

City Clerk File No. Ord. 10-001

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 10-001

TITLE:

**ORDINANCE BY THE MUNICIPAL COUNCIL OF THE  
CITY OF JERSEY CITY ACCEPTING A DEDICATION OF  
CERTAIN LAND AND IMPROVEMENTS LOCATED  
WITHIN THE POWERHOUSE ARTS DISTRICT  
REDEVELOPMENT AREA**

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

WHEREAS, Athena Jersey City Urban Renewal LLC ("Athena"), a New Jersey limited liability company, is the owner of certain land and improvements thereon located on the western side of the Hudson Bergen Light Rail Transit System within the Powerhouse Arts District Redevelopment Area, which are the subject of this dedication; and

WHEREAS, Athena has constructed a park along with certain improvements including but not limited to landscaping, hardscape/walkways, curbs, benches, street lighting equipment, fencing, a dog run, trash receptacles, and an irrigation system within said land adjacent to the development at The A Building; and

WHEREAS, Athena desires to deliver a deed of easement in perpetuity to the City of Jersey City and dedicate said land and improvements for use as a public park with a walkway through the park to connect to the Hudson Bergen Light Rail Transit Station on Second Street; and

WHEREAS, the City of Jersey City is authorized pursuant to N.J.S.A. 40:67-1 and N.J.S.A. 40A:12-5 to accept the conveyance and dedication of lands for public purposes.

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

1. The land, improvements and appurtenances thereon located within the Powerhouse Arts District Redevelopment Area, more particularly described as follows:
  - a) Block 109, Lot 1 shown on Exhibit I attached hereto (the "Property") be and the same is hereby accepted and dedicated as a public park and right of way.
2. The City shall provide the Property with municipal services including, water, sewer, fire protection and police protection, including the enforcement of those local ordinances applicable to public parks and right-of-ways. Athena shall be responsible for the cost of water, sewer, and electric service.
3. The acceptance of this dedication shall be subject to the following terms and conditions:

*R.R.*  
*1-6-10*

Upon conveyance of the Deed of Easement to the City, Athena shall provide the City with a two (2) year maintenance bond for the improvements in a form satisfactory to the City. During the two (2) year period after the conveyance of the Deed of Easement, Athena shall promptly correct any deficiencies in workmanship and design which threaten the structural integrity of improvements or create a risk to public safety upon receiving notice of such deficiencies from the City's Municipal Engineer and/or Chief Architect. Athena shall correct all other deficiencies at the end of the two (2) year period. At the end of the two (2) year period, the City shall be responsible for the structural maintenance of the improvements which are the subject of this dedication.

4. After the completion of the improvements and approval of all items by the City's Municipal Engineer and/or Chief Architect, the Mayor or Business Administrator is hereby authorized to:

- a) Subject to review and approval by the City's Corporation Counsel, execute the attached Park Dedication Agreement.
- b) Subject to approval and acceptance by the City's Corporation Counsel of a title report provided by Athena, accept delivery of and record a deed of easement from Athena conveying the dedicated lands and improvements;
- c) Subject to approval by the City's Corporation Counsel, execute all documents necessary to accomplish the dedication of the aforementioned lands and improvements;
- d) Subject to review and approval by the Municipal Engineer, accept all easements described in paragraph 5 below; and
- e) Subject to an easement of ingress and egress of Athena, its successors and assigns for the regular operation of the public park and to carry out and perform regular maintenance and repair of the park improvements.

5. This dedication shall be subject to all easements affecting the Property recorded in the office of the Hudson County Register for the benefit of public or private entities for the purpose of operating and maintaining, inspecting, protecting, repairing, replacing or reconstructing any part of the Light Rail Transit systems existing gas, electric, water, sewer or utility lines including cable television wires and poles and the Light Rail together with the right of ingress and egress at all times for such purposes and all other purposes in connection with or any way relating to an entity's use or operation thereof

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

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

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

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

2009151

APPROVED AS TO LEGAL FORM

Corporation Counsel

APPROVED:

APPROVED:

Business Administrator

Certification Required

Not Required

**Claudia B. Faraldi, President**  
Director of Management

**Albert N. Faraldi, PLS, PP**  
N.J. Lic. 29346  
P.P. Lic. 3182

**John J. Dziemian, PLS**  
N.J. Lic. 37582  
Director of Field Operations  
CAD Manager



**Faraldi  
Group, inc.**

PROFESSIONAL LAND  
SURVEYORS & PLANNERS

831 First Street  
Secaucus, New Jersey 07094-3432 (201)867-8044 Fax (201)867-0984  
E-Mail: FaraldiGroup@aol.com

Member of New Jersey  
Society of Professional Land  
Surveyors

American Congress on  
Surveying & Mapping

National Society of  
Professional Surveyors

**Description of Lot 1, Block 109,  
Tax Map of City of Jersey City, Hudson County, New Jersey.**

Beginning at a point formed by the Northerly line of **First Street** with the Westerly line of **Hudson-Bergen Light Rail Transit System**, and running thence,

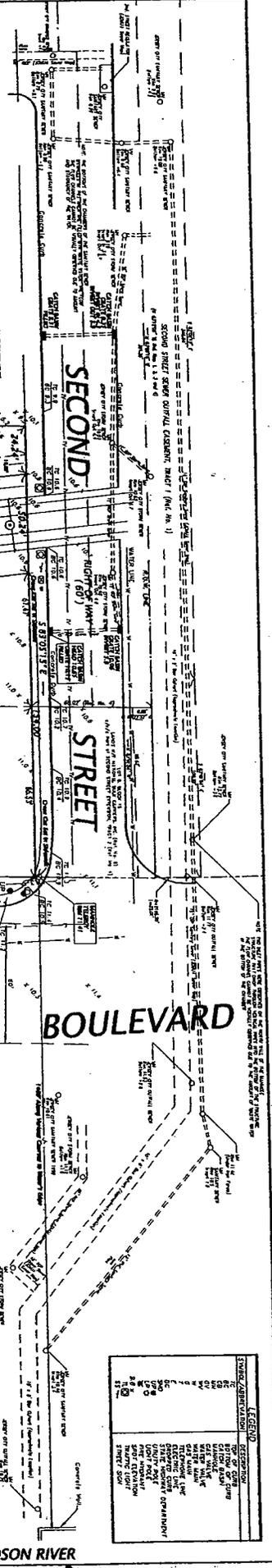
- 1) N83°05'15"W, 71.74 feet along said Northerly line of **First Street**, thence
- 2) N08°27'57"E, 200.00 feet, thence
- 3) S83°05'15"E, 24.24 feet to a point in said **Hudson-Bergen Light Rail Transit System**, thence
- 4) S01°21'09"W, 129.03 feet along said line, thence
- 5) South Easterly on a curve to the left containing a radius of 133.00 feet, an arc distance of 78.52 feet along said line, to the point or place of beginning

Containing an area of 7,844 square feet.

Prepared by,

Albert N. Faraldi, PLS PP  
N.J.P.L.S. License No. 29346  
N.J.P.P. License No. 3182

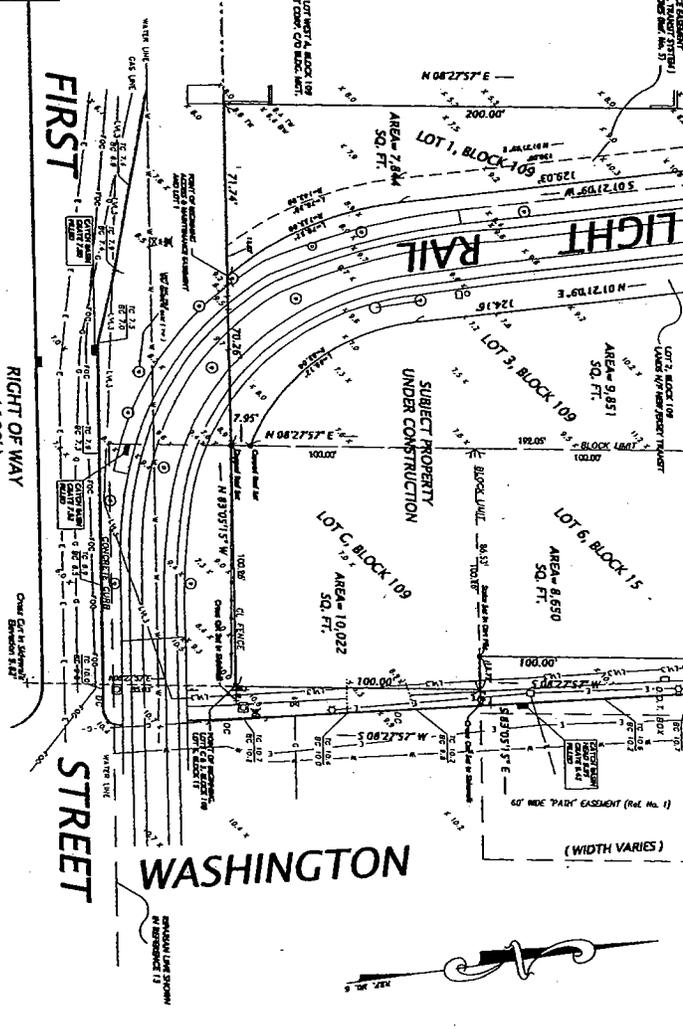
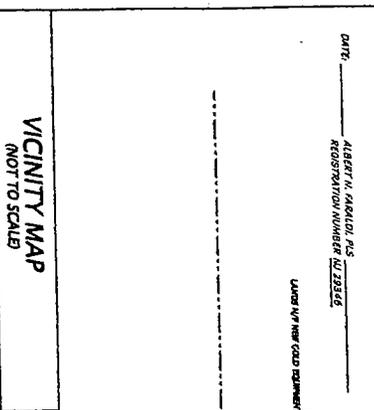
**Exhibit 1**



TO ALTA/ACSM CITY URBAN REVENUE, LLC, A HIGH-JERSEY LIMITED LIABILITY COMPANY, FIRST AMERICAN TITLE INSURANCE COMPANY, CONVA BANK, N.A., AND ITS SUCCESSORS AND ASSIGNS

THIS IS TO CERTIFY THAT THIS MAP OF PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS, INCLUDING ESTABLISHED AND APPROVED BY A.L.A. 18 AND 17 OF 1963 A THEREOF, PERSUASIVE TO THE ADOPTED STANDARDS AS ADOPTED BY ALTA AND ASSA AND IN EFFECT ON THE DATE OF THIS CERTIFICATION, UNDERSTANDING FURTHER SERVICES THAT IN PROVIDING THIS SURVEY, THE SURVEYOR HAS EXERCISED THE BEST OF HIS SKILL AND CARE, AND THAT THE SURVEYOR'S LIABILITY DOES NOT EXCEED THAT WHICH IS SPECIFIED THEREIN

DATE: \_\_\_\_\_  
 ROBERT W. MARLOW, P.S.  
 REGISTRATION NUMBER 02,293,02



- NOTES:
1. UTILITY LINES SHOWN ARE APPROXIMATE AND ARE NOT INTENDED TO BE CONSIDERED AS A BASIS FOR ANY ADJUDICATION OF RIGHTS.
  2. ELEVATION DATA IS NEW, EXISTING VERTICAL DATUM 1928 ON BENCHMARK 5-33, ELEVATION 83.42
  3. SUBJECT PROPERTY IS IN FLOOD ZONE AS (AREAS OF 100-YEAR FLOOD, BASE FLOOD, ELEVATIONS AND FLOOD HAZARD FACTORS DETERMINED), AS SHOWN IN REFERENCE NO. 7
  4. ELEVATIONS SHOWN WERE TAKEN ON 9-13-03 AS SHOWN IN REFERENCE NO. 7
  5. SUBJECT PROPERTY LIES WITHIN THE APPLICABLE GRANT SHOWN IN REFERENCE 12
  6. LOT 6, BLOCK 13 AND LOT C BLOCK 109 LIE WITHIN THE BIRBAHAN GRANT SHOWN IN REFERENCE 13

ALTA/ACSM LAND TITLE SURVEY OF LOTS 1, 3 & C, BLOCK 109 AND LOT 6, BLOCK 15 TAX MAP OF CITY OF JERSEY CITY COUNTY OF HUDSON, STATE OF NEW JERSEY.

DATE: 09/28/2009 10:23:00 AM

1:5000

1" = 50'

Graphic Scale

Farrell & Gould, Inc.

REGISTERED PROFESSIONAL SURVEYORS

1000 WEST 10TH STREET, SUITE 100, NEWARK, NJ 07102

TEL: 973-261-1100 FAX: 973-261-1101

WWW.FARRELL-AND-GOULD.COM

- REFERENCES:
1. PLAT MAP, "MAP OF IMPROVED LOTS FOR THE CITY OF JERSEY CITY, COUNTY OF HUDSON, NEW JERSEY," PLAT NO. 1, 1884, 1885, 1886, 1887, 1888, 1889, 1890, 1891, 1892, 1893, 1894, 1895, 1896, 1897, 1898, 1899, 1900, 1901, 1902, 1903, 1904, 1905, 1906, 1907, 1908, 1909, 1910, 1911, 1912, 1913, 1914, 1915, 1916, 1917, 1918, 1919, 1920, 1921, 1922, 1923, 1924, 1925, 1926, 1927, 1928, 1929, 1930, 1931, 1932, 1933, 1934, 1935, 1936, 1937, 1938, 1939, 1940, 1941, 1942, 1943, 1944, 1945, 1946, 1947, 1948, 1949, 1950, 1951, 1952, 1953, 1954, 1955, 1956, 1957, 1958, 1959, 1960, 1961, 1962, 1963, 1964, 1965, 1966, 1967, 1968, 1969, 1970, 1971, 1972, 1973, 1974, 1975, 1976, 1977, 1978, 1979, 1980, 1981, 1982, 1983, 1984, 1985, 1986, 1987, 1988, 1989, 1990, 1991, 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 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3361, 3362, 3363, 3364, 3365, 3366, 3367, 3368, 3369, 3370, 3371, 3372, 3373, 3374, 3375, 3376, 3377, 3378, 3379, 3380, 3381, 3382, 3383, 3384, 3385, 3386, 3387, 3388, 3389, 3390, 3391, 3392, 3393, 3394, 3395, 3396, 3397, 3398, 3399, 3400, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3409, 3410, 3411, 3412, 3413, 3414, 3415, 3416, 3417, 3418, 3419, 3420, 3421, 3422, 3423, 3424, 3425, 3426, 3427, 3428, 3429, 3430, 3431, 3432, 3433, 3434, 3435, 3436, 3437, 3438, 3439, 3440, 3441, 3442, 3443, 3444, 3445, 3446, 3447, 3448, 3449, 3450, 3451, 3452, 3453, 3454, 3455, 3456, 3457, 3458, 3459, 3460, 3461, 3462, 3463, 3464, 3465, 3466, 3467, 3468, 3469, 3470, 3471, 3472, 3473, 3474, 3475, 3476, 3477, 3478, 3479, 3480, 3481, 3482, 3483, 3484, 3485, 3486, 3487, 3488, 3489, 3490, 3491, 3492, 3493, 3494, 3495, 3496, 3497, 3498, 3499, 3500, 3501, 3502, 3503, 3504, 3505, 3506, 3507, 3508, 3509, 3510, 3511, 3512, 3513, 3514, 3515, 3516, 3517, 3518, 3519, 3520, 3521, 3522, 3523, 3524, 3525, 3526, 3527, 3528, 3529, 3530, 3531, 3532, 3533, 3534, 3535, 3536, 3537, 3538, 3539, 3540, 3541, 3542, 3543, 3544, 3545, 3546, 3547, 3548, 3549, 3550, 3551, 3552, 3553, 3554, 3555, 3556, 3557, 3558, 3559, 3560, 3561, 3562, 3563, 3564, 3565, 3566, 3567, 3568, 3569, 3570, 3571, 3572, 3573, 3574, 3575, 3576, 3577, 3578, 3579, 3580, 3581, 3582, 3583, 3584, 3585, 3586, 3587, 3588, 3589, 3590, 3591, 3592, 3593, 3594, 3595, 3596, 3597, 3598, 3599, 3600, 3601, 3602, 3603, 3604, 3605, 3606, 3607, 3608, 3609, 3610, 3611, 3612, 3613, 3614, 3615, 3616, 3617, 3618, 3619, 3620, 3621, 3622, 3623, 3624, 3625, 3626, 3627, 3628, 3629, 3630, 3631, 3632, 3633, 3634, 3635, 3636, 3637, 3638, 3639, 3640, 3641, 3642, 3643, 3644, 3645, 3646, 3647, 3648, 3649, 3650, 3651, 3652, 3653, 3654, 3655, 3656, 3657, 3658, 3659, 3660,

City Clerk File No. Ord. 10-002

Agenda No. 3.B 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 10-002

**TITLE: AN ORDINANCE SUPPLEMENTING CHAPTER 332 (VEHICLES AND TRAFFIC) OF THE JERSEY CITY CODE ARTICLE VII (METERED PARKING) AMENDING THE HOURS FOR THE MONTHLY PERMIT PARKING ZONE FROM (6:00 A.M. TO 7:00 P.M.) TO (6:00 A.M. TO 5:00 P.M.) AND SUPPLEMENTING ARTICLE VIII (PERMIT PARKING ZONES) AMENDING THE HOURS FOR THE TWO (2) HOUR RESTRICTED RESIDENTIAL PERMIT PARKING PROGRAM FROM (8:00 A.M. TO 5:00 P.M.) TO (8:00 A.M. TO 7:00 P.M.); ESTABLISHING A FOUR (4) HOUR RESIDENTIAL PARKING PERMIT FOR CITY RESIDENTS; ESTABLISHING 500 FEET AS THE MINIMUM DISTANCE A VEHICLE MUST BE MOVED TO REACTIVATE THE TWO (2) HOUR PARKING PROVISION; PROVIDE FOR THE CITY CLERK TO ADMINISTER DAILY VISITORS PARKING PERMITS; ESTABLISH GUIDELINES FOR THE PLACEMENT OF THE VEHICLE IMMOBILIZATION DEVICE (BOOT) AND ESTABLISH GUIDELINES AS TO WHEN THE FEE FOR THE VEHICLE IMMOBILIZATION DEVICE (BOOT) SHALL BE REFUNDED BY THE JERSEY CITY PARKING AUTHORITY**

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

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

Article VII Metered Parking  
Sec. 332-63 On-street monthly permit parking zones.

1. The Monthly Permit Parking Zone will be in effect from 6:00 a.m. to [7:00 p.m.] 5:00 p.m.

The following public streets are established as on-street monthly permit parking zones

| STREET:           | LOCATION:  |
|-------------------|--|
| Columbus Drive    | Marin Boulevard to Hudson Street   |
| Hoboken Avenue    | South side; beginning at a point 73 feet east of Oakland Avenue and extending to Baldwin Avenue  |
|                   | North side; beginning at a point 246 feet east of Oakland Avenue and extending to Baldwin Avenue |
| Steuben Street    | Entire length  |
| Warren Street     | Montgomery Street to Morgan Street   |
| Washington Street | Montgomery Street to Columbus Drive  |

Article VIII Permit Parking  
Sec. 332-66 Parking restrictions in residential zones.

A. No person shall park a vehicle in excess of two hours; four hours within 500 feet of a hospital; between the hours of 8:00 a.m. and [5:00] 7:00 p.m., Monday through Friday, except public holidays, without a valid permit upon any of the streets or parts of streets as described in Schedule XXIV(332-108), attached to and made part of this chapter. This will be in effect for all Zones in the Two-Hour Residential Permit Parking Program except Essex Street in Zone 3 and Zone 9 and Zone 10 which have distinct hours of enforcement

1. In all established residential parking permit zones; a vehicle must be moved a minimum of 500 feet to reactivate the 2 hour parking provision

JDS:pcl  
(11.4.09)

continued.....

AN ORDINANCE SUPPLEMENTING CHAPTER 332 (VEHICLES AND TRAFFIC) OF THE JERSEY CITY CODE ARTICLE VII (METERED PARKING) AMENDING THE HOURS FOR THE MONTHLY PERMIT PARKING ZONE FROM (6:00 A.M. TO 7:00 P.M.) TO (6:00 A.M. TO 5:00 P.M.) AND SUPPLEMENTING ARTICLE VIII (PERMIT PARKING ZONES) AMENDING THE HOURS FOR THE TWO (2) HOUR RESTRICTED RESIDENTIAL PERMIT PARKING PROGRAM FROM (8:00 A.M. TO 5:00 P.M.) TO (8:00 A.M. TO 7:00 P.M.); ESTABLISHING A FOUR (4) HOUR RESIDENTIAL PARKING PERMIT FOR CITY RESIDENTS; ESTABLISHING 500 FEET AS THE MINIMUM DISTANCE A VEHICLE MUST BE MOVED TO REACTIVATE THE TWO (2) HOUR PARKING PROVISION; PROVIDE FOR THE CITY CLERK TO ADMINISTER DAILY VISITORS PARKING PERMITS; ESTABLISH GUIDELINES FOR THE PLACEMENT OF THE VEHICLE IMMOBILIZATION DEVICE (BOOT) AND ESTABLISH GUIDELINES AS TO WHEN THE FEE FOR THE VEHICLE IMMOBILIZATION DEVICE (BOOT) SHALL BE REFUNDED BY THE JERSEY CITY PARKING AUTHORITY

- B. The Chief Executive Officer of the J.C. Parking Authority (hereinafter "J.C.P.A.") or his or her designee is hereby authorized to issue a parking permit upon written application therefore. Each such permit shall be designated by the J.C.P.A. or his or her designee to state or reflect thereon the particular residential permit parking zone as well as the license number of the motor vehicle for which it is issued. No more than one parking permit shall be issued to each motor vehicle for which application is made. The J.C.P.A. is authorized to issue such rules and regulations not inconsistent with this chapter governing the manner in which persons shall qualify permits.

(1) City residents can apply for a four (4) hour residential parking permit which can be utilized in all established zones of Jersey City except: Monthly Permit Parking Zones and the On-Street Resident Only Permit Parking Zones

- C. No Change
- D. No Change
- E. No. Change

- F. Temporary residential parking permits may be issued for vehicles which are owned, rented or under the operational control of any person who owns, leases property or attends school in the residential permit zone or used in providing services to persons or property in the residential permit zone. Temporary residential parking permits may also be issued to vehicles owned by temporary visitors who are residing in the residential permit parking zones. Such temporary residential parking permits shall have all the rights and privileges of a regular permit. A temporary parking permit shall be valid for no more than 90 days from the date of issuance. No resident of a residential permit parking zone shall be issued more than two temporary parking permits at any one time. A temporary residential parking permit issued to a vehicle providing services or to a vehicle owned by temporary visitors shall be considered to be a temporary permit issued to the resident of the property where the services are provided or the temporary visitors are residing.

(1) The City Clerk will administer Daily Visitors Parking Permits at the rates established by the Parking Authority

- G. No Change

JDS:pcl  
(11.4.09)

continued.....

AN ORDINANCE SUPPLEMENTING CHAPTER 332 (VEHICLES AND TRAFFIC) OF THE JERSEY CITY CODE ARTICLE VII (METERED PARKING) AMENDING THE HOURS FOR THE MONTHLY PERMIT PARKING ZONE FROM (6:00 A.M. TO 7:00 P.M.) TO (6:00 A.M. TO 5:00 P.M.) AND SUPPLEMENTING ARTICLE VIII (PERMIT PARKING ZONES) AMENDING THE HOURS FOR THE TWO (2) HOUR RESTRICTED RESIDENTIAL PERMIT PARKING PROGRAM FROM (8:00 A.M. TO 5:00 P.M.) TO (8:00 A.M. TO 7:00 P.M.); ESTABLISHING A FOUR (4) HOUR RESIDENTIAL PARKING PERMIT FOR CITY RESIDENTS; ESTABLISHING 500 FEET AS THE MINIMUM DISTANCE A VEHICLE MUST BE MOVED TO REACTIVATE THE TWO (2) HOUR PARKING PROVISION; PROVIDE FOR THE CITY CLERK TO ADMINISTER DAILY VISITORS PARKING PERMITS; ESTABLISH GUIDELINES FOR THE PLACEMENT OF THE VEHICLE IMMOBILIZATION DEVICE (BOOT) AND ESTABLISH GUIDELINES AS TO WHEN THE FEE FOR THE VEHICLE IMMOBILIZATION DEVICE (BOOT) SHALL BE REFUNDED BY THE JERSEY CITY PARKING AUTHORITY

Sec. 332-74 Violations and penalties

A It shall be unlawful and a violation of this Article, unless expressly provided to the contrary herein, for any person to stand or park a motor vehicle for a period exceeding the time limitation or in violation of the zone prohibition established pursuant hereto. Any person who violates or fails to comply with any provision of this Article shall be liable [*to a fine of a minimum of \$50 for a first offense and a fine of a minimum of \$100 for any offense thereafter*] to the fine indicated in Chapter 160.

(1) The placement of a Vehicle Immobilization Device (Boot) can only be issued when 3 tickets remain outstanding past original date.

(2) The fee charged for the Vehicle Immobilization Device (Boot) shall be refunded only when found Not Guilty by a Municipal Court Judge and proof to that effect. Only then shall the fee be refunded by the Jersey City Parking Authority

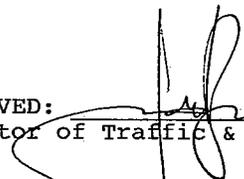
2. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

3. This ordinance shall be a part of the Jersey City Code as though codified and incorporated in the official copies of the Jersey City Code.

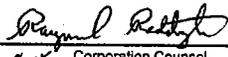
4. The City Clerk and the Corporation Counsel may change any chapter numbers, article numbers and section numbers if codification of this ordinance reveals a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

NOTE: New material to be inserted is underscored; material to be repealed is in [brackets].

JDS:pcl  
(11.4.09)

APPROVED:  11/4/09  
Director of Traffic & Transportation

APPROVED AS TO LEGAL FORM

  
Corporation Counsel

APPROVED:  11/4/09  
Municipal Engineer  
APPROVED:   
Business Administrator

Certification Required   
Not Required

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

**1. Full title of ordinance/ resolution/cooperation agreement:**

An ordinance supplementing Chapter 332 (Vehicles and Traffic) of the Jersey City Code Article VII (Metered Parking) amending the hours for the Monthly Permit Parking Zone from (6:00 a.m. to 7:00 p.m.) to (6:00 a.m. to 5:00 p.m.) and supplementing Article VIII (Permit Parking Zones) amending the hours for the two (2) hour Restricted Residential Permit Parking Program from (8:00 a.m. to 5:00 p.m.) to (8:00 a.m. to 7:00 p.m.); establishing a four (4) hour residential parking permit for City residents; establishing 500 feet as the minimum distance a vehicle must be moved to reactivate the two (2) hour parking provision; provide for the City Clerk to administer daily visitors parking permits; establish guidelines for the placement of the vehicle immobilization device (boot) and establish guidelines as to when the fee for the vehicle immobilization device (boot) shall be refunded by the Jersey City Parking Authority

**2. Name and title of person initiating ordinance/resolution, etc.:**

Joao D'Souza, Director of Traffic & Transportation, Division of Engineering, Traffic and Transportation at the request of Robert Byrne, City Clerk on behalf of the Municipal Council

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

Change the hours the Monthly Permit Parking Program will be in effect from 6:00 a.m. to [7:00 p.m.] 5:00 p.m.

Change the hours the Two-Hour Residential Permit Parking Program will be in effect from 8:00 a.m. to [5:00 p.m.] 7:00 p.m.

Establish a four (4) hour residential parking permit for City residents

Establish 500 feet as the minimum distance a vehicle must be moved to reactivate the two (2) hour parking provision

Provide for the City Clerk to administer daily visitors parking permits

Establish guidelines for the placement of the vehicle immobilization device (boot)

Establish guidelines as to when the fee for the vehicle immobilization device (boot) shall be refunded by the Jersey City Parking Authority

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

Recommendations made by the Parking Committee

**5. Anticipated benefits to the community:**

To better serve the communities in the Permit Parking Programs as well as all City residents

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

City funds for the signs

Parking Authority funds for the permits

**7. Date proposed program, or project will commence:**

Pending adoption by the Jersey City Municipal Council

**8. Anticipated completion date:**

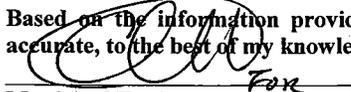
Twenty days after adoption of the Ordinance by the Jersey City Municipal Council

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

Joao D'Souza, Director of Traffic & Transportation, Division of Engineering, Traffic and Transportation, 201.547.4468

**10. Additional comments:**

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

  
Municipal Engineer

11/4/09  
Date

Signature of Department Director

Date

# JCPA

394 Central Avenue  
Jersey City, New Jersey 07307  
Phone #: 201-653-6969

## MEMORANDUM

Date: December 01, 2009

To: Council President Peter Brennan  
Councilwoman At-Large Willie Flood  
Councilman At-Large Mariano Vega  
Councilman Michael Sottolano  
Councilman David Donnelly  
Councilwoman Nidia Lopez  
Councilman William Gaughan  
Councilman Steven Fulop  
Councilwoman Viola Richardson

CC: Brian O'Reilly, Business Administrator  
Robert Byrne, City Clerk

From: Mary Spinello-Paretti, CEO 

Re: **Proposed Ordinance 09-121**

RECEIVED  
2009 DEC -3 A 9:12  
CITY CLERK'S OFFICE  
JERSEY CITY, N.J.

Thank you for withdrawing the above referenced Ordinance from last week's agenda so I could review and discuss it with my Board of Commissioners.

At our November 24<sup>th</sup> Board Meeting the proposed changes were discussed and the following concerns/questions arose:

***Moving a vehicle a minimum of 500 feet to reactivate the two (2) hour parking revision***

- How is the 500 feet to be measured?
- If we passed as drafted will it now be permissible to park all day in a zone without the proper permit as long as you move 500 feet every two (2) hours?  
Is this not defeating the purpose of zone parking?

***Establishing a 4 hour permit for Residents to park anywhere in the city***

- A new permit needs to be established (purchased) and implemented
- Is there going to be a fee for this new permit?
- What is that fee going to be?
- Who qualifies for this permit? Do residents who live in buildings excluded from Residential Parking Permits qualify for citywide permits?
- What is the purpose of the new permit to allow residents to shop and dine in other areas of the city?

***City Clerk's Office Administering Daily Visitors Parking Permits***

- How will the Authority receive the revenue generated from these permits?

***The placement of a Vehicle Immobilization Device can only be done when three (3) tickets remain outstanding past the original date***

- I thought the number of outstanding tickets was going to be reduced to two (2).
- By permitting anyone to accumulate three (3) tickets and only requiring them to pay the first one before they can receive a Vehicle Immobilization Device does not encourage them to comply with the existing Municipal Code which requires everyone to have a permit if they are going to park in a zoned area for more than two (2) hours.

I believe it is in everyone's best interest to clarify these concerns/questions before passing legislation that is vague and difficult to enforce.

Thank you for taking the time to consider this information before introducing Ordinance 09-121  
If anyone would like to discuss this matter in greater detail I am available to do so. Please feel free to contact me at 201-653-6969.



# ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 10-003

TITLE: **ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 304 (TAXATION)  
ARTICLE II (Delinquent conventional taxes) OF THE JERSEY CITY CODE**

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

A. The following amendments and supplements to Chapter 304 (Taxation) Article II (Delinquent conventional taxes) of the Jersey City Code are adopted:

## ARTICLE II Delinquent Taxes

**§ 304-5. Installment payments for delinquent conventional taxes or for redemption of tax sale liens; applications and approval.**

A. The City Council may ~~{from time to time enter into}~~ by resolution approve installment agreements with financially qualified owners of the real property listed in Subsection I for (1) the payment of delinquent conventional taxes or (2) the redemption of tax sale liens and water and sewerage liens held by the City. {with financially qualified owners of the real property listed in Subsection I}

B. ~~{Such}~~ All installment agreements shall provide for a reasonable down payment in {an} the amount {to be} recommended by the Tax Collector, based upon {the financial condition} an evaluation of {the taxpayer and to be approved by Council} an owner's income and assets and liabilities, and for the payment of all delinquent conventional taxes or redemption of the balance of the lien, in {substantially} equal monthly installments over a period {of} not to exceed five years for delinquent conventional taxes, or three years for tax sale liens.

C. Owners ~~{of buildings}~~ of real property that have accrued delinquent conventional taxes or are subject to tax sale liens and water and sewerage liens, may apply to the Tax Collector for payment of delinquent conventional taxes or redemption of the liens by installment {payments} agreement.

D. ~~{All applications}~~ Each application for {redemption by} an installment {payments} agreement shall be certified by the owner and include such information as the Tax Collector considers relevant, including evidence that the {applicant} owner has been unable to secure a {bank} loan from at least two (2) banks, and such financial information as will enable the Tax Collector to determine the ability of the {applicant} owner to discharge his or her obligations {by} under the proposed installment {payments} agreement. {In appropriate cases, the Tax Collector may waive the requirement that an applicant has unsuccessfully applied for a bank loan if the director determines that the applicant is otherwise qualified for an installment agreement.}

~~{D}~~ E. The Tax Collector shall review each application and shall forward the approved application to the City Council, together with a proposed resolution and redemption} Every installment agreement {which} shall specify the following:

(1) The total taxes owed, including fees, penalties and interest accruing through the date the agreement is approved;

(2) The down payment to be made {by the applicant} upon execution of the agreement;

~~{(3) The balance due on the tax sale certificate.}~~

**ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 304 (TAXATION)  
ARTICLE II (Delinquent conventional taxes) OF THE JERSEY CITY CODE**

- ~~{4}~~(3) The amount of each monthly payment including the rate of interest to be charged during the term of the agreement, and which, only for an agreement to pay delinquent conventional taxes by installment, may be 0%, as fixed in the resolution approving the agreement;
- ~~{5}~~(4) The term of the agreement [of redemption]; which will not exceed five (5) years for delinquent conventional taxes, or three (3) years for tax sale liens; and
- (5) An agreement to pay delinquent conventional taxes by installment shall be void if any payment is not paid within 30 days after the due date or, if any subsequent or new taxes, assessments, or other municipal charges are not paid within 30 days of when they become due, and the Tax Collector shall reinstate all interest at the highest rate of interest allowed by law as if the agreement had not been approved, and proceed to hold a tax sale against the property; or
- (6) An agreement to redeem a tax sale lien by installment shall be void if any payment is not paid when due or if the redemption is not completed in time, or if any subsequent or new taxes, assessments, or other municipal charges become delinquent for more than 30 days, and the Tax Collector shall begin an action in the Superior Court to foreclose, including the right of redemption of the tax sale lien.
- ~~{E}~~. ~~{The resolution shall provide for the suspension pending redemption of any action by the municipality to foreclose the right of the redemption, if the installment payments are regularly and properly made in accordance with the schedule of payments provided in the resolution.}~~
- ~~{F}~~. ~~If an installment is not paid when due or redemption is not completed in the time fixed in the resolution, the Tax Collector may, in his or her discretion, cancel the agreement and begin an action in the Superior Court to foreclose the right of redemption of the tax sale lien.~~
- F. The Tax Collector shall ~~{then}~~ forward the application and proposed installment agreement to an ad hoc committee of the Council with a recommendation to either approve or reject the application. ~~{to modify the terms of the installment payment agreement}~~ The ad hoc committee shall ~~{review all the applications and}~~ provide its recommendation to the Council as a whole. The recommendation of the ad hoc committee may include the amount of down payment to be required ~~{by}~~ of the owner as a condition to approving the installment ~~{payment}~~ agreement.
- G. The Tax Collector shall establish such records and procedures as are necessary to administer and enforce installment agreements approved by the ~~{Municipal}~~ Council under this Article. The Tax Collector shall furnish quarterly reports to the ~~{Municipal}~~ Council as to the number of installment agreements in effect, the payments made under each installment agreement and number and amount of ~~{delinquent payments}~~ agreements voided, if any.
- H. ~~{When the City agrees to grant a delinquent taxpayer the opportunity}~~ If an owner agrees to pay by an installment agreement, delinquent conventional taxes or a tax sale lien pursuant to [on an installment basis where there is a tax sale lien held by the city, pursuant to] N.S.J.A. 54:5-19 or 54:5-65, and [said taxpayer] the owner fails to comply with [said] the installment agreement, [no further] the owner shall be ineligible for any other installment agreement on any and all property of [said taxpayer] the owner, whether [said taxpayer] the owner held such property prior to or acquired it after an agreement is voided, [said taxpayer's] reneging, shall be entered into by the City with said taxpayer} unless the ~~{taxpayer}~~ owner shall make application to the ~~{Municipal}~~ Council prior to the date the agreement becomes void and upon a showing of good cause, to obtain [its] Council approval for any [such] further agreement.
- I. ~~{Tax sale liens against}~~ Only the owners of the following real property shall be eligible for redemption} an installment agreement [pursuant to this section]:
- (1) Real property residential or commercial units or a combination of each;
  - (2) Real property owned by a nonprofit organization pursuant to State and federal law, which is not otherwise exempt from real estate taxes [taxation];

**ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 304 (TAXATION)  
ARTICLE II (Delinquent conventional taxes) OF THE JERSEY CITY CODE**

~~(3)~~ Real property without any capital improvements thereon, or

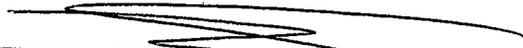
~~(4)~~(3) Real property which qualifies as an industrial use under Chapter 345, Zoning, of the Code of the City of Jersey City.

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

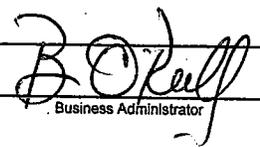
**NOTE:** All new material is underlined; words in {brackets} are omitted.  
For purposes of advertising only, new matter is indicated by **boldface** and repealed matter by *italic*.

JM/he  
1/05/10

APPROVED AS TO LEGAL FORM

  
\_\_\_\_\_  
Corporation Counsel

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

APPROVED:   
\_\_\_\_\_  
Business Administrator

Certification Required

Not Required

City Clerk File No. Ord. 10-004

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 10-004

**TITLE** **ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING  
THE SECOND SET OF AMENDMENTS TO THE NJCU WEST CAMPUS REDEVELOPMENT  
PLAN**

**WHEREAS**, the Municipal Council, by Resolution #05-049, adopted on January 26, 2005, did declare the West Campus Study Area to be "an area in need of redevelopment;" and

**WHEREAS**, pursuant to the Local Redevelopment and Housing Law (*N.J.S.A. 40A:12A-1 et seq.*), the governing body is empowered to adopt and amend regulations governing development within an area declared in need of redevelopment; and

**WHEREAS**, the Municipal Council of the City of Jersey City adopted the NJCU West Campus Redevelopment Plan by Ordinance #05-007, adopted February 9, 2005; and

**WHEREAS**, the Municipal Council, upon recommendation of the Planning Board, adopted certain amendments to NJCU West Campus Redevelopment Plan on February 13, 2008 by Ordinance #08-007; and

**WHEREAS**, the Planning Board of Jersey City, at a public hearing held on December 15, 2009, reviewed and discussed additional proposed amendments to the NJCU West Campus Redevelopment Plan and voted to recommend those amendments for adoption by the Municipal Council; and

**WHEREAS**, the proposed amendments to the NJCU West Campus Redevelopment Plan, attached hereto and made a part hereof, are made available for public inspection in the Office of the City Clerk, City Hall, Jersey City, NJ;

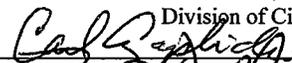
**NOW, THEREFORE, BE IT ORDAINED** by the Municipal Council of the City of Jersey City that the above referenced amendments to the NJCU West Campus Redevelopment Plan be, and hereby are, adopted as recommended by the Jersey City Planning Board.

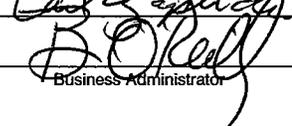
**BE IT FURTHER ORDAINED THAT:**

- 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.
- E. The City Clerk is hereby directed to give notice at least ten days prior to hearing on the adoption of this Ordinance to the 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 further 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.

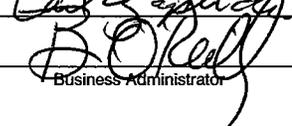
  
Robert D. Cotter, PP, Director  
Division of City Planning

APPROVED AS TO LEGAL FORM

APPROVED: 

APPROVED: 

  
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 SECOND SET OF AMENDMENTS TO THE NJCU WEST CAMPUS  
REDEVELOPMENT PLAN**

**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 Ordinance:**

This ordinance adopts amendments to the NJCU West Campus Redevelopment Plan increasing right-of-way width dimensions, adding bicycle lanes and standards for bicycle parking and storage, improving pedestrian and vehicular right-of-way design, defining and creating standards for a Performing Arts Center, adjusting the Frontage Regulating Plan, updating the overall composition of the site area as well as the site capacity build-out numbers and adjusting the building block plan consistent with the capacity build-out and the Frontage Regulating Plan. In addition, corrections have been made for minor text errors to ensure consistency throughout the plan.

**4. Reasons for the Proposed Project:**

Adoption of these amendments will address right-of-way design concerns expressed by the Division of Engineering, will address bicycle and pedestrian friendly amenities consistent with the newly adopted Circulation Element of Master Plan, will facilitate better building and site design, and will facilitate timely redevelopment within the Plan area.

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

Swifter and more beneficial redevelopment of long vacant and underutilized property to the benefit of the surrounding neighborhood suffering from disinvestment.

**6. Cost of Proposed Program, Project, etc.:** None

**7. Date Proposed Program or Project will commence:** Upon Adoption

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

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

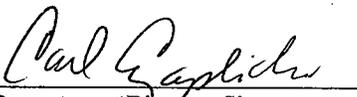
Robert D. Cotter, Director of City Planning                      547-5050  
Claire Davis, Supervising Planner, City Planning                      547-5010

**10. Additional Comments:** None

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

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

Dec 15, 2009  
\_\_\_\_\_  
Date

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

12/15/09  
\_\_\_\_\_  
Date

## **SUMMARY**

### **ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING THE SECOND SET OF AMENDMENTS TO THE NJCU WEST CAMPUS REDEVELOPMENT PLAN**

This ordinance adopts amendments to the NJCU West Campus Redevelopment Plan increasing right-of-way width dimensions, adding bicycle lanes and standards for bicycle parking and storage, improving pedestrian and vehicular right-of-way design, defining and creating standards for a Performing Arts Center, adjusting the Frontage Regulating Plan, updating the overall composition of the site area as well as the site capacity build-out numbers and adjusting the building block plan consistent with the capacity build-out and the Frontage Regulating Plan. In addition, corrections have been made for minor text errors to ensure consistency throughout the plan.

City Clerk File No. Ord. 10-005

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 10-005

**TITLE: AN ORDINANCE VACATING THE PAPER STREET KNOWN AS DUDLEY STREET FROM ITS INTERSECTION WITH GREENE STREET AND EXTENDING EASTERLY**

**WHEREAS**, Dudley Street east of Greene Street is shown as a paper street on the Tax Map of the City of Jersey City; and

**WHEREAS**, the State of New Jersey is the owner of the Morris Canal Little Basin which adjoins the southerly side of the paper street known as Dudley Street; and

**WHEREAS**, Colgate Center Property Owners' Association is the owner of Block 33, Lot K which is used as a park and is the property that adjoins the northerly side of the paper street known as Dudley Street; and

**WHEREAS**, the New Jersey Department of Environmental Protection and Energy desires that the City vacate Dudley Street east of Greene Street so that the Hudson River Waterfront Walkway can be extended across the vacated portion of Dudley Street (Exhibit "A"); and

**WHEREAS**, the Colgate Center Property Owners' Association has adopted a resolution stating that it agrees to a marginal vacation of the paper street known as Dudley Street (Exhibit "B"); and

**WHEREAS**, under this marginal vacation, title to all of the vacated street will vest in the State of New Jersey; and

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

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

Section I. All that portion of Dudley Street in the City of Jersey City, as is hereinafter more particularly described and is shown and delineated on the plan which is attached hereto (Exhibit "A"), be and the same is hereby vacated, which part of the aforesaid street is more particularly described as follows:

Beginning at a point of intersection of the easterly line of Greene Street (60' R.O.W.) And the northerly line of Dudley Street (30' R.O.W.), said point being distant 200.00 feet southerly from the intersection of said easterly line of Greene Street and the southerly line of Essex Street (60' R.O.W.); thence

1. Along the said northerly line of Dudley Street, South 81° 40' 31" East, a distance of 150.00 feet to a point on the dividing line of Dudley Street and Block 2, Lot C; thence

2. Along the dividing line of Dudley Street and Block 2, Lot C, South 08° 19' 29" West, a distance of 30.00 feet to a point on the southerly line of Dudley Street; thence
  3. Along the southerly line of Dudley Street, North 81°40'31" West, a distance of 150.00 feet to a point; thence
  4. North 08°19'29" East, a distance of 30.00 feet to the Point of Beginning.
- Encompassing an area of 4,500 S.F./0.103 acres, more or less

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

Section III. The State of New Jersey Department of Environmental Protection and Energy shall provide access to the Colgate Center Property Owners' Association property boundary along the Northern side of Dudley Street for the purpose of repairs and maintenance, however, such repairs and maintenance shall not result in the closing of the waterfront walkway at this location.

Section IV. This ordinance shall be filed with the Register of Hudson County within thirty (30) days after this ordinance becomes effective. Upon filing with the Register of the County of Hudson, title to the vacated portion of Dudley Street shall vest in the State of New Jersey because this is a marginal vacation.

Section V. This ordinance shall be subject to the following:

- (A) In the event there are utilities located under the area being vacated herein under, an easement in perpetuity is reserved for the benefit of the City of Jersey City and all public utility companies, including any cable television company as defined in the Cable Television Act, P.L. 1972, c. 1986(c. 48:5A-1 et seq) for the purpose of ingress egress over and upon the area subject to this vacation ordinance in order to maintain, repair or replace existing utility facilities including waterlines, sewer lines, gas lines, telephone, electrical and cable television wires and poles which may be located either beneath or above the surface of the area subject to this vacation ordinance; and
- (B) No buildings or structures of any kind may be constructed over the water or sewer utilities within the area subject to the vacation without the consent of the Chief Engineer of the City of Jersey City unless and until those utilities are relocated and/or abandoned.

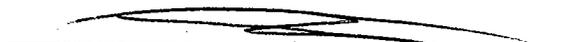
Section VI. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

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

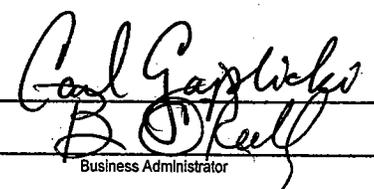
Section VIII. This ordinance shall take effect in a time and in the manner provided by law.

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

APPROVED AS TO LEGAL FORM

  
Corporation Counsel

APPROVED:



APPROVED:

Business Administrator

Certification Required   
Not Required

**ORDINANCE FACT SHEET**

**1. Full Title of Ordinance:**

**AN ORDINANCE VACATING THE PAPER STREET KNOWN AS DUDLEY STREET FROM ITS INTERSECTION WITH GREENE STREET AND EXTENDING EASTERLY**

**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 Program, Project or Plan Proposed in the Ordinance:**

To vacate a 150' x 30' wide paper segment of Dudley Street. One adjacent property owner is the State of NJ and the other is the Colgate Property Owners Association. The Property Owners Association has agreed to a marginal vacation which means that all of the vacated Street will vest with the State of NJ.

**4. Reasons for the Proposed Project:**

This R-O-W does not connect into the street network. It is currently tidally flowed and strewn with debris. It is at the water's edge and should be use for the Hudson River Waterfront Walkway.

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

Completion of a large gap of the waterfront walkway by the State of NJ.

**6. Cost of Proposed Program, Project, etc.:** public notice costs for Mailing and County Clerk filing costs

**7. Date Proposed Program or Project 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  
Maryann Bucci-Carter, City Planning 547-4499

**10. Additional Comments:** None

I Certify that all the Facts Presented Herein are Accurate.

  
Division Director

11/23/09  
Date

  
Department Director Signature

11/23/09  
Date

**PETITION TO VACATE A THE PORTION OF DUDLEY STREET**  
**EAST OF FREENE STREET**

*September 16, 2009*

To: The Hon. Mayor and Municipal Council of the City of Jersey City

Petitioners, the State of New Jersey Department of Environmental Protection and Energy and the Colgate Center Property Owners= Association at the request of HEDC

1. The State of New Jersey, Division of Property Management and Construction (DPMC) on behalf of the Department of Environmental Protection (DEP), proposes to build an approximately 1,600 linear foot long portion of the downtown waterfront walkway between where it currently terminates at the Sugar House Residential Development (Washington Street and Essex Street) and the Colgate promenade at the Goldman Sachs Tower (foot of Essex Street). The construction will serve to fill in one of the major gaps of the 14 mile long Hudson River Waterfront Walkway which runs from Bayonne to the George Washington Bridge.
2. After consulting with the Jersey City Division of City Planning and Division of Engineering, the State of New Jersey is proposing to build a portion of the waterfront walkway on Dudley Street, a thirty foot wide paper street which abuts the State=s property known as the Morris Canal Little Basin and which abuts Block 33, Lot K which is owned by the Colgate Center Property Owners= Association and is used as a park.
3. Colgate Center Property Owners= Association has adopted a resolution indicating that it approves a marginal vacation of Dudley Street which means all title to all of the vacated paper street will vest in the State of New Jersey.
4. The State of New Jersey will then construct a portion of the Hudson River Waterfront Walkway on the vacated Dudley Street.
5. Portions of the current R-O-W are traversed by the tides, therefore, utilizing the Dudley Street R-O-W for the Hudson River Waterfront walkway is appropriate at this location.

Wherefore, the Petitioners respectfully request that the City vacate the portion of the paper street known as Dudley Street located east of Greene Street as more particularly depicted on the map attached to the vacation ordinance and described by the metes and bounds description prepared by E. Langan Engineering, such documents being on file with the office of the City Clerk.

STATE OF NEW JERSEY DEPARTMENT OF  
ENVIRONMENTAL PROTECTION

Date:

*11/19/09*

COLGATE CENTER PROPERTY OWNERS=  
ASSOCIATION

Date:

*12-22-09*



ADMINISTRATOR

16 June 2009  
100021601

**WRITTEN DESCRIPTION  
FOR THE PROPOSED STREET VACATION  
OF A PORTION OF DUDLEY STREET  
IN THE CITY OF JERSEY CITY  
HUDSON COUNTY, NEW JERSEY**

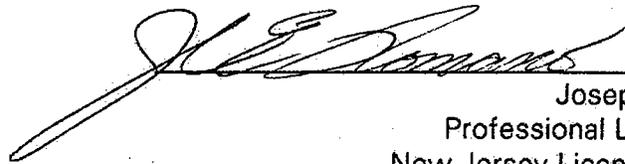
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Beginning at a point of intersection of the easterly line of Greene Street (60' R.O.W.) and the northerly line of Dudley Street (30' R.O.W.), said point being distant 200.00 feet southerly from the intersection of said easterly line of Greene Street and the southerly line of Essex Street (60' R.O.W.); thence

1. Along the said northerly line of Dudley Street, South  $81^{\circ}40'31''$  East, a distance of 150.00 feet to a point on the dividing line of Dudley Street and Block 2 Lot C; thence
2. Along the dividing line of Dudley Street and Block 2, Lot C, South  $08^{\circ}19'29''$  West, a distance of 30.00 feet to a point on the southerly line of Dudley Street; thence
3. Along the southerly line of Dudley Street, North  $81^{\circ}40'31''$  West, a distance of 150.00 feet to a point; thence
4. North  $08^{\circ}19'29''$  East, a distance of 30.00 feet to the Point of Beginning.

Encompassing an area of 4,500 S.F./0.103 acres, more or less..

This description is prepared in accordance with a plan entitled "Boundary Survey of Block 2, Lots A and C, Block 33, Lots J, 19, 17, 20, K and L, Block 65 Lots D, A2, A1 and B1, Shore Stabilization Structure, Walkway & DMAVA Park Installation, City of Jersey City, Hudson County, New Jersey," prepared by Langan Engineering and Environmental Services, Inc. Elmwood Park, New Jersey, Job No. 100021601, dated 15 may 2009, Drawing No. 07.03.

 1-6-2010  
Joseph E. Romano  
Professional Land Surveyor  
New Jersey License No. 36273

G:\Data6\100021601\Survey Data - 100021601\Office Data\Descriptions\Proposed Dudley Street Vacation 16 June 2009.doc

NJ Certificate of Authorization No: 24GA27996400

RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE  
COLGATE CENTER PROPERTY OWNERS ASSOCIATION, INC.

WHEREAS, the State of New Jersey Department of Environmental Protection (DEP) has or is about to petition the City of Jersey City to vacate a portion of Dudley Street in Jersey City, New Jersey, where said street abuts land owned by the Colgate Center Property Owners Association, Inc. (POA) known as Block 33, Lot K on the current Jersey City Tax Assessment Map; and

WHEREAS, the purpose of the street vacation is to dedicate the land located in the bed of the street to public use as an extension of the Hudson River Waterfront Walkway; and

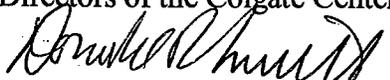
WHEREAS, the POA wishes to waive and relinquish any ownership or control over any portion of Dudley Street that might arise from its vacation so that the public project can be pursued by the DEP; and

WHEREAS, the POA wishes to reserve a right of access over the vacated portion of Dudley Street adjacent to the POA's property for repair and maintenance of its retaining wall and to preserve the grade of the POA's land;

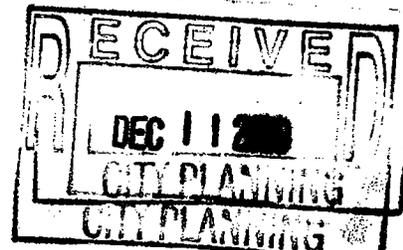
NOW, THEREFORE, BE IT RESOLVED:

1. The POA supports the DEP's petition to vacate a portion of Dudley Street in Jersey City, New Jersey, where that streets abuts land owned by the POA known as Block 33, Lot K on the current Jersey City Tax Assessment Map.
2. The POA supports the dedication of the land located in the bed of Dudley Street to public use as part of the Hudson River Waterfront Walkway.
3. The POA waives and relinquishes any ownership or control over any portion of Dudley Street that might be vacated so that the public project can go forward; and the POA wishes to reserve a right of access over the vacated portion of Dudley Street adjacent to the POA's property for repairs and maintenance to its retaining wall and to preserve the grade of its land.
4. The officers and directors of the POA are authorized to execute such documents as may be necessary and proper to effectuate this resolution subject to the review and approval of counsel.

I hereby certify that the foregoing Resolution was adopted at a meeting of the Board of Directors of the Colgate Center Property Owners Association conducted on September 10, 2009.

  
Donald R. Smartt, Administrator,  
Colgate Center Property Owners Association

**Exhibit B**



City Clerk File No. Ord. 10-006

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 10-006

TITLE: **ORDINANCE SUPPLEMENTING CHAPTER 257 (PROPERTY TRANSFERS AND LEASES) OF THE JERSEY CITY CODE**

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

A. The following supplement to Chapter 257 (Property Transfers and Leases) of the Jersey City Code is adopted:

**§257-1 through §257-5. No Change.**

**§257-6 Disclosure of availability of zoned parking permits for residential buildings.**

A. As used in this sub-chapter, "Residential Building" is defined as any structure containing five (5) or more units, including any unit therein, that is offered for sale or lease, for occupancy in whole or in part, as a residence or sleeping quarter by one (1) or more person.

B. The seller or landlord, as appropriate, of any Residential Building located within a zone designated for restricted parking pursuant to Section 26-70.1 and Schedule 26 of the City Code, shall furnish the prospective buyer or prospective tenant, with a copy of the Notice appearing in Section C, below, prior to the following events:

(i) Sales: the signing of a contract of sale or the acceptance of a deposit for sale of a unit in any Residential Building, whichever occurs first; or

(ii) Leases: the signing of a lease or the acceptance of a deposit for a lease of a unit in any Residential Building, whichever occurs first.

C. The Notice shall be in the following form and printed or typed in a font of at least ten (10) point:

## NOTICE REGARDING PARKING PERMIT ZONES

Some Residential Buildings in Jersey City are located within a zone that allows residents to purchase a permit for long term parking on the public streets within the zone. However, not all Residential Buildings that may appear to be within the zone are, in fact, eligible for zoned parking permits.

To determine whether or not a specific Residential Building is within a restricted parking zone and whether or not a resident of the Residential Building is eligible to purchase a parking permit in the zone, you must first contact the Jersey City Parking Authority, which operates the Residential Parking Permit Zone Program for the City of Jersey City, pursuant to Section 12-3.1 of the City Code. The Parking Authority telephone number is (201) 653-6969.

D. The seller or landlord, as appropriate, shall also:

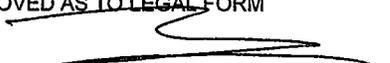
**ORDINANCE SUPPLEMENTING CHAPTER 257 (PROPERTY TRANSFERS AND LEASES)  
OF THE JERSEY CITY CODE**

- (1) Require the buyer or tenant to sign an acknowledgment that he or she has timely received a copy of the above Notice; and
- (2) Retain on file a copy of the buyer's or tenant's written acknowledgment of the timely Notice for inspection by the City.

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

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

*JM/he*  
12/30/09

APPROVED AS TO LEGAL FORM  
  
\_\_\_\_\_  
Corporation Counsel

APPROVED: \_\_\_\_\_  
  
APPROVED: \_\_\_\_\_  
Business Administrator

Certification Required   
Not Required

# Jersey City Law Department

## Memorandum

**To:** Robert Byrne, City Clerk  
**From:** Joanne Monahan, First Asst. Corporation Counsel  
**Subject:** Amendment to Chapter 257-6  
**Date:** December 31, 2009

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Enclosed is a new version of an amendment to Chapter 257-6 pertaining to the disclosure of availability of zoned parking permits for residential buildings. You will note that it limits the mandate of disclosures to residential buildings with five (5) or more units.

This amendment accords with the suggestion in the Mayor's Veto Statement of the previously adopted ordinance. It is my understanding that the sponsor, Councilman Steven Fulop, has indicated that he will not seek to override the Mayor's veto and will instead, agree to the re-introduction of the ordinance as now presented.

JM /he  
Encl.

City Clerk File No. Ord. 10-007

Agenda No. 3.6 1st Reading

Agenda No. \_\_\_\_\_ 2nd Reading & Final Passage



# ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 10-007

**TITLE**  
**ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING  
AMENDMENTS TO ARTICLE I (DEFINITIONS), ARTICLE III (PROCEDURES AND  
CHECKLISTS), AND ARTICLE V (SUPPLEMENTAL ZONING REGULATIONS)**

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

**WHEREAS**, there is a need define and set guidelines for art murals citywide; and

**WHEREAS**, it is necessary to set guidelines for numerical rounding of zoning standard calculations for development applications; and

**WHEREAS**, it is necessary to amend the review agent list and procedures in the Land Development Ordinance in order to retain consistency between it, the City's General Development Application, and previously adopted review procedures; and

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

**WHEREAS**, the 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 above referenced amendments to the NJCU West Campus Redevelopment Plan be, and hereby are, 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.
- E. The City Clerk is hereby directed to give notice at least ten days prior to hearing on the adoption of this Ordinance to the 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 further 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*

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

APPROVED AS TO LEGAL FORM

APPROVED: *Carl Gaphicchi*

\_\_\_\_\_  
Corporation Counsel

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 ARTICLE I (DEFINITIONS), ARTICLE III (PROCEDURES AND CHECKLISTS), AND ARTICLE V – SUPPLEMENTARY ZONING REGULATIONS**

**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:**

Defines and sets standards for art murals, amends the Land Development Ordinance’s Site Plan and Subdivision review agent list to make it consistent with previously adopted procedures, and sets guidelines for the numerical rounding for zoning standard calculations.

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

Amendments are needed in order to regulate murals citywide, to bring the Land Development Ordinance review agent into consistency with recently adopted procedures, and to clarify calculation guidelines for developers to ensure consistency and clarity in zoning standards.

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

Greater clarity with respect to the procedures involved in Site Plan review and regulation of public art murals

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

None

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

Upon approval

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

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

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

**10. Additional Comments: None**

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

  
Division Director

JANUARY 6, 2010  
Date

  
Department Director Signature

1/6/2010  
Date

# SUMMARY STATEMENT

**ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO ARTICLE I (DEFINITIONS), ARTICLE III (PROCEDURES AND CHECKLISTS), AND ARTICLE V – SUPPLEMENTARY ZONING REGULATIONS**

Defines and sets standards for art murals, amends the review agent list for Site Plan and Subdivision review for consistency with previously adopted procedures, and sets guidelines for the numerical rounding of zoning standard calculations.

§ 345-22 Minor subdivision and minor site plan review procedures

- A. Submission Requirements.
1. Submission requirements for minor subdivision and minor site plan approval are provided in the Minor Subdivision and Minor Site Plan Checklist in this article.
  2. ~~The applicant shall forward copies of the application to the following for review and comment, where appropriate:~~
    - a. ~~Division of City Planning;~~
    - b. ~~Construction Code Official;~~
    - c. ~~Division of Engineering;~~
    - d. ~~Department of Fire and Emergency Services;~~
    - e. ~~Historic Preservation Commission;~~
    - f. ~~Police Department;~~
    - g. ~~Municipal Utilities Authority;~~
    - h. ~~Division of Traffic and Street Maintenance;~~
    - i. ~~Environmental Commission;~~
    - j. ~~United Water Company.~~
  23. The Division of City Planning shall have the authority to refer any application to other **any applicable review** agencies or individuals for comments or recommendations. **A current and complete list of review agents may be obtained from the Division of City Planning.**

(no changes in remainder of section)

§ 345-23 Preliminary major subdivision and site plan review procedures

- A. Submission Requirements.
1. Submission requirements for preliminary major subdivision and preliminary site plan approval are provided in the Preliminary Major Subdivision and Site Plan Checklist.
  2. ~~The applicant shall forward copies of the application to the following for review and comment, where appropriate:~~
    - a. ~~Division of City Planning;~~
    - b. ~~Construction Code Official;~~
    - c. ~~Division of Engineering;~~
    - d. ~~Department of Fire and Emergency Services;~~
    - e. ~~Historic Preservation Commission;~~
    - f. ~~Police Department;~~
    - g. ~~Municipal Utilities Authority;~~
    - h. ~~Division of Traffic and Street Maintenance;~~
    - i. ~~Environmental Commission;~~
    - j. ~~United Water Company.~~
  23. The Division of City Planning shall have the authority to refer any application to other **any applicable review** agencies or individuals for comments or recommendations. **A current and complete list of review agents may be obtained from the Division of City Planning.**

(no changes in remainder of section)

§ 345-24 Final approval of major subdivision and site plan review procedures

- A. Submission Requirements.
1. Submission requirements for preliminary major subdivision and preliminary site plan approval are provided in the Final Major Subdivision and Final Major Site Plan Checklist.

~~2. The applicant shall forward copies of the application to the following for review and comment, where appropriate:~~

- ~~a. Division of City Planning;~~
- ~~b. Construction Code Official;~~
- ~~c. Division of Engineering;~~
- ~~d. Department of Fire and Emergency Services;~~
- ~~e. Historic Preservation Commission;~~
- ~~f. Police Department;~~
- ~~g. Municipal Utilities Authority;~~
- ~~h. Division of Traffic and Street Maintenance;~~
- ~~i. Environmental Commission;~~
- ~~j. United Water Company.~~

23. The Division of City Planning shall have the authority to refer any application to ~~either~~ **any applicable review** agencies or individuals for comments or recommendations. **A current and complete list of review agents may be obtained from the Division of City Planning.**

(no changes in remainder of section)

Definition:

***Mural: an art installation on the wall of a building or structure***

§345-60 Supplementary Zoning Regulations

***E. Zoning Standard Calculations: When a numerical calculation of zoning standards for a particular lot results in a fractional number, such numbers shall be rounded down to the next whole number for fractions less than .500 and rounded up for fractions .500 and above.***

***E.F.*** Frontage Upon a Street

***F.G.*** Height Exceptions

***G.H.*** Accessory Structures and Uses unless regulated elsewhere in this chapter

***H.I.*** Conditional Uses

***J. Murals***

***1. Design standards:***

- a. Murals must be adhered directly to the structure and project no more than four (4) inches, consisting of paint, canvas, wood, tiles, metal or glass with no electric, electronic, or lighted elements.***
- b. Murals shall be reversible and shall not permanently damage the façade of the structure being used.***
- c. Murals shall not advance or promote any business product, activity, or service, and thus shall not contain advertising nor logo insignias with the exception of a sponsorship signature which may be a maximum of 1% of the mural area or 10 sf, whichever is less.***
- d. Murals shall not provide direct or indirect profit to any party other than the contributing artist(s).***
- e. Murals shall not depict illegal activity.***
- f. Murals in historic districts and on buildings listed on, or eligible to be listed on, the national, state, or municipal historic registry, are subject to review and approval by the Historic Preservation Commission.***

***2. Procedures***

- a. Prior to the installation of a Mural, as defined, a sketch of the proposed artwork is to be provided to the Zoning Officer and the Division of City Planning.***
- b. If within a historic district or on, eligible to be listed on the national, state, or municipal historic registry, a sketch of the proposed artwork is to be provided to the Historic Preservation Commission.***
- c. Division of City Planning, and Historic Preservation Commission when required, will review and provide a Certificate of Mural Approval to the***

***Zoning Officer, confirming that the proposal is a mural and not a sign. A Certificate of Mural Approval may then be signed by the Zoning Officer.***

- I.K*** Child Care Centers
- J.L*** Family Daycare Homes
- K.M*** Senior Housing
- L.N*** Essential Services
- M.O*** Community Residences
- N.P*** Conversions of First Floor Commercial Uses to a Dwelling Unit.
- O.Q*** Wireless Communications
- P.R*** Group Homes
- Q.S*** Restaurant Overlay
- R.T*** Satellite Earth Stations
- S.U*** Nonconforming Uses, Structures and Lots