

City Clerk File No. Ord. 08-043
Agenda No. 3.A 1st Reading
Agenda No. _____ 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 08-043

TITLE:

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING THE HOPKINS & CENTRAL AVENUES REDEVELOPMENT PLAN

WHEREAS, the Municipal Council of the City of Jersey City, by Resolution 07-244, adopted April 11, 2007, authorized the Jersey City Planning Board to conduct a preliminary investigation and hold a Public Hearing to determine if the area known as the Hopkins and Central Avenues Study Area met the criteria necessary to be declared a Redevelopment Area; and

WHEREAS, the Municipal Council, upon the recommendation of the Jersey City Planning Board did declare, by Resolution, the Hopkins and Central Avenues Study Area to be "an area in need of redevelopment"; and

WHEREAS, pursuant to *NJSA 40A:12A-4.a.(3)*, the governing body is empowered to adopt a redevelopment plan to regulate development within an area declared in need of redevelopment; and

WHEREAS, the Planning Board of Jersey City, at a public hearing on March 25, 2008, reviewed and amended the proposed Hopkins and Central Avenues Redevelopment Plan and voted to recommend that the Municipal Council adopt the Hopkins and Central Avenues Redevelopment Plan; and

WHEREAS, the proposed Hopkins and Central Avenues Redevelopment Plan, attached hereto and made a part hereof is available for public inspection in the Office of the City Clerk, City Hall, Jersey City, NJ;

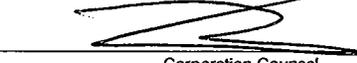
NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that the above referenced Hopkins and Central Avenues Redevelopment Plan be, and hereby is, adopted as recommended by the Jersey City Planning Board.

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- A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.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


Robert D. Cotter, 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 THE HOPKINS & CENTRAL AVENUES REDEVELOPMENT PLAN**

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

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

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

Adopts a redevelopment plan for the Hopkins and Central Avenues Street Study Area.

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

The Redevelopment Area consists of mostly commercial uses that contain a variety of negative influences, including littered paved lots, and an auto repair shop that is housed in a building in poor condition. It contributes to a lack of private investment in the Area. The plan provides for a unified and comprehensive approach to development for this area encouraging and allowing for private investment in the neighborhood.

5. Anticipated Benefits to the Community:

Encourage private investment in the Redevelopment Area, and ensure the responsible development of residential uses with accessory neighborhood services. This Plan will enhance municipal tax revenues and improve the quality of life of the Jersey City community.

6. Cost of Proposed Plan, etc.:

\$0.00 all work performed in house

7. Date Proposed Plan will commence:

Upon approval

8. Anticipated Completion Date: N/A

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

Robert D. Cotter, Director, City Planning 547-5050
Maryann Bucci-Carter, Supervising Planner 547-5010

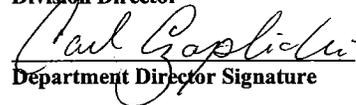
10. Additional Comments: None

I Certify that all the Facts Presented Herein are Accurate.



Division Director

3/31/08
Date


Department Director Signature

3/31/08
Date

Summary

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING THE HOPKINS & CENTRAL AVENUES REDEVELOPMENT PLAN

This ordinance adopts a redevelopment plan for the Hopkins and Central Avenues Study Area that permits the development of residential structures.

The Hopkins & Central Avenues Study Area is located on the western end of Central Avenue between Hopkins Avenue and Beacon Avenue. The specific Blocks and Lots involved are as follows:

Block	Lots
569	12.A, 12.B, 75, 76, 77, 78.A

City Clerk File No. Ord. 08-044

Agenda No. 3.B 1st Reading

Agenda No. _____ 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE

CITY ORDINANCE 08-044

offered and moved adoption of the following ordinance:

**AN ORDINANCE AUTHORIZING THE TRANSFER OF CITY-OWNED
PROPERTY AT 429-431 PACIFIC AVENUE (BLOCK 2091, LOTS; D & E)
WITHIN THE LAFAYETTE PARK REDEVELOPMENT AREA TO THE JERSEY
CITY REDEVELOPMENT AGENCY**

TITLE:

WHEREAS, the City of Jersey City is the owner of certain parcels of real property known and designated as:

<u>BLOCK</u>	<u>LOT</u>	<u>STREET ADDRESS</u>
2091	D	429 Pacific Ave.
	E	431 Pacific Ave.

situated in the City of Jersey City, Hudson County, New Jersey; and as more particularly shown on the Official Assessment Map and referenced in the designation assigned to individual tax lots in the records of the Tax Assessor (hereinafter "Property"); and

WHEREAS, the Municipal Council of the City of Jersey City has declared, that the Properties contained within the Lafayette Park Study Area are areas deemed "in need of redevelopment" pursuant to N.J.S.A. 40A:55-12 et. seq.; and

WHEREAS, on November 1987, the Municipal Council, adopted the Lafayette Park Redevelopment Plan and which plan was subsequently extended and amended; and

WHEREAS, the Property lies within the legally established boundaries of the Lafayette Park Redevelopment Plan Area; and

WHEREAS, the Jersey City Redevelopment Agency has the responsibility of acquiring various properties within the Lafayette Park Redevelopment Plan Area to effectuate the rehabilitation, redevelopment and revitalization of the Monticello Avenue Redevelopment Area; and

WHEREAS, the Jersey City Redevelopment Agency has deemed it necessary to acquire the Property from the City of Jersey City to accomplish the objectives of the Lafayette Park Redevelopment Plan Area; and

WHEREAS, the City of Jersey City may transfer the Property to the Jersey City Redevelopment Agency pursuant to N.J.S.A. 40A:12A-39(a) & (f).

AN ORDINANCE AUTHORIZING THE TRANSFER OF CITY-OWNED PROPERTY AT 429-431 PACIFIC AVENUE (BLOCK 2091, LOTS; D & E) WITHIN THE LAFAYETTE PARK REDEVELOPMENT AREA TO THE JERSEY CITY REDEVELOPMENT AGENCY

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

1. Pursuant to N.J.S.A. 40A:12A-39(a) & (f) the transfer of the following Properties to the Jersey City Redevelopment Agency is hereby authorized:

<u>BLOCK</u>	<u>LOT</u>	<u>STREET ADDRESS</u>
2091	D	429 Pacific Ave.
	E	431 Pacific Ave

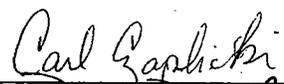
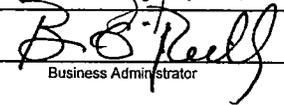
2. That the Mayor, Business Administrator and appropriate Division of the municipality are hereby authorized and directed to execute a deed and all necessary or appropriate instruments to convey and effectuate the transfer of the aforesaid Property to the Jersey City Redevelopment Agency.

- A. All Ordinances and part of Ordinances inconsistent herewith are hereby repealed.
- B. This Ordinance shall be part of the Jersey City Code as though codified and fully set forth therein. The City Clerk shall have this Ordinance codified and incorporated in the official copies of the Jersey City Code.
- 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 the Ordinance reveals that there is a conflict between those numbers and the existing code in order to avoid confusion and possible accidental repealers of existing provisions.

APPROVED AS TO LEGAL FORM



Corporation Counsel

APPROVED: 
APPROVED: 

Business Administrator

Certification Required
Not Required

ORDINANCE/RESOLUTION FACT SHEET

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

1. **Full Title of Ordinance/Resolution/Cooperation Agreement:**
An Ordinance authorizing the transfer of city owned property at 429-431 Pacific Ave. (Block 2091, Lots D & E) to the Jersey City Redevelopment Agency.
2. **Name and Title of Person Initiating the Ordinance/Resolution, etc.:**
Denise Bennett, Project Manager, JCRA 201-547-5809
3. **Concise Description of the Program, Project or Plan Proposed in the Ordinance/Resolution:**
This Ordinance will authorize the City of Jersey City, its agents or assigns to transfer City-owned property to the Jersey City Redevelopment for development purposes.
4. **Reasons (Need) for the Proposed Program, Project, etc:**
The Property in question is located within a designated Redevelopment Area.
5. **Anticipated Benefits to the Community:**
Revitalization of an area determined to be an area in need of redevelopment.
6. **Cost of Proposed Program, Project, etc. (Indicate the dollar amount of City, State and Federal Funds to be used, as well as match and in-kind contributions.):**
N/A
7. **Date Proposed Program or Project will Commence:**
Immediately upon adoption of this resolution.
8. **Anticipated Completion Date:**
Approximately 1 year from commencement.
9. **Person Responsible for Coordinating Proposed Program, Project, etc.:**
Robert Antonicello, Executive Director, JCRA
10. **Additional Comments:**

I certify that all the Facts Presented Herein are Accurate.



ROBERT ANTONICELLO,
Executive Director
Jersey City Redevelopment Agency

3/19/08
Date



CARL CZAPLICKI, Director
Department of Housing Economic Development
And Commerce

3/19/08
Date

City Clerk File No. Ord. 08-045
Agenda No. 3.C 1st Reading
Agenda No. _____ 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 08-045

TITLE: ORDINANCE AMENDING CHAPTER 160 (FEES AND CHARGES) OF THE JERSEY CITY CODE

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

A. The following amendments and supplements to Chapter 160 (Fees and Charges) of the Jersey City Code are hereby adopted:

Chapter 160
FEES AND CHARGES

§ 160-1. Fee schedule established.

Fees shall be as follows:

A. Chapter 3, Administration of Government.

(6) Photocopying fees and fees for documents on file in the Division of City Planning.
[Amended 9-13-2000 by Ord. No. 00-113]

(a) Photocopying documents on file.

[1] One to 10 pages: ~~\$0.35~~ **\$0.75** per page.

[2] Eleven to 20 pages: ~~\$0.25~~ **\$0.50** per page.

[3] All pages over 20: ~~\$0.10~~ **\$0.25** per page.

(b) In lieu of the photocopying fees specified above, the Division of City Planning shall charge the fees listed below for the following documents:

[1] Blight reports and/or redevelopment plans:

a. ~~\$5~~ **\$10.00** per report or plan;

b. **\$20 cd/DVD of plan or report;**

c. **11" X 17" print of plan or report.**

\$20 for a plan of less than 100 pages

\$40 for a plan of 100 - 199 pages

\$60 for a plan of 200 or more pages

[2] **Land Development Zoning Ordinance: \$20 \$40.00.**

[3] **Subdivision Ordinance: \$5 per copy Zoning Map: \$20.00.**

[4] **Zoning Map: \$5 Master Plan \$60.00.**

[5] **Downtown Development Plan: \$10.00.**

[6] Flood Letter: \$20.00.

[7] Building Age Determination Letter: \$40.00.

~~(c) Agendas:~~

~~[1] Copies of Planning Board, Board of Adjustment or Historic District Commission agendas requested to be mailed: \$5.~~

~~[2] Placement on yearly mailing list for agendas of:~~

~~[a] The Planning Board: \$100.~~

~~[b] The Board of Adjustment: \$50.~~

~~[c] The Historic District Commission: \$50.~~

~~[d] Yearly fax transmission of agendas for any land use board: \$50.~~

~~(d) Documents removed from the Division of City Planning for copying elsewhere: \$100 per day.~~

~~(e) Records search: minimum fee for written request: \$20 per address or block and lot searched.~~

~~(f) Computer-generated maps and pictures.~~

<i>Paper Size</i>	<i>Paper Quality: Standard Black and White*</i>	<i>Paper Quality: Standard Black and White Line</i>	<i>Paper Quality: Standard Black and White Photo</i>	<i>Paper Quality: Coated Line</i>	<i>Paper Quality: Coated Photo</i>	<i>Paper Quality: Film or Mylar Line</i>	<i>Paper Quality: Film or Mylar Photo</i>
<i>C, D, E</i>		\$12	\$22	\$18	\$28	\$25	
<i>Tabloid</i>		\$7	\$10	\$10	\$15		
<i>Legal</i>	\$3.50	\$5	\$7	\$7	\$12		
<i>Letter</i>	\$3.50	\$5	\$7	\$7	\$12		

(c) Computer-generated maps and pictures in color or black & white:

Cost - Paper Size

\$20.00 - C, D, E

\$10.00 - Tabloid

\$ 5.00 - Legal

\$ 5.00 - Letter

- B. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- C. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
- D. This ordinance shall take effect at the time and in the manner as provided by law.
- E. The City Clerk and the Corporation, Counsel may change any chapter numbers, article numbers and section numbers if codification of this ordinance reveals a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

Note: New matter is underlined; deleted matter in {brackets}; For purposes of advertising only, new matter is indicated by **boldface** and repealed matter by *italic*.

APPROVED AS TO LEGAL FORM

APPROVED: Carl Esposito

APPROVED: B. O'Reilly

Corporation Counsel

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 THE BRIGHT STREET REDEVELOPMENT PLAN**

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

Carl S. Czapliski, Director, Department of Housing, Economic Development, and Commerce

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

Revises Division of City Planning administrative Fees in Chapter 160 of the City Code

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

- Some fees are being eliminated because they have been computerized and are now accomplished via e-mail at no cost.
- There are other new functions and materials, such as , building age determination reviews, and Downtown Development Maps requiring more staff time.
- Most significantly, the demand for color documents, color redevelopment plans, and oversized color maps has risen. These are costly to produce on a large scale and require fee adjustment.

5. Anticipated Benefits to the Community:

Up-dated legislation

6. Cost of Proposed Plan, etc.:

\$0.00 all work performed in house

7. Date Proposed Plan will commence:

Upon approval

8. Anticipated Completion Date: N/A

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

Robert D. Cotter, Director, City Planning	547-5050
Maryann Bucci-Carter, City Planning	547-5010

10. Additional Comments: None

I Certify that all the Facts Presented Herein are Accurate.

Robert D. Cotter
Division Director

MARCH 14, 2008
Date

Carl Czapliski
Department Director Signature

3/20/08
Date

City Clerk File No. Ord. 08-046

Agenda No. 3.D 1st Reading

Agenda No. _____ 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE

offered and moved adoption of the following ordinance:

CITY ORDINANCE 08-046

TITLE:

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY AMENDING CHAPTER 345, ARTICLE IV (FEES) OF THE LAND DEVELOPMENT ORDINANCE (ZONING ORDINANCE)

WHEREAS, pursuant to NJSA 40:55D-8 and NJSA 40:55D-53.2 (the Municipal Land Use Law) the Municipal Council of the City of Jersey City may amend a zoning ordinance relating to "reasonable rules and regulations" and may adopt "reasonable" fees and escrow deposits; and

WHEREAS, the Municipal Council did enact Ordinance #05-033 on March 23, 2005 amending chapter 160 (Fees) of the Municipal Code and Article IV of the Land Development Ordinance, repealing the escrow deposit requirements in order to save the city considerable resources, because escrow deposit requirements did not generate the expected source of revenue and accounting procedures required considerable expenditures of City staff time; and

WHEREAS, due to an inadvertent formatting error, the text amendments to Article IV of the Land Development Ordinance contained in Ordinance #05-033 omitted a significant portion of the original text pertaining to fees as well as escrow, apparently deleting sections pertaining to fees not intended to be deleted; and

WHEREAS, the actual text amendments as originally written and intended to be incorporated are contained herein, and the originally proposed amended escrow and fee schedule is also attached hereto, and made a part hereof; and

WHEREAS, a copy of the ordinance is available for public inspection in 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 text amendments and amended fee and escrow schedule that are contained herein and made a part hereof shall be hereby enacted and shall replace the text amendments and fee and escrow schedule enacted as part of Ordinance #05-033.

(Material indicated by strikethrough ~~like this~~ is existing material that is intended to be deleted. Material indicated by bold italic *like this* is new material that is intended to be enacted.)

§ 345-32. NON-REFUNDABLE APPLICATION FEES

A. There shall be a non-refundable fee for applications to the Jersey City Planning Board, Zoning Board of Adjustment, and Historic Preservation Commission as provided by law and established herein. The fees provided for shall be non-refundable and are for purposes of offsetting the administrative and clerical costs of running these **Boards**.

B. The City of Jersey City and its agencies, such as the Housing Authority, Parking Authority and Board of Education, as well as applications for affordable housing developments and applications for Certificates of Appropriateness and Certificates of No Effect submitted by non-profit entities for property within a designated Historic District are exempt from the fees described herein.

§ 345-33. ESCROW FEES

~~A. Escrow fees shall be in addition to all other fees required by the City.~~

B. Escrow deposit fees are established to cover the costs of professional charges for review of applications, review and preparation of documents and inspections of developments under construction, review by outside consultants when an application is of a nature beyond the scope of the expertise of the professionals normally utilized by the City, and/or other purposes under the provisions of P. L. 1975 c. 291 (C.40:55D-1 et. seq.). The City shall not bill an applicant for any clerical or administrative functions, overhead expenses, meeting rooms or any other cost or expenses not associated with an application.

C. The City of Jersey City and its agencies, such as the Housing Authority, Parking Authority and Board of Education, as well as applications for affordable housing developments and applications for Certificates of Appropriateness and Certificates of No Effect submitted by non-profit entities for property within a designated Historic District are exempt from the fees described herein.

D. Description of Process.

1. The required escrow fee is to be deposited with the Division of City Planning upon filing of an Application for Development. Such applications shall be deemed incomplete until the required deposits and fees are received, and no professional review of such applications shall commence until all required fees are received by the Division. Additional deposits may be necessary to cover all reimbursable expenses associated with the review and inspection of applications and development.

2. The City of Jersey City shall be entitled to be reimbursed for the review of such applications, both as to completeness and content; for the review and preparation of documents such as, but not limited to: resolutions, developers agreements and necessary correspondence with applicant or applicant's professionals; meetings and all communication, including by telephone and e-mail, with applicant, applicant's professionals and/or other City staff or retained professional in the review of such applications, and all time spent reviewing the application submittals.

3. All City staff and retained professionals shall bill their time in quarter hours increments. In the event that City staff is required to review applications during hours outside the normal work day, such staff shall be compensated for such review work performed during hours outside the normal work day at their base rate of pay, provided that standard labor practices and requirements for overtime payments shall apply, provided, however, that in the case of management employees, straight time and overtime charges may be applied to the escrow account. If such charges are so applied, then the management employees shall be compensated at the same multipliers as non-management employees. Any review work conducted outside the normal work day shall be approved by the division director in the case of division employees, or the department director in the case of division directors, prior to such hours being worked or charged. The escrow account shall be charged two hundred percent (200%) of the hourly base salary at which such employee is compensated, and in the event of overtime pay, the base salary shall be considered as the overtime rate.

4. The City may charge for the services rendered by staff in the review of development proposals if any such pre-application reviews are requested by any developer prior to the filing of an application for development. Such developers shall be advised, in writing, prior to any such meetings or pre-application reviews, that such charges may be assessed, and, provided further that no staff shall be required to attend such meetings or undertake such reviews unless and until such charges are agreed to by such developers.

E. A. Schedule of *Applicable* Fees.

1. Every application for review or hearing before the Zoning Board of Adjustment, Planning Board, or Historic Preservation Commission shall be accompanied by a check for the amount(s) as provided in Fee Table 1.

2. The applicant shall arrange to provide the Division of City Planning with two copies of the transcript for its files and shall pay the complete cost of the transcript of his or her application. Any balance due the transcription firm engaged by the Division for its services shall be payable immediately upon billing.

3. Copies of resolutions rendered by either the Board of Adjustment or the Planning Board shall be available to any person requesting them at their sole cost and expense. Any applicant shall receive a copy of the decision rendered at no additional cost. Minutes of either the Board of Adjustment or the Planning Board shall also be available on request to any person or applicant at their sole cost and expense. Amounts charged shall be as provided for in the City's ordinance regulating photocopy and documents fees.

4. Performance guarantees may be required by the Zoning Board of Adjustment or the Planning

Board pursuant to N.J.S.A 40:55D-53.

5. Every application for building permits for projects receiving approval from the Planning Board, Zoning Board of Adjustment, or Historic Preservation Commission shall be accompanied by proof that the escrow deposit has been posted with the Chief Financial Officer when such fees are required by this Section.

F. Escrow Fee Administrative Procedure.

1. Escrow Deposits for Administrative Services.

a. An initial deposit, as outlined in the Schedule of Fees, Fee Table 1, is required to be submitted with the application. The application review and inspection charges shall be limited only to professional charges for review of applications, review and preparation of documents and inspections of development under construction and for review by outside consultants when an application is of a nature beyond the scope of expertise of the professional normally utilized by the City of Jersey City. Whenever an application for Minor Subdivision is filed concurrently with an application for Major or Minor Site Plan and no separate escrow account is established for the subdivision application, charges for review of the subdivision application shall be applied against the Site Plan escrow account. The only cost that shall be added to any such charges shall be actual out of pocket expenses of such professional or consultants including normal and typical expenses incurred in processing applications and inspecting improvements. No applicant shall be charged for any municipal, clerical or administrative functions, overhead expenses except as provided for specifically by statute, nor shall a municipal professional add any such charges to his or her invoice.

b. The deposit shall be placed in an escrow account pursuant to N.J.S.A 40:55D-53.1. Deposits in excess of five thousand dollars (\$5,000.00) shall be held by the Chief Financial Officer (CFO) in a special interest bearing account, and upon receipt of invoices from staff or retained professional and approval of said invoices as hereinafter provided for, the CFO may use such funds to pay the invoices submitted by such staff or professionals. The City of Jersey City shall not be required to refund an amount of interest paid on a deposit which does not exceed one hundred dollars (\$100.00) for the year. If the amount of interest exceeds one hundred dollars (\$100.00), the entire amount shall belong to the applicant and shall be refunded to him or her by the City of Jersey City annually or at the time the deposit is repaid or applied for the purposes for which it was deposited, as the case may be, except that the City of Jersey City may retain for administrative expenses a sum equivalent to no more than thirty three and one third percent (33 1/3%) of that entire amount, which shall be in lieu of all other administrative and custodial expenses. All sums not actually so expended shall be refunded to the applicant within ninety (90) days after the final decision by the appropriate municipal agency with respect to such application, upon certification by the Board Secretary that such application has been finally decided.

e. Each applicant shall provide the City with a federal tax identification number or federal social security number and enter into an escrow agreement with the City of Jersey City, being incorporated by reference and made part hereof.

2. Draws from the Escrow Account.

a. Each payment charged to an escrow account shall be pursuant to an invoice from the professional performing the service. The invoice shall identify the personnel performing the service, the date the service was performed, and the hours spent to one quarter hour increments, the hourly rate and the expenses incurred.

i. When services are provided by a City employee, the employee shall submit a report to the Chief Financial Officer containing the same information required on an invoice.

ii. When service is provided by an outside consultant retained by the City, he or she shall submit an invoice to the Chief Financial Officer of the City.

iii. All charges shall be limited to actual out of pocket expenses of such professionals or consultants including normal and typical expenses incurred in reviewing applications and inspecting improvements.

b. All professional invoices or employee reports shall be submitted to the Chief Financial Officer on a monthly basis and sent simultaneously to the applicant.

3. The Chief Financial Officer of the City shall prepare and send to the applicant a statement including the accounting of funds listing all deposits, interest earnings, disbursements, and cumulative balance of the escrow account.

a. If monthly charges against the escrow deposit are one thousand dollars (\$1,000.00) or greater, this information shall be provided on a monthly basis.

b. If monthly charges are less than one thousand dollars (\$1,000.00), this information shall be provided on a quarterly basis.

4. If an escrow account contains insufficient funds to cover the costs of charges approved by the Chief Financial Officer against the escrow account, the Chief Financial Officer shall provide the applicant with notice of the insufficient balance requesting that the applicant post a deposit to the account in an amount agreed upon by the City or the approving authority and the applicant.

5. Before work may continue on the development, the amount of additional funds to be posted must be agreed upon and a reasonable time in which these funds shall be posted set, then in the interim, any required health, and safety inspections may be made and charged back against the replenishment of the funds.

G. Escrow Account Close-Out Procedure.

1. The applicant shall send written notice, by certified mail to the Chief Financial Officer, the approving Board's Secretary, and the relevant municipal professionals or their reviewing agencies that the application and/or improvements are completed.

2. Within thirty (30) days the professionals shall render a final report or invoice to the Chief Financial Officer and the applicant.

3. The Chief Financial Officer shall render a written final accounting to the applicant on the uses to which the deposit was put within forty five (45) days of receipt of the final invoice.

H. B. Schedule of Fees.

Fee Table I

Application Type	Application Fees Non-Refundable		Escrow Fee Initial Deposit
Planning Board and Board of Adjustment Applications			
SITE PLAN			
Minor Site Plan	\$350		\$500
Preliminary Major Site Plan; Residential	\$50 per Dwelling Unit or a Minimum of \$500	Sq. ft. of GFA:	
		10,000-25,000	\$1,500
		25,001-50,000	\$2,500
		51,001-200,000	\$3,500
		200,001-500,000	\$5,000
		500,001 & Over	\$7,500
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	Non-Residential with principal buildings over 1,000 sq. ft. Sq. ft. of GFA:	
		1,000-5,000	\$1,500
		5,001-10,000	\$2,500
		10,001-25,000	\$3,500
		25,001-100,000	\$5,000
		100,001 & Over	\$7,500
Preliminary Major Site Plan; Non Residential	Without principal building over 1,000 sq. ft. GFA: \$50 per 1,000 sq. ft. lot	Without principal building over 1,000 sq. ft. GFA: No. of	

	area or part thereof or a minimum of \$500	Aeres:	
		Up to 1 acre	\$2,500
		1 to 4	\$3,500
		5 to 10	\$4,500
		Over 10	\$6,000
Final Major Site Plan	50% of Preliminary Major Site Plan Fee	Replenishment of Preliminary Site Plan account as needed, amount to be determined by planning staff	
Site Plan Amendment	50% of the total original application fee or a minimum of \$1,000		\$1,000
Conceptual Site Plan	\$500 (to be deducted from Fees for formal Application for Development		\$500
Extension of Site Plan Approval	\$300		N/A
SUBDIVISION		If not filed concurrently with Major or Minor Site Plan	\$500
Minor Subdivision	\$300		
Preliminary Major Subdivision	\$500 plus \$100 per lot	No. of Lots:	
		5 to 10 lots	\$1,000
		11 to 20	\$1,500
		21 to 50	\$2,000
		Over 50	\$2,500
Final Major Subdivision	50% of Preliminary Major Subdivision fee	Replenishment of Preliminary Site Plan account as needed, amount to be determined by planning staff	
Special Meeting Requested by Applicant	\$1,000		None
Rezoning or Redevelopment Plan Amendment requested by developer	Fee as specified in applicable redevelopment plan, or \$1,000, if no fee specified in plan <i>or for rezoning request</i> .		\$1,500
APPEALS, INTERPRETATIONS AND VARIANCES			
"a" & "b" Appeals and Interpretations as per N.J.S.A. 40:55D-70 a & b	\$150	May be waived or reduced by the City Planning Director deemed not to require staff time in excess of five hours	\$1,000
"c" Variance as per N.J.S.A. 40:55D-70(c) & deviation from redevelopment plan	\$300 for the first variance or deviation; \$150 for each additional	For any project on lots:	
		Under 3,000 sq. ft.:	\$500

		On lots 3,000 sq. ft. and over:	\$1,000
"d" Variance as per N.J.S.A. 40:55D-70 (d)	\$500 for the first variance; \$250 for each additional	For any project on lots:	
		Under 3,000 sq. ft.:	\$1,000
		On lots 3,001 to 10,000 sq. ft.:	\$1,500
		On lots 10,001 to 40,000 sq. ft.:	\$2,500
		On lots greater than 40,000 sq. ft.:	\$5,000
Extension of Variance Approval	\$300 (when not filed concurrently with extension of Site Plan)		N/A
Historic Preservation Commission Applications			
CERTIFICATE OF NO EFFECT			
Residential			
All applications except sidewalk repair/replacement when not filed concurrently with other work	\$10 per dwelling unit to a maximum of \$500	a) For projects involving substantial rehabilitation or alteration of a historic façade (as defined in this Chapter):	\$300
Sidewalk repair/replacement when not filed concurrently with other work	\$10 per dwelling unit to a Maximum of \$50	b) For all other projects:	None
Non Residential			
With principal building	\$35 per 1,000 GFA or part thereof		None
Without principal building	\$35 per 1,000 square feet lot area or part thereof		None
Sidewalk repair/replacement when not filed concurrently with other work	\$35 for first 25 linear feet of frontage, additional \$10 for each 25 feet of frontage over 25 or part thereof.		
CERTIFICATE OF APPROPRIATENESS (COA)			
Residential			
New Construction on Vacant Land	\$100		\$500
All Others:			
1-4 Dwelling Units	\$50		
5 Dwelling Units or Over	\$10 per dwelling unit		\$500
Non-Residential			
Sign application only	\$50	Sign application:	\$300
With Principal	\$100 per 1,000 square feet	For all other	\$500

Building	of GFA or part thereof	applications:	
Without Principal Building	\$100 per 1,000 square feet lot area or part thereof	For all other applications:	\$500
Extension of COA Approval	\$150		N/A

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.


 Robert D. Cotter, 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 AMENDING CHAPTER 345, ARTICLE IV (FEES) OF THE LAND DEVELOPMENT ORDINANCE (ZONING ORDINANCE)

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:

Provides corrected text amendments to Article IV of the Land Development Ordinance that were originally intended to be contained in Ordinance #05-033, which ordinance, due to an inadvertent formatting error, omitted a significant portion of the original text pertaining to fees as well as escrow, apparently deleting sections pertaining to fees not intended to be deleted; and

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

The escrow requirement was rescinded in March 2005 because the procedure never generated the expected funds, and in fact, cost more to administer the program than the revenue it brought in. A corrective ordinance is required to ensure that all of the text pertaining to Fees is retained as intended.

5. Anticipated Benefits to the Community:

Greater accuracy and ease of use with respect to the Land Development Ordinance

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.:

Robert D. Cotter, City Planning Director

10. Additional Comments:

I Certify that all the Facts Presented Herein are Accurate.

Robert D. Cotter
Division Director

APRIL 2, 2008
Date

Carl Czaplicki
Department Director Signature

4/2/08
Date

SUMMARY SHEET

**ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY
AMENDING CHAPTER 345, ARTICLE IV (FEES) OF THE LAND DEVELOPMENT
ORDINANCE (ZONING ORDINANCE)**

This ordinance corrects for inadvertent errors in text amendments that previously repealed the escrow deposit requirement for applications for development.

City Clerk File No. Ord. 08-047
Agenda No. 3.E 1st Reading
Agenda No. _____ 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 08-047

TITLE:

**ORDINANCE SUPPLEMENTING CHAPTER 3 (ADMINISTRATION OF
GOVERNMENT) ARTICLE XIII (DEPARTMENT OF HEALTH AND HUMAN
SERVICES) OF THE JERSEY CITY CODE**

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

WHEREAS, Jersey City's history is that of an industrial city where former industrial sites are often developed into parks and recreations areas; and

WHEREAS, in many sections of Jersey City, houses were built before 1950 and often contain lead based paint and materials; and

WHEREAS, as is the case with most industrial cities, lead contamination has long been a health issue for the city's residents, particularly children in the developmental stages of life; and

WHEREAS, elevated blood lead levels in young children are strongly associated with significant impairments in cognitive functioning (e.g., depressed IQ, learning disabilities, mental retardation) and social-behavioral conduct (i.e., attention-deficit-hyperactivity disorder); and

WHEREAS, children 6 years and younger are most vulnerable to the accumulating toxic effects of lead due to their smaller body mass and rapid growth of their brains; and

WHEREAS, children are a segment of the population with the greatest risk of lead exposure through direct ingestion of soil or paint chips; through indirect ingestion (e.g., hand-to-mouth contact) of soil deposited on hands and toys acquired by playing in contaminated soil; through inhalation of soil particles temporarily made airborne by playing in contaminated soil; and

WHEREAS, if not detected and reversed early in a child's life, elevated blood lead levels may lead to irreversible damage to the central nervous system; and

WHEREAS, exposure to lead is more likely in the homes and soils of older inner cities where homes were built before 1978 and where there is greater exposure risk in and around homes built before 1950 due to the higher concentrations of lead used in pre-1950's paint; and

WHEREAS, elevated lead soil loading in older inner cities is a consequence of years of leaded gasoline vehicle emissions and deposition of deteriorated exterior lead paint and other lead containing products (e.g., as the result of chipping exterior paint or demolition and renovation of older structures harboring lead paint); and

WHEREAS, it is in the best interest of the City of Jersey City to safeguard the health and welfare of its youngest citizens by providing preventive health care information to parents and guardians of all children, but especially those most vulnerable who are enrolled in grades pre-kindergarten through 1st grade.

ORDINANCE SUPPLEMENTING CHAPTER 3 (ADMINISTRATION OF GOVERNMENT) ARTICLE XIII
(DEPARTMENT OF HEALTH AND HUMAN SERVICES) OF THE JERSEY CITY CODE

A. The following supplements to Chapter 3 (Administration of Government) Article XIII (Department of Health and Human Services) of the Jersey City Code are hereby adopted

ARTICLE XIII
Department of Health and Human Services

§3-105. Division of Health.

A. **No change.**

B. **Division of Health; functions.**

(1) **Under the supervision and direction of the Director of Health and Human Services, the Division of Health shall:**

(a) **Administer the state laws and provisions of this Code which confer functions, powers and duties upon a board or department of health or a local health officer.**

(b) **Enforce the state laws and the provisions of the Jersey City Code for the prevention and control of disease and perform the related inspections essential thereto, including any provisions herein and in state laws relating to industrial hygiene and to air pollution.**

(c) **Prepare and supply statistical and educational material for purposes of internal administration and reporting or for public education.**

(d) **Administer a public health nursing service and a parochial school health program.**

(e) **Operate a child health clinics and other public health clinics.**

(f) **Arrange for the following services, to be performed either in-house or by outside contractor:**

[1] **For bacteriological and chemical analysis of milk, food and water;**

[2] **For the diagnosis and control of communicable diseases; and**

[3] **For research requirements of other city departments.**

(g) **Establish and implement a sterile syringe access program in the form and manner consistent with state law and in accordance with the Blood Borne Disease Harm Reduction Act.**

(h) Administer the lead testing notification program for all licensed Day Care Center operators established under Section — of the Jersey City Code and licensed by the State of New Jersey pursuant to N.J.S.A. 30:5B-3.

(2) **All departments and agencies of the City of Jersey City shall cooperate with the Division of Health and provide the Division with any requested information necessary to administer state laws and provisions of this code and to carry out the functions and duties of the Division.**

NOTE: All new material is underlined; words in {brackets} are omitted.

For purposes of advertising only, new matter is indicated by **boldface** and repealed matter by *italic*.

APPROVED AS TO LEGAL FORM

APPROVED: _____

Corporation Counsel

APPROVED: _____
Business Administrator

Certification Required

Not Required

City Clerk File No. Ord. 08-048

Agenda No. 3.F 1st Reading

Agenda No. _____ 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 08-048

TITLE:

AN ORDINANCE ESTABLISHING A LEAD TESTING NOTIFICATION PROGRAM FOR DAY CARE CENTERS

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

WHEREAS, Jersey City's history is that of an industrial city where former industrial sites are often developed into parks and recreation areas; and

WHEREAS, in many sections of Jersey City, houses were built before 1950 and often contain lead based paint and materials; and

WHEREAS, as is the case with most industrial cities, lead contamination has long been a health issue for the city's residents, particularly children in the developmental stages of life; and

WHEREAS, elevated blood lead levels in young children are strongly associated with significant impairments in cognitive functioning (e.g., depressed IQ, learning disabilities, mental retardation) and social-behavioral conduct (i.e., attention-deficit-hyperactivity disorder); and

WHEREAS, children 6 years and younger are most vulnerable to the accumulating toxic effects of lead due to their bodies developing faster and absorbing lead more easily; and

WHEREAS, children ages nine months through six years of age are a segment of the population with the greatest risk of lead exposure through direct ingestion of soil or paint chips; through indirect ingestion (e.g., hand-to-mouth contact) of soil deposited on hands and toys acquired by playing in contaminated soil; through inhalation of soil particles temporarily made airborne by playing in contaminated soil; and

WHEREAS, if not prevented or detected and reversed early in a child's life, elevated blood lead levels may lead to irreversible damage to the central nervous system and poor social economic outcomes; and

WHEREAS, exposure to lead is more likely in the homes and soils of older inner cities where homes were built before 1978 and where there is greater exposure risk in and around homes built before 1950 due to the higher concentrations of lead used in pre-1950's paint; and

WHEREAS, elevated lead soil loading in older inner cities is a consequence of years of leaded gasoline vehicle emissions and deposition of deteriorated exterior lead paint and other lead containing products (e.g., as the result of chipping exterior paint or demolition and renovation of older structures harboring lead paint); and

AN ORDINANCE ESTABLISHING A LEAD TESTING NOTIFICATION PROGRAM FOR DAY CARE CENTERS

WHEREAS, lead is a developmental toxicant and the harmful effects of lead on children's development can occur without clinical signs, symptoms or abnormal routine laboratory test.

WHEREAS, CDC's Advisory Committee on Childhood Lead Poisoning Prevention, recently issued updated recommendations calling for the nation to focus on primary prevention of childhood lead poisoning. Because the 2010 health objective of eliminating childhood lead poisoning, can be achieved only through primary prevention.

WHEREAS, it is in the best interest of the City of Jersey City to safeguard the health and welfare of its youngest citizens by providing preventive health care information to parents and guardians of all children, but especially those most vulnerable who are enrolled in pre-kindergarten programs and are 1 year to 6 years of age.

A. The following supplement to the Jersey City Code is hereby adopted.

Lead Testing Notification Program for Day Care Centers

A. Day Care Centers

(1) A Lead Testing Notification Program for all Day Care Centers licensed by the State of New Jersey pursuant to N.J.S.A. 30:5B-3 is hereby established.

(2) The owner or operator of a Day Care Center shall be required to notify the parents or guardians of all children enrolled at the Child Care Center that the State of New Jersey will provide free lead testing to children who are uninsured or underinsured.

(3) The owner or operator of a Day Care Center shall be required to notify the parents or guardians of children enrolled at the Child Care Center with health insurance that all primary care physicians are required to screen children for lead.

(4) The owner or operator of a Day Care Center shall have the Notice filed in the child's record on or before October 1st of each year, and made readily available to the Jersey City Department of Health auditors during their annual audit.

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

APPROVED AS TO LEGAL FORM

APPROVED: _____

Corporation Counsel

APPROVED: _____
Business Administrator

Certification Required

Not Required