the City of Jersey City. e.g., junkyard, car dealership and auto repair shop. This license does not permit a tower to be on the rotation list.

**CLASS I VEHICLE** - Any motor vehicle not exceeding 6,000 pounds gross weight. Examples in this weight class include passenger cars, pickup trucks, vans, motorcycles and some sport utility vehicles.

CLASS II VEHICLE - Any motor vehicle having a gross weight exceeding 6,000 pounds up to a maximum of 14,000 pounds.

CLASS III VEHICLE - Any motor vehicle having a gross weight over 14,000 pounds.

CRUISING - Operating a tower to and from [on] a public highway at a slow rate of speed or in any other fashion calculated for the obvious purpose of soliciting business along the highway.

DIRECTOR - The Director of the Department of Housing, Economic Development and Commerce.

DISABLED VEHICLE - Any vehicle disabled as a result of an accident or mechanical failure which must be towed away for safety or traffic reason; or a vehicle parked illegally or abandoned; or a vehicle parked or left unattended on private property without the consent of the owner or other person in control or possession of the property or parked or left unattended for a period in excess of that for which consent was given, except in the case of emergency or disablement of the vehicle where the owner or operator has arranged for the expeditious removal of the vehicle.

DIVISION DIRECTOR - The Director of the Division of Commerce.

LICENSEE - A person who has been issued a tower license by this City and its employees or agents.

IMPOUND OPERATOR LICENSE - Required to operate a pound or storage area to receive any Disabled Vehicles towed to it by any Class A Licensees.

OPERATING A VEHICLE TOWING BUSINESS WITHIN THE CITY OF JERSEY CITY - Towing, transporting, conveying or moving a motor vehicle from one location within the City of Jersey City to another location within the City of Jersey City.

OWNER - The owner of a motor vehicle.

PRINCIPAL LICENSE - The initial tower license issued to any person.

SEIZED VEHICLES - Any vehicle impounded by the Police Department or Hudson County Prosecutor's office as contraband or evidence in a criminal proceeding.

SHORTWAVE RECEIVER - A radio receiver which is capable of operating on a frequency assigned by the Federal Communications Commission for fire, police, municipal or other governmental uses.

SOLICITING - Requesting or attempting to persuade an owner or someone on his or her behalf to give permission to a tower to remove, repair or store a motor vehicle, for a consideration, without a previous request from the owner or someone on his or her behalf.

SUPPLEMENTAL LICENSE - All additional licenses for additional towers issued to a person to whom a principal license was issued.

TOWER - A mechanically propelled light- and heavy-duty vehicle used to tow, transport, convey or move a motor vehicle from one place to another place.

**§319-2. Licenses Required; Issuance; Application.**

**A. Towing Licensees**

No person shall operate a vehicle towing business within [this] the City unless such person has obtained a [towing] Class A or Class B Tower's license issued by the Division of

Commerce, except with permission of the Office of Emergency Management in the event of an emergency.

**B. Impound Operator License**

No person shall operate a pound or storage area for use by any Class A Licensee unless such person has obtained an Impound Operator License issued by the Division of Commerce.

~~B~~ C. No such license shall be issued except on the approval of the Division Director or designee.

~~C~~ D. Each license issued shall be assigned a license number, and the same number shall be assigned to every subsequent renewal of that particular license.

~~D~~ E. Application for a ~~tower~~ all licenses shall be made to the Division Director on a form to be supplied by the Division Director for that purpose.

**§319-3. ~~License Qualifications~~ Storage Requirements for Class A Licensees**

A. Off-street storage spaces. No Class A towing license or renewal thereof shall be issued unless the licensee or prospective licensee shall have the following indoor or outdoor off-street vehicle storage spaces within the City of Jersey City:

(1) If Class I Vehicles are to be stored therein, there shall be a minimum of 10 storage spaces for such Class I Vehicles.

(2) If Class II or Class III Vehicles are to be stored therein, there shall be a minimum of 15 spaces, 10 for Class I Vehicles and five for Class II and III vehicles.

B. The storage area, if outdoors, shall consist of a lot with an eight-foot fence securing the storage area.

C. Upon the fence or building, as the case may be, there shall be displayed a sign containing the name, address and telephone number or numbers of the licensee. The telephone number or numbers of the licensee shall be a telephone number which the licensee can be contacted at all times.

D. Storage facilities shall conform to any and all provisions of this Code and all zoning and municipal land use regulations.

E. The licensee shall provide a person in attendance at such storage facility Monday through ~~Friday~~ Saturday between the hours of 9:00 ~~8:00~~ a.m. and 5:00 ~~6:00~~ p.m. Such person must be authorized by the licensee to complete whatever transactions are necessary to release a vehicle to the owner or owner's representative in accordance with this chapter.

F. The provisions of this section shall apply to existing licensees as well as new licensees.

G. No licensee who stores vehicles on or in his or her own storage facilities shall store or park a vehicle on any street or location other than the storage facility set forth in the application of the licensee. The provisions of this subsection shall not apply to a licensee who does not store vehicles on or in his or her own storage facilities. However, in the case of a licensee who does not store vehicles on or in his or her own storage facility, it shall be a violation of this chapter for such a licensee to store a vehicle on any street or location other than the intended destination of the vehicle unless it is demonstrably impossible for the licensee to do otherwise. In such a situation, however, the licensee shall bring the vehicle to its intended destination as soon as possible thereafter.

H. No impounded vehicle shall be released unless authorized by the Police Director.

**§319-4. Contents of All License Application.**

The application for ~~any License hereunder~~ any License hereunder shall be made out in triplicate and shall be verified under oath and shall be filed with the Division of Commerce and shall contain the following:

- A. Name and address of the applicant and, if a natural person, the date of birth.
- B. If a corporation, the state under which incorporated and date of incorporation; the address of the principal office; the names and addresses of its officers and registered agent.
- C. If any other type of organization, the name of same and, if the organization or its name is recorded, in what office and when; the names and addresses of the principal officers and directors.
- D. The place from which the tower will operate and the address and telephone number of such place. There shall also be set forth the telephone number by which the licensee can be contacted at all times.
- E. A description of the tower's equipment, giving the serial and motor number of all such equipment.
- F. Prior convictions of crime, if any, by the owner or by an officer or director of the applicant, giving the date and place of such conviction and the nature of the crime.
- G. Any other information which the Division Director, with the approval of the Department Director, shall deem necessary and proper for the full protection of the public's interest.
- H. ~~The address of storage spaces, including lot and block numbers, and a survey of land for all classes of vehicles of the off-street storage facilities which the licensee shall use for the storage of vehicles.~~ Acknowledgment by Class A Towers that they will only tow a Disabled Vehicle to a licensed facility and seized vehicles to a City lot.
- I. All information and data pertaining to the particular towing vehicles to be licensed as a commercial vehicle as is required by the New Jersey Division of Motor Vehicles in an application for the registration of that particular towing vehicle.
- J. Names of all persons who will be driving the tow vehicles and copies of their driver's licenses, including commercial driver's license (CDL), if applicable.

**§319-5. Investigation of All Applicants; Prohibition Against Owners Who Are Members of the Police Department**

- A. The Division Director shall cause an investigation to be made to ascertain if the applicant is a person of good moral character. ~~and~~ As to Class A applicants, the Division will determine whether the applicants' vehicles are in such condition that they can be operated in a safe manner. As to Class B or Impound Operator applicants, the Division will determine whether the off-street storage complies with this Ordinance.
- B. No sworn member of the Jersey City Police Department shall be permitted to own or be a principal in any Jersey City ~~licensed towing~~ business or operation licensed under this Ordinance.

**§319-6. Class A Principal Licenses; Supplemental Licenses.**

- A. Principal Class A license.
  - (1) Only one principal license shall be issued to a person as defined herein.
  - (2) The principal license shall pertain to the initial towing vehicle of the licensee.

- (3) The principal license shall bear a serial number which will be assigned to that licensee. Said serial number shall be issued on all subsequent renewals of that principal license by that particular licensee and shall not be assigned to any other licensee.
- (4) The principal license shall contain on the face thereof all the information and data required by the New Jersey Division of Motor Vehicles on an application for a registration certificate issued by said state agency.

B. Supplemental Class A license.

- (1) If the holder of a principal license intends to operate more than one tower, said licensee shall apply for a supplemental license for each additional tower which the licensee intends to operate.
- (2) The fee for a supplemental license shall be the same as the fee for the principal license.
- (3) The supplemental license shall bear on the face thereof the same serial number as the principal license followed by a dash and the number 1 for the first additional tower and the number 2 for the second additional tower, etc.
- (4) The information to be placed on the supplemental license shall be the same information required on the principal license, except that the information shall pertain to the particular additional towing vehicle for which the supplemental license is issued.

C. The business of a Class A licensee shall have no connection, directly or indirectly, in any way, with the business of any other Class A licensee.

D. No Class A licensee shall share storage facilities, office space, telephone or any other business facility or equipment with any other Class A licensee.

E. No Class A licensee shall rent or lease any of the above facilities or equipment to any Class A licensee.

F. No Class A licensee shall utilize the storage, office space or telephone or other business facilities and equipment of any other licensee, nor shall a licensee permit or allow any other Class A licensee to utilize such facilities and equipment of the licensee.

G. For the purposes of the rotation system hereinafter provided, a licensee shall be entitled to only one place on the rotation list, no matter how many licensed towing vehicles the licensee shall operate.

~~H.~~ [As a condition of receiving a tower's license under this chapter, a licensee shall at minimum arrange to accept payment by Visa, MasterCard, American Express, cash and money order from the owner or driver of a vehicle for any towing, impoundment and storage fees. Personal check or other methods of payment will be at the option of the licensee. If payment is made by personal check, the licensee may require identification in the form of a valid major credit card in the name of the owner or driver of the vehicle. In appropriate cases and for good cause shown, the Division Director may waive the requirement of payment acceptance by credit card as to any tower who provides evidence of an unsuccessful but good faith attempt to make such arrangement. The licensee must provide an itemized receipt, including the licensee's name, address and telephone number, listing all fees charged. The payment options available shall be posted in a conspicuous place near the place of payment and shall be on the rate schedule required to be given to the owner or driver of vehicles. The wording and placement of the payment options shall be approved by the Director.]

~~¶~~ H. Any violation of the requirements of this section shall be grounds for the suspension or revocation of the principal license and all supplemental licenses issued to the licensee.

**§319-7. Payment Accepted**

As a condition of receiving any and all licenses under this chapter, a licensee shall at minimum arrange to accept payment by Visa, MasterCard, American Express, cash and money order from the owner or driver of a vehicle for any towing, impoundment and storage fees. Personal check or other methods of payment will be at the option of the licensee. If payment is made by personal check, the licensee may require identification in the form of a valid major credit card in the name of the owner or driver of the vehicle. In appropriate cases and for good cause shown, the Division Director may waive the requirement of payment acceptance by credit card as to any tower who provides evidence of an unsuccessful but good faith attempt to make such arrangement. The licensee must provide an itemized receipt, including the licensee's name, address and telephone number, listing all fees charged. The payment options available shall be posted in a conspicuous place near the place of payment and shall be on the rate schedule required to be given to the owner or driver of vehicles. The wording and placement of the payment options shall be approved by the Director.

**§319-7.1. License Fees; Renewals.**

- A. The fee for a Class A, Class B and ~~[principal license and the fee for a supplemental license]~~ Impound Operator Licenses shall be as provided in Chapter 160, Fees and Charges, for each license and all renewals of such license. This fee shall apply regardless of when during the year the license is applied for and/or approved.
- B. All ~~[principal and supplemental]~~ licenses shall expire on February 28 of each year and may be renewed upon submission of applications therefor and payment of the fees for each license.

**§319-8. License Transferability.**

- 1 No ~~[tower]~~ license shall be transferred from one licensee to another licensee, except that in the case of a death of any individual licensee the Division Director, upon proper application therefor, shall transfer ~~[said]~~ the license to the authorized beneficiary of the deceased licensee; provided, further, that a licensee may transfer the license of one towing vehicle to another towing vehicle owned by the licensee upon written request to the Division Director on forms provided for such purpose.

**§319-9. Suspension or Revocation of License.**

- A. In addition to any penalties set forth in this chapter and this Code for the violation of any of the provisions of this chapter, the Division Director, with the approval of the Department Director, may, after conducting a hearing on 10 days' notice to the licensee, suspend a license for a period of not more than one year or revoke same for the violation of any of the provisions of this chapter or of a violation of any other provisions of this Code.
- B. It shall be sufficient reason to suspend or revoke a license pursuant to Subsection A above for the following reasons (Note: These reasons are offered as examples only and are not to be considered as all-inclusive):
  - (1) Refusal to render towing and storage services when summoned by the police pursuant to this chapter.
  - (2) Charging more than the prices established in this chapter.
  - (3) Arriving at the scene of a disabled vehicle or a vehicle to be impounded without first having been summoned by the police in accordance with the authorized procedure of the Police Director.

- (4) Using a shortwave radio receiver adjusted to receive police calls. It shall be prima facie proof of the use of such equipment if the licensee arrives at the scene of a disabled vehicle or a vehicle to be impounded without having been summoned by the police.
- (5) For the violation of any other provision of this chapter or of any other provision of this Code.
- (6) For any violation of rotation list guidelines as promulgated by the Police Director.

**§319-10. Information To Be Shown On Equipment.**

On each side of the tower, the following shall be legibly printed in letters not less than three inches in height:

- A. Name, address and telephone number of the licensee.
- B. The phrase "licensed tower of Jersey City."
- C. The phrase "request schedule of maximum prices which can be charged for towing and storage."

**§319-11. Schedule of Maximum Prices; Disclosure.**

- A. Maximum fees to tow, transport, convey or move vehicles (Class A Licensee).
  - (1) No ~~{tower} licensee~~ shall charge more than the following maximum fees to tow, transport, convey or otherwise move a vehicle from one location within the City of Jersey City to another location within the City of Jersey City:
    - (a) Class I vehicle: ~~{ \$120. In the event the vehicle is towed to the city's impound yard, the one hundred twenty-dollar (\$120) fee shall include }~~ \$150 (one hundred fifty dollars), inclusive of a forty-dollar (\$40) administrative fee.
    - (b) Class II vehicles: ~~{ \$160. In the event the vehicle is towed to the city's impound yard, the one hundred sixty-dollar (\$160) fee shall include }~~ \$200 (two hundred dollars), inclusive of a forty-dollar (\$40) administrative fee.
    - (c) Class III vehicles: \$225 per hour (minimum two hours).
  - (2) In addition to the above charges, recovery of an overturned vehicle, up righting it or removing it from a hill, ditch or other similar precarious position will be charged no more than the rate of \$50, \$125, and \$225 per hour for vehicle Classes I, II and III, respectively. If an issue arises as to these charges, it shall be the burden of the tower to provide documentation in the form of photographs as to the particular circumstances requiring the additional charges, i.e., position of the vehicle.
  - (3) No charge shall be imposed on a rotation list tow for waiting time, clean-up, yard fee or any other service not specifically authorized under this chapter.
  - (4) The above fees are chargeable once a vehicle is hooked-up by the tower.
- B. Maximum fees for vehicle storage (Impound Storage Licensee).
  - (1) No ~~{tower-owner} licensee~~ shall charge more than the following maximum fees per day, or portion thereof, for storage of a disabled vehicle towed away pursuant to this chapter:
    - (a) Class I vehicles: \$30 per day.

(b) Class II vehicles: \$60 per day.

(c) Class III vehicles: \$100 per day.

(2) No vehicle shall be released from storage by a [tower] licensee unless proper owner and vehicle identification are shown.

~~[C. As a condition of receiving a [tower's] any license under this [chapter] Ordinance, a licensee shall at minimum arrange to accept payment by Visa, MasterCard, American Express, cash and money order from the owner or driver of a vehicle for any towing, impoundment and storage fees. Personal check or other methods of payment will be at the option of the licensee. If payment is made by personal check, the licensee may require identification in the form of a valid major credit card in the name of the owner or driver of the vehicle. In appropriate cases and for good cause shown, the Division Director may waive the requirement of payment acceptance by credit card as to any tower who provides evidence of an unsuccessful but good faith attempt to make such arrangement. The licensee must provide an itemized receipt, including the licensee's name, address and telephone number, listing all fees charged. The payment options available shall be posted in a conspicuous place near the place of payment and shall be on the rate schedule required to be given to the owner or driver of vehicles. The wording and placement of the payment options shall be approved by the Director.]~~

C. Each driver of a [tower] Class A licensee shall have a schedule of the maximum prices when responding to the scene of a disabled, abandoned or other vehicle.

D. Before performing any service pursuant to this chapter, the licensee shall furnish the owner or driver of the vehicle with a copy of the schedule of prices. In the event that the owner or driver is incapacitated, the licensee shall furnish such schedule to the owner's authorized agent as defined herein before such person pays for the services rendered.

**§319-12. Pad of Bills; Receipts; Required Information.**

A. All [persons operating a tower, or their agents] licensees when operating a tower, shall keep in their possession a pad of bills containing the owner's name and the address of his or her place of business and, before towing a vehicle, shall prepare a bill on their billhead form, in duplicate, the original of which shall be furnished to the owner of the disabled vehicle or such owner's authorized representative.

B. The bill shall contain the following information:

(1) The full name, address and business telephone number of the licensee.

(2) Full name and address of the person engaging the towing car.

(3) State registration number of the vehicle.

(4) The maximum rates which may be charged for towing and storage.

(5) Full name and address of the operator of tower.

(6) State registration number of tower.

(7) Tower's license number.

(8) Address of the place to where the vehicle will be towed and stored.

C. In the event the licensee is requested by the owner to furnish an estimate of the cost of repairs of damages sustained by the vehicle, said estimate shall be in writing, a copy of which is to be given to the owner of the vehicle, and such written estimate shall contain the following:

- (1) An itemization of all the repairs in detail, with the cost of each item set forth therein.
  - (2) A statement that the items of repair are necessary and that the prices for said items are reasonable.
  - (3) The estimate shall be signed by the licensee and by the owner of the vehicle.
  - (4) No oral estimate shall be given.
  - (5) A statement as to who will make the repairs.
- D. No licensee shall make any repairs or cause any other repairer to make such repairs to the vehicle without a written contract for same executed by the licensee and the owner of the vehicle or such owner's authorized agent, who shall be given a copy thereof. The contract shall contain the same certificate signed by the licensee as is required for estimates furnished pursuant to Subsection C above. The date and time when the contract is executed shall be set forth on the contract.
- E. Rescinding contract for repairs.
- (1) The owner of a vehicle or such owner's authorized agent may rescind the contract for repairs within 48 hours after signing it by giving written notice of the rescission to the person authorized to make the repairs. The notice may be made by telegram or other written communication. Each contract shall clearly state on the face of the contract the right and procedure to rescind the contract in accordance with this subsection. However, this option to rescind shall apply only in the case of a vehicle towed from the rotation list.
  - (2) The option to rescind may be waived by the owner of the vehicle. However, the waiver shall be in writing on a separate form provided therefor and shall be executed by the owner. The waiver, when executed, shall thereafter be attached to the aforesaid contract for repairs.
- F. All bills for services, estimates and contracts shall be in writing and shall conform to the provisions of this chapter. No bills, estimates or contracts shall be oral.
- G. The licensee shall keep an accurate record of all rotation and private property towing. The record shall contain, at minimum, an itemized list of charges, as well as pickup and drop-off locations. The record shall be kept and maintained for at least 12 months and available for review by the Division of Commerce and the Police Department.

**§319-13. Liability Insurance Requirements.**

- A. ~~[No tower license shall be issued until and unless the applicant shall]~~ All applicants for a Class A Tower's license must first obtain a policy of insurance from a B plus rated company approved by the Department of Banking and Insurance and authorized to do business in the State of New Jersey, or a bond of indemnity, acceptable to the Division Director, with limits for bodily injury and property damage liability of at least \$1,000,000 for each person and for each accident.
- B. In addition to the liability insurance set forth in Subsection A above, ~~[each tower who stores disabled vehicles on or in his or her own storage facilities]~~ the Impound Operator Licensee shall provide garagekeepers' liability insurance to insure against the loss or damage to any stored vehicle in the sum of at least \$50,000.
- C. All the insurance required in Subsections A and B above shall contain the following ~~[positions]~~ provisions in these exact words: "The City of Jersey City and its officers, agents and employees are additional insureds and are fully covered by the provisions of this policy

of insurance." The provisions of this subsection shall not apply to any licensee who is not in the rotation system.

- D. All insurance policies shall be approved by the Risk Manager for the City of Jersey City before any license shall be issued. Any change in the wording of the additional insureds' clause in Subsection C above may be approved by the Risk Manager, provided that any such changes shall not result in any less protection of the City than is afforded to the licensee.

**§319-14. Inspections; Unlawful Acts.**

- A. Vehicles shall be kept in a safe condition and conform to requirements which may be promulgated by the Division Director with the approval of the Department Director.
- B. The Division Director shall have the power to cause an examination and inspection to be made of the vehicle for which the license is sought, and no license shall be issued unless the vehicle is in a thoroughly safe condition.
- C. No ~~operator of a tower~~ licensee shall turn or reverse the vehicle, except at intersections where such turns are permissible.
- D. No ~~operator of a tower~~ licensee shall engage in cruising.
- E. No ~~operator of a tower~~ licensee shall invite or permit loitering within or near his or her tower.
- F. No ~~operator of a tower~~ licensee shall seek employment by repeatedly and persistently driving the tower to and fro in a short space on any highway or otherwise interfering with the proper and orderly progress of traffic along the highways.
- G. No ~~operator of a tower~~ licensee shall solicit or attempt to divert prospective patrons of another tower.
- H. No ~~operator of a tower~~ licensee shall solicit or divert prospective patrons of a given garage in the city to any other garage.
- I. No licensee shall tow away a Disabled Vehicle to a place other than ~~[that which is] one~~ designated by the owner or driver of the vehicle or to a licensed Impound Operator facility. ~~[to the off-street storage place designated by the licensee on the license application]~~. In the event that such owner or driver of the vehicle is incapacitated by reason of injuries or otherwise, and the owner's authorized agent is not immediately available, the licensee shall tow the vehicle to a licensed facility. ~~[the storage place]~~ designated on the licensee's application for a tower's license.
- J. No operator of a tower shall solicit, demand or receive from any person any pay, commission or emolument whatever, except the proper fee for towing and storage of the vehicle in accordance with the schedule of maximum charges provided herein.
- K. ~~Operators of towers~~ Licensees shall promptly report all changes of address to the Division Director.
- L. No licensee shall respond to the scene of a disabled vehicle unless duly summoned by the police in accordance with the procedure established by the Police Director.
- M. ~~An operator of a tower~~ No licensee shall ~~not~~ remove a motor vehicle involved in an accident in which a person has been killed or seriously injured unless such vehicle has been released by a duly authorized member of the Police Department.
- N. No licensee shall refuse to render towing and storage services to a vehicle when duly summoned by the police, pursuant to the procedure established by the Police Director, and

no licensee shall refuse to remove residual debris from the scene of an accident pursuant to a police directive made in the interest of public safety.

O. ~~[An operator of a tower]~~ No licensee on the rotation system shall not refuse to render towing services if the owner of a disabled motor vehicle is able to pay the fee prescribed in the schedule of prices filed by the tower.

~~[P]~~ P. No person holding a license issued pursuant to this chapter shall use a shortwave radio receiver capable of operating on a frequency assigned by the Federal Communications Commission for fire, police, municipal or other government use.

~~[R]~~ Q. Upon payment to the licensee of the towing charges and the storage charges, if any, the licensee shall forthwith release the vehicle to the owner or the owner's authorized agent or next of kin as the case may be.

~~[S]~~ R. No licensee may open, remove, damage or tamper with any locking device placed on any unlawfully parked motor vehicle.

~~[T]~~ S. Any violation of this section shall be grounds for suspension or revocation after conducting hearing pursuant to the procedures set forth in this chapter.

#### §319-15. Rotating System of Summoning Towers.

A. The Director of the Jersey City Police Department is hereby authorized and directed to establish a just and equitable rotating system of licensees to be summoned: 1) to tow away and store a disabled vehicle, and 2) if there is more than one Impound Operator license issued, Impound Operator licensees. The rotating system shall be established so as to give as nearly as is practicable an equal share of the towing business to each licensee and to furnish protection to the owners of disabled vehicles. There shall be a separate list for ~~[light-duty and heavy-duty towers]~~ Class I & II Vehicles and Class III Vehicles, with specific equipment requirements for each list to be promulgated by the Police Director. At minimum, a tower of the Class I & II Vehicles list shall have two tow trucks and a flatbed. A tower of the Class III Vehicles list shall have two heavy-duty tow trucks. The Director of the Police Department shall be guided by the following minimum requirements for the rotating system:

- (1) Only a Class A licensee may be in the rotation system and shall not have more than one position on the rotating list regardless of how many supplemental licenses the licensee shall hold.
- (2) A licensee tower on the rotating list shall not be removed therefrom before he or she is accorded an opportunity to be heard after receiving written charges preferred against the licensee. No licensee shall lose his or her turn in the rotating system until the licensee is accorded this opportunity to be heard; provided, however, that the Police Director may immediately suspend any licensee if it is determined to be in the best interests of the citizens or the rotation system. A licensee may request in writing to be removed from the rotating list. When so removed, the licensee shall not be eligible to be placed on the rotating list for a period of one year from the date removed.
- (3) Each licensee in the rotating system shall be given equal time and opportunity as all other licensees in the rotating system, and there shall be no discrimination for any reason whatsoever.
- (4) No police officer or other official of the city shall have any authority to remove or skip over any licensee in the rotating system. If any licensee commits any violation of the motor vehicle laws of the State of New Jersey, the proper action taken against such licensee shall be by way of summons for the motor vehicle violation. If the infraction involves a violation of this chapter or any provision of the Jersey City

Code, charges specifying the offense shall be presented to the Director of the Jersey City Police Department, who shall thereupon cause a hearing to be held in accordance with the provisions of this chapter.

~~{(5) No licensee shall be allowed to take a turn at the top of the rotating list unless the licensee first submits proof to the Division of Commerce that the licensee has a sufficient number of empty and available storage spaces upon the storage area designated in the application of the licensee for said license.}~~

(5) Licensees shall respond to the scene within twenty (20) minutes of a request for service by the Jersey City Police Department. If a tower does not respond within the allowed time and another tower is called to respond, the first tower may be suspended for up to three (3) days or for repeat offenders removed from the list for up to a year at the discretion of the Police Director, upon notice and an opportunity to be heard.

- B. Whenever it is necessary to have a disabled vehicle towed away, the police who arrive at the scene shall forthwith notify police headquarters to summon a licensed tower from the rotating list in accordance with the procedure established by the Director of the Police Department, except when an emergency has been declared by the Office of Emergency Management.
- C. The owner or driver of a disabled vehicle shall use the services of the licensed tower summoned by the police unless the owner is a member of an organization which supplies towing services for its members and the owner or driver requests the use of such organization's tower. If the request is made to the police at the scene, the police shall forthwith notify police headquarters to call the organization and relay the request and all necessary information supplied by the owner's membership card to the organization.
- D. In the event that the tower summoned by the police is delayed and it is necessary to remove the disabled vehicle out of the line of traffic or for other safety reasons, then the police emergency tower may remove the vehicle to the nearest point out of the way of the free flow of traffic allowing the vehicle to remain there until towed away by the tower summoned by the police.
- E. In the event that a disabled vehicle is towed away and stored by a licensee pursuant to this chapter and the owner of the vehicle or such owner's agent or next of kin does not authorize a further disposition of the vehicle within three days after it is towed to the storage place, the licensee may, upon giving written notice by certified mail to the owner or the owner's authorized agent, pursue any and all remedies he or she may have in law for the disposition of the vehicle and the collection of the fees.
- F. In the event that the owner or driver of the disabled vehicle is incapacitated by reason of injuries or otherwise and is unable to authorize the further disposition of the vehicle after it is towed away by the licensee, then the licensee shall forthwith ascertain from the police the name and address of the owner's agent or next of kin and contact him or her to ascertain the further disposition of the vehicle. The licensee shall also send to said agent or next of kin the bill for services and a copy of the schedule of prices as is required by this chapter.

#### **§319-16. Violations and Penalties.**

In addition to any license suspensions or terminations, any person violating any provision of this chapter shall, upon conviction, also be punishable as provided in Chapter 1, General Provisions, 1-25, of this Code.

#### **§319-17. Removal of Vehicles Parked or Abandoned on Private Property; Fees.**

- A. Pursuant to N.J.S.A. 39:4-56.6, the owner or other person in control or possession of the private property on which a vehicle is parked or left unattended as described in the definition of "Disabled Vehicle" ~~{above}~~ may remove and store or hire another person to remove and

store the vehicle. It shall be the obligation of the owner of the vehicle to pay the costs for the removal and storage before he shall be entitled to recover the possession of the vehicle. If the owner of the vehicle refuses to pay such costs or fails to make a claim for the return of the vehicle within 90 days after such removal, the vehicle may be sold at public auction in accordance with the provisions of N.J.S.A. 2A:44-20 et seq.

- B. Whenever a licensee, pursuant to N.J.S.A. 39:4-56.6, removes a vehicle parked or left unattended on private property as described within the definition of "Disabled Vehicle" above, he shall, within one hour, report to the police district from within which the vehicle was removed the following information:
- (1) License plate number and description of vehicle removed.
  - (2) Location where the vehicle is stored.
  - (3) Location from which the vehicle was removed.
  - (4) Identity of the person claiming to own, control or be in possession of the private property from which the vehicle was removed.

C. The maximum charges for towing and storage of vehicles so removed from private property shall be the same as set forth in ~~[MBOL 39-11 "WP TypographicSymbols" is 11-319-11 above.]~~ herein for vehicles towed or stored from within the City under §319-11.

~~§319-18. Impound Yard Surrender Fee; Penalty~~

~~[Vehicle owners who wish not to claim and or remove their vehicle from the City's impound yard must sign a certificate of ownership which transfers ownership to the Jersey City Incinerator Authority and pay a surrender fee of \$150 to cover costs relating to the disposal of the vehicle. Failure to do so may result in the owner being cited with a summons for abandonment of motor vehicle pursuant to N.J.S.A. 39:4-56.5 which will subject the owner, for the first offense, to a fine of not less than \$100 nor more than \$500, and his license or driving privilege may be suspended or revoked for not more than two years. For any subsequent violation, the owner will be subject to a fine of not less than \$500 nor more than \$1,000, and his license or driving privilege may be suspended or revoked for not more than five years.]~~

**§319-18. Seized Vehicles; Impound Operator Requirements; Disposition of Unclaimed Vehicles; Fees for Storage; Release of Vehicles.**

- A. Licensed Impound Operators must maintain within the City limits a single site or location with a minimum of three hundred (300) storage spaces for Class I vehicles, ten (10) spaces for Class II vehicles, and ten (10) spaces for Class III vehicles. Impound operators shall use the auto impound tracking computer software program prescribed by the City and be governed by the City's usage policies and procedures for such software.
- B. Should there be no licensed Impound Operator with a storage facility with the minimum number of storage spaces required by this Chapter, the Business Administrator may reduce the minimum storage spaces required from three hundred (300) to as few as one hundred fifty (150) spaces, on a single site or location.
- C. Pursuant to N.J.S.A. 39:10A-1, vehicles left unclaimed may be sold at public auction after 20 business days but shall be sold by the City no later than 90 business days provided that the Police Director may withhold from public auction up to three (3) vehicles a month for police purposes. Impound Operator Licensee will have the right to recover its fees from the vehicle owner when the vehicle is auctioned, with the difference between the moneys owed the impound operator and the auction price to be returned to the City.
- D. All Impound Operator licensees shall maintain (and provide access or copies to the City) adequate records relating to the processing of tows, impounds, releases (including storage

fees and other receipts). Impound Operators shall also provide quarterly financial statements prepared in accordance with generally accepted accounting principles summarizing fees and income collected. When possible, all viable personal property from the impounded vehicles must be removed from the vehicle by the owner prior to being towed to the tow pound. Operators will provide access for release of vehicles to the public between the hours of 8:00 A.M. to 6:00 P.M., Monday through Saturday.

E. Upon receipt of an impounded vehicle, the Impound Operator Licensee shall pay the tower \$90 (ninety dollars) for a Class I Vehicle and \$140 (one hundred forty dollars) for a Class II Vehicle, and for a Class III Vehicle, a minimum of \$390 (three hundred and ninety dollars) no later than thirty days (30 days) of receipt of the vehicle. The tower shall not receive any additional payment. Upon payment of the fee, as set forth in Section 319-11, by the owner or person entitled to claim the vehicle, the City shall receive an administrative fee of \$40 (forty dollars) and the licensed storage facility a fee of \$20 (twenty dollars).

F. Seized Vehicles shall be towed to a City-owned facility or as determined by the Police Director. Upon release of such vehicles by the appropriate authority, the City shall sell any unclaimed vehicles at public auction pursuant to N.J.S.A 39:10A-1.

**§319-19. Surrender of Unclaimed Vehicles; Violation for Failure to Remove Vehicle.**

Vehicle owners who wish not to claim and or remove their vehicle from an impound storage area must sign a certificate of ownership which transfers ownership to the City of Jersey City. Failure to do so may result in the owner being cited with a summons for abandonment of motor vehicle pursuant to N.J.S.A. 39:4-56.5 which will subject the owner, for the first offense, to a fine of not less than \$100 nor more than \$500, and his license or driving privilege may be suspended or revoked for not more than two years. For any subsequent violation, the owner will be subject to a fine of not less than \$500 nor more than \$1,000, and his license or driving privilege may be suspended or revoked for not more than five years.

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

C. The City Clerk shall have this ordinance codified and incorporated in 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 **boldface** and repealed matter by *italics*.

JM/TF/he  
2/22/12

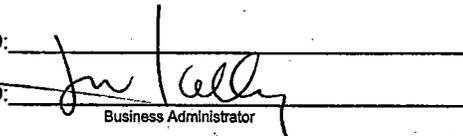
APPROVED AS TO LEGAL FORM



Corporation Counsel

APPROVED:

APPROVED:



Business Administrator

Certification Required   
Not Required

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

ORDINANCE NO. Ord 12-017  
 TITLE: 3.D. FEB 08 2012 4.C. FEB 22 2012



Ordinance amending and supplementing Chapter 319  
 (Towers and Towing) of the Jersey City Municipal Code to  
 permit private towers to provide tow pound services to the  
 City of Jersey City.

RECORD OF COUNCIL VOTE ON INTRODUCTION								FEB 08 2012 9-0			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			LAVARRO	✓		
LOPEZ	✓			RICHARDSON	✓			MASSEY	✓		

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

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING								FEB 22 2012 9-0			
Councilperson <u>RICHARDSON</u>				moved, seconded by Councilperson <u>SOTTOLANO</u>				to close PH.			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			LAVARRO	✓		
LOPEZ	✓			RICHARDSON	✓			MASSEY	✓		

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

*JAYSON BURG  
 YVONNE BALCER  
 ESTHER WINTNER*

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY								FEB 22 2012			
Councilperson <u>RICHARDSON</u>				moved to amend* Ordinance, seconded by Councilperson <u>BRENNAN</u>				& adopted <u>9-0</u>			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			LAVARRO	✓		
LOPEZ	✓			RICHARDSON	✓			MASSEY	✓		

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

*Tabled 9-0 after the close of the public hearing on a  
 motion by Donnelly, seconded by Sottolano and to be re-advertised for  
 the March 14, 2012.*

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				LAVARRO			
LOPEZ				RICHARDSON				MASSEY			

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

SEE NEXT VOTE SHEET

Adopted on first reading of the Council of Jersey City, N.J. on FEB 08 2012  
 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):
- 1) 319-11.C. removed entirely (redundant)
  - 2) 319-18.E. adds italicized language
  - 3) 319-19 removes "and pay a surrender fee of \$150 to cover costs relating to the disposal of the vehicle" from first sentence

Date: \_\_\_\_\_

APPROVED: \_\_\_\_\_

*J. Healy*  
 Jerramiah Healy, Mayor

Date \_\_\_\_\_

Date to Mayor \_\_\_\_\_

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

ORDINANCE NO. Ord. 12-017  
 TITLE: 3.D FEB 8 2012 4.C FEB 22 2012  
4.F MAR 14 2012



Ordinance amending and supplementing Chapter  
 319 (Towers and Towing) of the Jersey City  
 Municipal Code to permit private towers to provide  
 tow pound services to the City of Jersey City

**SEE PRIOR VOTE SHEET**

RECORD OF COUNCIL VOTE ON INTRODUCTION											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO				GAUGHAN				BRENNAN			
DONNELLY				FULOP				LAVARRO			
LOPEZ				RICHARDSON				MASSEY			

✓ Indicates Vote

N.V.-Not Voting (Abstain)

**MAR 14 2012**

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING ON AMENDMENT <span style="float: right;">7-0</span>											
Councilperson <u>RICHARDSON</u> moved, seconded by Councilperson <u>LOPEZ</u>				to close PH.							
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	ABSENT			BRENNAN	✓		
DONNELLY	ABSENT			FULOP	✓			LAVARRO	✓		
LOPEZ	✓			RICHARDSON	✓			MASSEY	✓		

✓ Indicates Vote

JASON BURG

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				LAVARRO			
LOPEZ				RICHARDSON				MASSEY			

✓ Indicates Vote

N.V.-Not Voting (Abstain)

RECORD OF FINAL COUNCIL VOTE <span style="float: right;">MAR 14 2012 7-0</span>											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	ABSENT			BRENNAN	✓		
DONNELLY	ABSENT			FULOP	✓			LAVARRO	✓		
LOPEZ	✓			RICHARDSON	✓			MASSEY	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on \_\_\_\_\_

Adopted on second and final reading after hearing on MAR 14 2012

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on MAR 14 2012

*Robert Byrne*  
 Robert Byrne, City Clerk

APPROVED:

*Peter M. Brennan*

Peter M. Brennan, Council President

\*Amendment(s):

Date: MAR 14 2012

APPROVED:

*Jerramiah T. Healy*  
 Jerramiah T. Healy, Mayor

Date MAR 15 2012

Date to Mayor MAR 15 2012