

City Clerk File No. Ord. 11-019

Agenda No. 3.A 1st Reading

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



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE

offered and moved adoption of the following ordinance:

CITY ORDINANCE 11-019

TITLE:

ORDINANCE AMENDING CITY ORDINANCE 01-109 AUTHORIZING THE LEASING OF VACANT LAND AND OPEN SPACE LAND SHOWN TO BE IN NEED OF IMPROVEMENTS TO NON-PROFIT CORPORATIONS OR ASSOCIATIONS FOR PUBLIC PURPOSES IN CONNECTION WITH THE CITY OF JERSEY CITY "ADOPT A LOT" PROGRAM

WHEREAS, the City of Jersey City ("the City") is authorized to enter into lease agreements for nominal consideration with non-profit corporations or associations for the cultivation or use of vacant lots *and open spaces shown to be in need of improvements* for gardening or recreational purposes pursuant to NJSA 40A:12-14(c) and NJSA 40:A12-15(I); and

WHEREAS, the City is the owner of vacant lots *and open spaces shown to be in need of improvement* located throughout the City; and

WHEREAS, the City adopted Ordinance 96-123, which was subsequently amended with Ordinance 01-109, authorizing the establishment of an "Adopt A Lot" program,

WHEREAS, the City desires to create ~~amend~~ Ordinance 01-109 to update the "Adopt a Lot" program for the purpose of leasing vacant lots *and open space land shown to be in need of improvements* for gardening and recreational purposes which benefit the public; and

WHEREAS, various non-profit corporations and associations ("Lessees") have expressed interest in participating in the "Adopt a Lot" programs; and

WHEREAS, the City desires to execute leases with Lessees desiring to participate in the City's "Adopt a Lot" program; and

WHEREAS, the Lessees shall conform with the material terms and conditions of the sample lease attached hereto; and

WHEREAS, parties interested in participating in the "Adopt a Lot" program shall contact the Directors of the Department of Public Works *and the Division of City Planning*; and

WHEREAS, the Directors of the Department of Public Works *and the Division of City Planning* shall be *jointly* authorized to approve leases with parties who agree to and are able to comply with the terms and conditions of the form of lease agreement for the "Adopt a Lot" programs; and

WHEREAS, the consideration for each lease shall be one dollar (\$1.00) a year and other good and valuable consideration; and

WHEREAS, the lease term shall be for ~~one~~ two years subject to the City's right to terminate the lease at its convenience without cause by providing 90 days prior notice; and

WHEREAS, as a condition of granting these leases the Lessees shall comply with all of the terms and conditions of the form of lease agreement attached hereto. ~~a condition of granting these leases the Lessees shall submit reports to the Director at the time Lessees submit applications to participate in the Adopt a Lot Program, setting out the use to which the leasehold will be put; the activities of the Lessee will undertake in furtherance of the public purpose for which the leasehold is granted; the approximate value or cost, if any, of such activities in furtherance of such purpose; and if Lessee is a corporation an affirmation of its tax exempt status as a non-profit corporation or association pursuant to both State and Federal laws.~~

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

- 1) *All parties desiring to participate in the "Adopt a Lot" program shall complete and submit an "Adopt a Lot" application, in writing or electronically, to the Director, Department of Public Works with a copy to the Division of City Planning.*
- 2) *The Directors of the Department of Public Works and the Division of City Planning are authorized to jointly approve the application and issue the "Adopt a Lot" lease, and the Division of City Planning is authorized to administer the "Adopt a Lot" program.*
- 3) *For all parties approved for the program, the Business Administrator shall be authorized to execute a lease agreement in substantial compliance with the form of lease agreement attached hereto which contains the minimal terms required under the Local Lands and Buildings Law and the terms and conditions imposed by the City under the "Adopt a Lot" program. At the discretion of the Business Administrator, the City's Risk Manager, and Corporation Counsel, the lease may also include a provision requiring the City to indemnify and hold harmless a Lessee from any and all claims of personal injury, and property damage arising out of the Lessee's occupancy and use of the property.*

- ~~1) All parties desiring to participate in the "Adopt a Lot" program shall make a written request to do so and file with the Director, Department of Public Works ("Director")~~
- ~~2) The Director is authorized to approve the participation in the "Adopt a Lot" program of Lessees able to comply with the terms and conditions of the "Adopt a Lot" lease agreement. The Director shall notify the Manager of the City Office of Real Estate of all parties approved for participation in the program.~~
- ~~3) For all parties approved for the program, the Mayor of Business Administrator shall be authorized to execute lease agreements that are in substantial compliance with the form of lease agreement attached hereto which contains the terms and conditions of the City's "Adopt a Lot" program. At the discretion of the Business Administrator and Corporation Counsel, the lease may include a provision requiring the City to indemnify and hold harmless a Lessee from any and all claims of personal injury, and property damage arising out of the Lessee's occupancy and use of the property.~~
- ~~4) Before entering and taking possession of leased premises, Lessee shall notify the Director and then a representative of the Lessee and an employee of the Department of Public Works shall inspect the premises together for the purposes of locating and, if feasible, removing from the premises any dangerous materials. If the Director determines that a dangerous condition exists on the premises that cannot be remedied at a reasonable cost, then the City shall have the right to terminate the lease immediately.~~
- ~~5) The lease term shall begin on the execution date of the lease by the appropriate City officials and shall end one year thereafter with the exception that the City shall have the right to terminate the lease at its convenience without cause by providing 90 days' prior notice.~~
- ~~6) The consideration for the lease shall be \$1.00 per annum and such other good and valuable consideration benefitting the public at large.~~
- ~~7) The award of lease shall be subject to submission of reports to the Director at the time Lessees submit applications to participate in the Adopt a Lot Program setting out the use to which the leasehold will be put the activities that the Lessee will undertake in furtherance of a public purpose for which the leasehold is granted and the approximate value or cost, if any, of such activities in furtherance of such purpose and if Lessee is a corporation said report shall contain an affirmation of the Lessee's tax exempt status as a non-profit corporation pursuant to the both State and Federal Laws.~~
- ~~8) The Department of Public Works shall be responsible for enforcement of all terms and conditions of the lease.~~
- ~~9) If corporate charter of a non-profit corporation is revoked during the term of the lease, or if a non-profit corporation or an association ceases to use the property for gardening or recreational purposes which benefit the public, then the lease agreement may be cancelled by the City by providing 10 days written notice.~~
- ~~10) Lessee shall construct no permanent improvements on the property. This prohibition includes but is not limited to paving the property with concrete, asphalt or other materials. In the event that the lease must be terminated, Lessee must remove all temporary improvements installed on the property by the Lessee at its own cost and expense. The City shall not be responsible for the cost of removing Lessee's temporary improvements.~~

NOTE:

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 intended to be enacted.

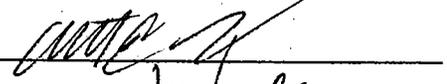
BE IT FURTHER ORDAINED THAT:

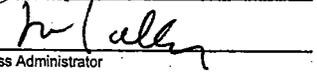
- A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- B. This ordinance shall be a part of the Jersey City Code as though codified and set forth fully herein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
- C. This ordinance shall take effect at the time and in the manner as provided by law.
- D. The City Clerk and the Corporation Council be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible repealers of existing provisions.
- E. The City Planning Division is hereby directed to give notice at least ten days prior to the hearing on the adoption of this Ordinance to the Hudson County Planning board and to all other persons entitled thereto pursuant to N.J.S. 40:55D-15 and N.J.S. 40:55D-63 (if required). Upon the adoption of this Ordinance after public hearing thereon, the City Clerk is directed to publish notice of the passage thereof and to file a copy of the Ordinance as finally adopted with the Hudson County Planning Board as required by N.J.S. 40:55D-16. The clerk shall also forthwith transmit a copy of this Ordinance after final passage to the Municipal Tax Assessor as required by N.J.S. 40:49-2.1.


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

APPROVED AS TO LEGAL FORM


 Corporation Counsel

APPROVED: 

APPROVED: 
 Business Administrator

Certification Required

Not Required

ORDINANCE FACT SHEET

1. Full Title of Ordinance:

ORDINANCE AMENDING CITY ORDINANCE 01-109 AUTHORIZING THE LEASING OF VACANT LAND AND OPEN SPACE LAND SHOWN TO BE IN NEED OF IMPROVEMENTS TO NON-PROFIT CORPORATIONS OR ASSOCIATIONS FOR PUBLIC PURPOSES IN CONNECTION WITH THE CITY OF JERSEY CITY "ADOPT A LOT" PROGRAM

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

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

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

Amends the current city ordinance authorizing the lease of vacant city land, to also include open space shown to be in need of improvements, amendments also include the revised "Adopt a Lot" lease and revised standards for administration.

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

The amendments will better facilitate the implementation of the "Adopt a Lot" program and promote community gardening.

5. Anticipated Benefits to the Community:

The amendments will facilitate urban agriculture, community building, food security, environmental education, and healthier residents.

6. Cost of Proposed Plan, etc.:

None

7. Date Proposed Plan will commence:

Upon approval

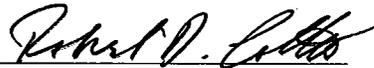
8. Anticipated Completion Date: N/A

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

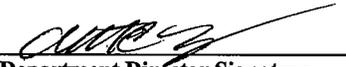
Robert D. Cotter, City Planning Director

10. Additional Comments: None

I Certify that all the Facts Presented Herein are Accurate.


Division Director

31 JAN 2011
Date


Deputy Department Director Signature

JAN 31, 2011
Date

SUMMARY STATEMENT

ORDINANCE AMENDING CITY ORDINANCE 01-109 AUTHORIZING THE LEASING OF VACANT LAND AND OPEN SPACE LAND SHOWN TO BE IN NEED OF IMPROVEMENTS TO NON-PROFIT CORPORATIONS OR ASSOCIATIONS FOR PUBLIC PURPOSES IN CONNECTION WITH THE CITY OF JERSEY CITY "ADOPT A LOT" PROGRAM

Amends the current city ordinance authorizing the lease of vacant city land, to also include open space shown to be in need of improvements, amendments also include the revised "Adopt a Lot" lease and revised standards for administration. The amendments will better facilitate the implementation of the "Adopt a Lot" program and promote community gardening.

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

ORDINANCE NO. Ord. 11-019
 TITLE: 3.A. FEB 09 2011 4.A. FEB 23 2011



Ordinance amending City Ordinance 01-109 authorizing the leasing of vacant land and Open Space Land shown to be in need of improvements to non-profit corporations or associations for public purposes in connection with the City of Jersey City "Adopt a Lot" Program.

RECORD OF COUNCIL VOTE ON INTRODUCTION								FEB 09 2011 7-0			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓						
LOPEZ	✓			RICHARDSON	ABSENT			VELAZQUEZ	✓		

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

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING								FEB 23 2011 9-0			
Councilperson <u>RICHARDSON</u>				moved, seconded by Councilperson <u>SOTTOLANO</u>				to close PH.			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			AHMAD	✓		
LOPEZ	✓			RICHARDSON	✓			VELAZQUEZ	✓		

✓ Indicates Vote N.V.-Not Voting (Abstain)
ROLANDO LAVARRO MARCIA ADAMS CHARLENE BURKE
JASON BURG RICHARD WILLIAMS ARNOLD WILLIAMS
LAVERN WEBB WASHINGTON

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY								FEB 23 2011			
Councilperson <u>RICHARDSON</u>				moved to amend* Ordinance, seconded by Councilperson <u>DONNELLY</u>				& adopted <u>9-0</u>			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			AHMAD	✓		
LOPEZ	✓			RICHARDSON	✓			VELAZQUEZ	✓		

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

RECORD OF FINAL COUNCIL VOTE								FEB 23 2011 9-0			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			AHMAD	✓		
LOPEZ	✓			RICHARDSON	✓			VELAZQUEZ	✓		

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

Adopted on first reading of the Council of Jersey City, N.J. on FEB 09 2011
 Adopted on second and final reading after hearing on FEB 23 2011

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on FEB 23 2011

 Robert Byrne, City Clerk

APPROVED:

 Peter M. Brennan, Council President

*Amendment(s):
add 3) in ordained clause

Date: FEB 23 2011
 APPROVED:

 Jerramiah T. Healy, Mayor

Date: FEB 28 2011

Date to Mayor FEB 24 2011

City Clerk File No. Ord. 11-020

Agenda No. 3.B 1st Reading

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



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 11-020

TITLE:
ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE LAND DEVELOPMENT ORDINANCE REVISING DEFINITIONS TO FACADES AND CORNER LOTS

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

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

WHEREAS, Article I of the Land Development Ordinance contains definitions; and

WHEREAS, corner lots provide at least two building facades with frontage visible from the street; and

WHEREAS, all sides of a building visible to the public should be constructed with quality materials and treatments in order to promote and attractive City; and

WHEREAS, the definition changes will clarify the building setback and façade requirements citywide; and

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

WHEREAS, the Planning Board at its meeting of January 11, 2011 did vote to recommend that the Municipal Council amend the Definitions of the Land Development Ordinance as they pertain to lots and facades; and

WHEREAS, the amendments to the Land Development Ordinance are attached hereto and made a part hereof, and are available for public inspection at the Office of the City Clerk, City Hall, 280 Grove Street, Jersey City, NJ;

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that the Land Development Ordinance, be and hereby is amended as per the attached document;

BE IT FURTHER ORDAINED THAT:

- A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- B. This ordinance shall be a part of the Jersey City Code as though codified and set forth fully herein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
- C. This ordinance shall take effect at the time and in the manner as provided by law.
- D. The City Clerk and the Corporation Council be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible repealers of existing provisions.
- E. The City Planning Division is hereby directed to give notice at least ten days prior to the hearing on the adoption of this Ordinance to the Hudson County Planning board and to all other persons entitled thereto pursuant to N.J.S. 40:55D-15 and N.J.S. 40:55D-63 (if required). Upon the adoption of this Ordinance after public hearing thereon, the City Clerk is directed to publish notice of the passage thereof and to file a copy of the Ordinance as finally adopted with the Hudson County Planning Board as required by N.J.S. 40:55D-16. The clerk shall also forthwith transmit a copy of this Ordinance after final passage to the Municipal Tax Assessor as required by N.J.S. 40:49-2.1.

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

APPROVED AS TO LEGAL FORM

Corporation Counsel

APPROVED:

APPROVED:
Business Administrator

Certification Required

Not Required

ORDINANCE FACT SHEET

1. Full Title of Ordinance:

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE LAND DEVELOPMENT ORDINANCE REVISING DEFINITIONS TO FACADES AND CORNER LOTS

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

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

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

This Ordinance will amend Article I (Definitions) of the Land Development Ordinance (Zoning Ordinance) to clarify façade and corner lot definitions. This will ensure that setbacks are appropriate applied, and all building sides with visible street frontages will be required to be treated as "fronts" with quality building materials and treatments.

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

The proposed amendment will clarify that all building sides with visible street frontages are important and to be constructed with quality materials and treatments.

5. Anticipated Benefits to the Community:

All buildings facades with street frontage, regardless of which side of the building, will be required to have attractive facades.

6. Cost of Proposed Plan, etc.:

None

7. Date Proposed Plan will commence:

Upon approval

8. Anticipated Completion Date: N/A

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

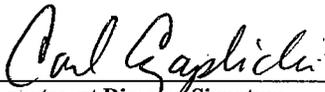
Carl Czaplicki, Director, Dept of HEDC
Robert D. Cotter, City Planning Director
Nick Taylor, Acting Director, Division of Zoning

10. Additional Comments: None

I Certify that all the Facts Presented Herein are Accurate.


Division Director

JAN 12, 2011
Date


Department Director Signature

1/12/11
Date

SUMMARY STATEMENT

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE LAND DEVELOPMENT ORDINANCE REVISING DEFINITIONS TO FACADES AND CORNER LOTS

This Ordinance will amend Article I (Definitions) of the Land Development Ordinance (Zoning Ordinance) to clarify façade and corner lot definitions. This will ensure that setbacks are appropriate applied, and all building sides with visible street frontages will be required to be treated as “fronts” with quality building materials and treatments.



CITY OF JERSEY CITY

HOUSING, ECONOMIC DEVELOPMENT
AND COMMERCE DEPARTMENT

CITY PLANNING DIVISION

30 MONTGOMERY STREET SUITE 1400

JERSEY CITY, N.J. 07302-3821

PHONE: 201.547.5010

FAX: 201.547.4323

12/29/10

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.

§ 345-6 Definitions

LOT, CORNER – A lot on the junction of and abutting two or more intersecting streets where the interior angle of intersection is less than one hundred thirty-five (135) degrees. **For additional corner lot regulations, see §345-60.C(6).**

LOT LINE, FRONT – The lot line separating a lot from a street right-of-way, also referred to as a "street line." In the case of corner lots, the front lot line shall be the street line with lesser frontage. In the case of through lots, ~~the front lot line shall be the line on which the primary entrance of the principal building faces~~ **there shall be two front lot lines and no rear lot line.**

LOT LINE, REAR – The lot line opposite and most distant from the front lot line, or the point at which the side lot lines meet. **In the case of through lots, there shall be no rear lot line.**

Front Façade, Primary - the streetfront building façade which runs roughly parallel to the front lot line.

Front Façade, Secondary – in the case of a corner lot, the streetfront building façade which runs roughly parallel to the side lot line.

Side Façade – The building façade(s) which run roughly parallel to the side lot lines but does not face a street. In the case of two Primary Front Facades, there will be two side facades and no rear façade.

Rear Façade – The building façade which is opposite the primary façade and roughly faces the rear lot line. In the case of two Primary Front Facades, there will be no rear façade but rather two side facades.

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

ORDINANCE NO. Ord. 11-020
 TITLE: 3.B. FEB 09 2011 4.B. FEB 23 2011



Ordinance of the Municipal Council of the City of Jersey
 City adopting amendments to the Land Development
 Ordinance revising definitions to facades and corner lots.

RECORD OF COUNCIL VOTE ON INTRODUCTION								FEB 09 2011 7-0			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓						
LOPEZ	✓			RICHARDSON	ABSENT			VELAZQUEZ	✓		

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

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING								FEB 23 2011 9-0			
Councilperson <u>BRENNAN</u>				moved, seconded by Councilperson <u>VELAZQUEZ</u>				to close PH.			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			AHMAD	✓		
LOPEZ	✓			RICHARDSON	✓			VELAZQUEZ	✓		

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

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

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

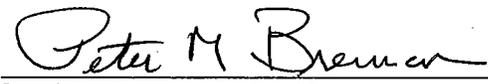
RECORD OF FINAL COUNCIL VOTE											
								FEB 23 2011 9-0			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			AHMAD	✓		
LOPEZ	✓			RICHARDSON	✓			VELAZQUEZ	✓		

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

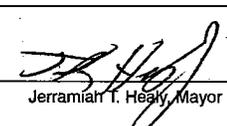
Adopted on first reading of the Council of Jersey City, N.J. on FEB 09 2011
 Adopted on second and final reading after hearing on FEB 23 2011

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on FEB 23 2011

 Robert Byrne, City Clerk

APPROVED:

 Peter M. Brennan, Council President

*Amendment(s):

Date: FEB 23 2011
 APPROVED:

 Jerramiah T. Healy, Mayor

Date FEB 28 2011

Date to Mayor FEB 24 2011

City Clerk File No. Ord. 11-021

Agenda No. 3.C 1st Reading

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



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 11-021

TITLE:

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE LAND DEVELOPMENT ORDINANCE APPLICATION FEES

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

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

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

WHEREAS, the existing Fee Schedule should be clarified without increasing any fees; and

WHEREAS, a deposit should be collected with all new applications in order to prevent frivolous applications and/or accidental overpayment of fees; and

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

WHEREAS, the Planning Board at its meeting of January 11, 2011 did vote to recommend that the Municipal Council adopt an amended the Fee section of the Land Development Ordinance; and

WHEREAS, the amendments to the Land Development Ordinance are attached hereto and made a part hereof, and are available for public inspection at the Office of the City Clerk, City Hall, 280 Grove Street, Jersey City, NJ;

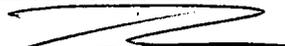
NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that the Land Development Ordinance, be and hereby is amended as per the attached document;

BE IT FURTHER ORDAINED THAT:

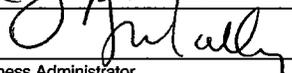
- A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- B. This ordinance shall be a part of the Jersey City Code as though codified and set forth fully herein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
- C. This ordinance shall take effect at the time and in the manner as provided by law.
- D. The City Clerk and the Corporation Council be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible repealers of existing provisions.
- E. The City Planning Division is hereby directed to give notice at least ten days prior to the hearing on the adoption of this Ordinance to the Hudson County Planning board and to all other persons entitled thereto pursuant to N.J.S. 40:55D-15 and N.J.S. 40:55D-63 (if required). Upon the adoption of this Ordinance after public hearing thereon, the City Clerk is directed to publish notice of the passage thereof and to file a copy of the Ordinance as finally adopted with the Hudson County Planning Board as required by N.J.S. 40:55D-16. The clerk shall also forthwith transmit a copy of this Ordinance after final passage to the Municipal Tax Assessor as required by N.J.S. 40:49-2.1.


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

APPROVED AS TO LEGAL FORM


Corporation Counsel

APPROVED: 

APPROVED: 
Business Administrator

Certification Required

Not Required

ORDINANCE FACT SHEET

1. Full Title of Ordinance:

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE LAND DEVELOPMENT ORDINANCE APPLICATION FEES

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

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

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

This Ordinance will amend the Land Development Ordinance (Zoning Ordinance) with regard to Application Fees, in order to clarify the fee schedule and to implement a required deposit with all new applications.

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

The fee schedule has been amended to clarify language; no fee increases are being proposed. New applications will require a deposit at the time of submission in order to prevent frivolous applications and accidental overpayments.

5. Anticipated Benefits to the Community:

Reduction in accidental overpayments.

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

JAN 12 2011
Date


Department Director Signature

1/12/11
Date

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

ORDINANCE NO. Ord. 11-021
 TITLE: 3.C. FEB 09 2011 4.C. FEB 23 2011



Ordinance of the Municipal Council of the City of Jersey
 City adopting amendments to the Land Development
 Ordinance application fees.

RECORD OF COUNCIL VOTE ON INTRODUCTION											
FEB 09 2011 7-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓						
LOPEZ	✓			RICHARDSON	ABSENT			VELAZQUEZ	✓		

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

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING											
FEB 23 2011 9-0											
Councilperson <u>BRENNAN</u>				moved, seconded by Councilperson <u>SOTTOLANO</u>				to close PH.			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			AHMAD	✓		
LOPEZ	✓			RICHARDSON	✓			VELAZQUEZ	✓		

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

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

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

RECORD OF FINAL COUNCIL VOTE											
FEB 23 2011 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			AHMAD	✓		
LOPEZ	✓			RICHARDSON	✓			VELAZQUEZ	✓		

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

Adopted on first reading of the Council of Jersey City, N.J. on FEB 09 2011
 Adopted on second and final reading after hearing on FEB 23 2011

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on FEB 23 2011

Robert Byrne
 Robert Byrne, City Clerk

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

*Amendment(s): _____

Date: FEB 23 2011

APPROVED: Jerramiah T. Healy
 Jerramiah T. Healy, Mayor

Date: FEB 28 2011

Date to Mayor FEB 24 2011

City Clerk File No. Ord. 11-022

Agenda No. 3.D 1st Reading

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



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 11-022

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE LAND DEVELOPMENT ORDINANCE REVISING THE RESIDENTIAL DESIGN STANDARDS AND SUPPLEMENTARY ZONING REGULATIONS AS THEY PERTAIN TO ELECTRICAL TRANSFORMERS AND FACADE TREATMENTS

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

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

WHEREAS, Article V of the Land Development Ordinance includes subsections on Supplementary Zoning Regulations and Design Standards; and

WHEREAS, corner lots provide at least two building facades with frontage visible from the street and should be designed to be attractive from all streetfront vantage points; and

WHEREAS, a prior amendment was proposed to define primary and secondary facades, which this proposal follows and relies upon in order to implement the standards set forth herein; and

WHEREAS, unsightly electrical transformers are increasingly being installed in front yards and right-of-ways, and these amendments will prohibit such placements; and

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

WHEREAS, the Planning Board at its meeting of January 11, 2011 did vote to recommend that the Municipal Council amend the Definitions of the Land Development Ordinance as they pertain to aesthetic considerations of façade treatments and electrical transformer locations; and

WHEREAS, the amendments to the Land Development Ordinance are attached hereto and made a part hereof, and are available for public inspection at the Office of the City Clerk, City Hall, 280 Grove Street, Jersey City, NJ;

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that the Land Development Ordinance, be and hereby is amended as per the attached document;

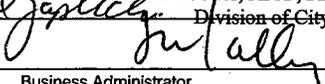
BE IT FURTHER ORDAINED THAT:

- A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- B. This ordinance shall be a part of the Jersey City Code as though codified and set forth fully herein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
- C. This ordinance shall take effect at the time and in the manner as provided by law.
- D. The City Clerk and the Corporation Council be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible repealers of existing provisions.
- E. The City Planning Division is hereby directed to give notice at least ten days prior to the hearing on the adoption of this Ordinance to the Hudson County Planning board and to all other persons entitled thereto pursuant to N.J.S. 40:55D-15 and N.J.S. 40:55D-63 (if required). Upon the adoption of this Ordinance after public hearing thereon, the City Clerk is directed to publish notice of the passage thereof and to file a copy of the Ordinance as finally adopted with the Hudson County Planning Board as required by N.J.S. 40:55D-16. The clerk shall also forthwith transmit a copy of this Ordinance after final passage to the Municipal Tax Assessor as required by N.J.S. 40:49-2.1.

APPROVED AS TO LEGAL FORM


Corporation Counsel

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

APPROVED: 
Business Administrator

Certification Required

Not Required

ORDINANCE FACT SHEET

1. Full Title of Ordinance:

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE LAND DEVELOPMENT ORDINANCE REVISING THE RESIDENTIAL DESIGN STANDARDS AND SUPPLEMENTARY ZONING REGULATIONS AS THEY PERTAIN TO ELECTRICAL TRANSFORMERS AND FAÇADE TREATMENTS

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

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

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

This Ordinance will amend Article V (Zoning and Design Standards; Supplementary Zoning Regulations and Design Standards) of the Land Development Ordinance (Zoning Ordinance) to regulate the placement of electrical transformers on a lot in order to limit their visibility, and to require that both Primary and Secondary Front Facades and corner lots are treated with appropriate setbacks and quality materials. This amendment follows and partners with the proposed amendment to define façades and corner lots.

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

The proposed amendment will ensure quality materials and treatments on all streetfront facades, and will prohibit unsightly electrical transformers in front yards or rights-of-way.

5. Anticipated Benefits to the Community:

All buildings with street frontage, regardless of which side of the building, will be required to have attractive facades and yards will not be obstructed with electrical transformers.

6. Cost of Proposed Plan, etc.:

None

7. Date Proposed Plan will commence:

Upon approval

8. Anticipated Completion Date: N/A

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

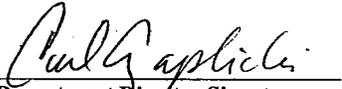
Carl Czaplicki, Director, Dept of HEDC
Robert D. Cotter, City Planning Director
Nick Taylor, Acting Director, Division of Zoning

10. Additional Comments: None

I Certify that all the Facts Presented Herein are Accurate.


Division Director

JAN 12, 2011
Date


Department Director Signature

1/12/11
Date

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

ORDINANCE NO. Ord. 11-022
 TITLE: 3.D. FEB 09 2011 4.D. FEB 23 2011



Ordinance of the Municipal Council of the City of Jersey City adopting amendments to the Land Development Ordinance revising the residential design standards and supplementary zoning regulations as they pertain to electrical transformers and facade treatments.

RECORD OF COUNCIL VOTE ON INTRODUCTION											
FEB 09 2011 7-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓						
LOPEZ	✓			RICHARDSON	ABSENT			VELAZQUEZ	✓		

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

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING											
FEB 23 2011 9-0											
Councilperson <u>RICHARDSON</u>				moved, seconded by Councilperson <u>VELAZQUEZ</u>				to close PH.			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			AHMAD	✓		
LOPEZ	✓			RICHARDSON	✓			VELAZQUEZ	✓		

✓ Indicates Vote N.V.-Not Voting (Abstain)
CHARLENE BURKE
JASON BURG

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

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

RECORD OF FINAL COUNCIL VOTE											
FEB 23 2011 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			AHMAD	✓		
LOPEZ	✓			RICHARDSON	✓			VELAZQUEZ	✓		

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

Adopted on first reading of the Council of Jersey City, N.J. on FEB 09 2011
 Adopted on second and final reading after hearing on FEB 23 2011

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on FEB 23 2011

Robert Byrne
 Robert Byrne, City Clerk

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

*Amendment(s):

Date: FEB 23 2011
 APPROVED:

Jerramiah T. Healy
 Jerramiah T. Healy, Mayor

Date FEB 28 2011

Date to Mayor FEB 24 2011

City Clerk File No. Ord. 11-023

Agenda No. 3.E 1st Reading

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



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 11-023

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE LAND DEVELOPMENT ORDINANCE PERTAINING TO APPLICATIONS FOR DEVELOPMENT AND REVIEW PROCEDURES

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

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

WHEREAS, Article I of the Land Development Ordinance contains definitions; and

WHEREAS, the existing definition of Application for Development should be revised and clarified in anticipation of forthcoming "Time of Submission" state law;

WHEREAS, Article III of the Land Development Ordinance contains Application Requirements, Development Procedures, and Checklists; and

WHEREAS, the existing procedures and application paperwork should be updated to reflect the new definition and specific submission requirements, as recommended by the New Jersey Planning Officials;

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

WHEREAS, the Planning Board at its meeting of January 11, 2011 did vote to recommend that the Municipal Council amend the Land Development Ordinance Sections I and III; and

WHEREAS, the amendments to the Land Development Ordinance are attached hereto and made a part hereof, and are available for public inspection at the Office of the City Clerk, City Hall, 280 Grove Street, Jersey City, NJ;

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that the Land Development Ordinance, be and hereby is amended as per the attached document;

BE IT FURTHER ORDAINED THAT:

- A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- B. This ordinance shall be a part of the Jersey City Code as though codified and set forth fully herein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
- C. This ordinance shall take effect at the time and in the manner as provided by law.
- D. The City Clerk and the Corporation Council be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible repealers of existing provisions.
- E. The City Planning Division is hereby directed to give notice at least ten days prior to the hearing on the adoption of this Ordinance to the Hudson County Planning board and to all other persons entitled thereto pursuant to N.J.S. 40:55D-15 and N.J.S. 40:55D-63 (if required). Upon the adoption of this Ordinance after public hearing thereon, the City Clerk is directed to publish notice of the passage thereof and to file a copy of the Ordinance as finally adopted with the Hudson County Planning Board as required by N.J.S. 40:55D-16. The clerk shall also forthwith transmit a copy of this Ordinance after final passage to the Municipal Tax Assessor as required by N.J.S. 40:49-2.1.

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

APPROVED AS TO LEGAL FORM

Corporation Counsel

APPROVED:
APPROVED:
Business Administrator

Certification Required
Not Required

ORDINANCE FACT SHEET

1. Full Title of Ordinance:

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE LAND DEVELOPMENT ORDINANCE PERTAINING TO APPLICATIONS FOR DEVELOPMENT AND REVIEW PROCEDURES

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

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

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

This Ordinance will amend Article I (Definitions) and Article III (Application Requirements, Development Procedures and Checklists) of the Land Development Ordinance (Zoning Ordinance) to clarify the definition of a valid Application for Development and to revise existing procedures and application paperwork to reflect the new definition.

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

Pending "time of submission" law, as adopted by the State of New Jersey, will take effect on May 5, 2011. As per the recommendation of the New Jersey Planning Officials, the proposed changes will clarify precisely what an Application for Development entails and when that application can be considered valid.

5. Anticipated Benefits to the Community:

Prepares Jersey City Land Development Ordinance for impending State law.

6. Cost of Proposed Plan, etc.:

None

7. Date Proposed Plan will commence:

Upon approval

8. Anticipated Completion Date: N/A

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

Carl Czaplicki, Director, Dept of HEDC
Robert D. Cotter, City Planning Director
Nick Taylor, Acting Director, Division of Zoning

10. Additional Comments: None

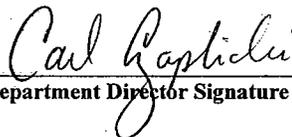
I Certify that all the Facts Presented Herein are Accurate.



Division Director

JAN 12, 2011

Date



Department Director Signature

1/12/11

Date

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

ORDINANCE NO. Ord. 11-023
 TITLE: 3.E. FEB 09 2011 4.E. FEB 23 2011



Ordinance of the Municipal Council of the City of Jersey City adopting amendments to the Land Development Ordinance pertaining to applications for development and review procedures.

RECORD OF COUNCIL VOTE ON INTRODUCTION								FEB 09 2011 7-0			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓						
LOPEZ	✓			RICHARDSON	ABSENT			VELAZQUEZ	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING								FEB 23 2011 9-0			
Councilperson <u>GAUGHAN</u>				moved, seconded by Councilperson <u>LOPEZ</u>				to close PH.			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			AHMAD	✓		
LOPEZ	✓			RICHARDSON	✓			VELAZQUEZ	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

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

✓ Indicates Vote

N.V.-Not Voting (Abstain)

RECORD OF FINAL COUNCIL VOTE											
FEB 23 2011 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			AHMAD	✓		
LOPEZ	✓			RICHARDSON	✓			VELAZQUEZ	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on FEB 09 2011

Adopted on second and final reading after hearing on FEB 23 2011

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on FEB 23 2011

Robert Byrne
 Robert Byrne, City Clerk

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

Date: FEB 23 2011

APPROVED:
J. Healy
 Jerramiah T. Healy, Mayor

Date FEB 28 2011

Date to Mayor FEB 24 2011

*Amendment(s):

City Clerk File No. Ord. 11-024

Agenda No. 3.F 1st Reading

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



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 11-024

TITLE:

**ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY
ADOPTING AMENDMENTS TO THE MORRIS CANAL REDEVELOPMENT PLAN TO
AMEND STANDARDS FOR GROUND FLOOR RESIDENTIAL USES IN THE MIXED USE A
SUBDISTRICT**

WHEREAS, the Municipal Council of the City of Jersey City adopted the Morris Canal Redevelopment Plan in March of 1999, and amended the Plan numerous times subsequently, most recently on May 29, 2010; and

WHEREAS, the Planning Board, at its meeting of April 27, 2010, determined that the Morris Canal Redevelopment Plan would benefit from amendments to change the requirements for ground floor residential uses in the Mixed Use A sub-district of the Plan; and

WHEREAS, a copy of the Planning Board's recommended amendments to the Morris Canal Redevelopment Plan is attached hereto, and made a part hereof, and is available for public inspection at the office of the City Clerk, City Hall, 280 Grove Street, Jersey City, NJ;

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that the aforementioned amendments to the Morris Canal Redevelopment Plan be, and hereby are, adopted.

BE IT FURTHER ORDAINED THAT:

- A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- B. This ordinance shall be a part of the Jersey City Code as though codified and set forth fully herein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
- C. This ordinance shall take effect at the time and in the manner as provided bylaw.
- D. The City Clerk and the Corporation Council be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible repealers of existing provisions.
- E. The City Planning Division is hereby directed to give notice at least ten days prior to the hearing on the adoption of this Ordinance to the Hudson County Planning board and to all other persons entitled thereto pursuant to N.J.S. 40:55D-15 and N.J.S. 40:55D-63 (if required). Upon the adoption of this Ordinance after public hearing thereon, the City Clerk is directed to publish notice of the passage thereof and to file a copy of the Ordinance as finally adopted with the Hudson County Planning Board as required by N.J.S. 40:55D-16. The clerk shall also forthwith transmit a copy of this Ordinance after final passage to the Municipal Tax Assessor as required by N.J.S. 40:49-2.1.

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

APPROVED AS TO LEGAL FORM

Corporation Counsel

APPROVED:

APPROVED:

Business Administrator

Certification Required

Not Required

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

ORDINANCE NO. Ord. 11-024
 TITLE: 3.F. FEB 09 2011 4.F. FEB 23 2011



Ordinance of the Municipal Council of the City of Jersey City adopting amendments to the Morris Canal Redevelopment Plan to amend standards for ground floor residential uses in the mixed use subdistrict.

RECORD OF COUNCIL VOTE ON INTRODUCTION											
FEB 09 2011 7-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓						
LOPEZ	✓			RICHARDSON	ABSENT			VELAZQUEZ	✓		

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

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING											
FEB 23 2011 9-0											
Councilperson <u>DONNELLY</u>				moved, seconded by Councilperson <u>VELAZQUEZ</u>				to close PH.			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			AHMAD	✓		
LOPEZ	✓			RICHARDSON	✓			VELAZQUEZ	✓		

✓ Indicates Vote YVONNE BALCER
LAVERN WEBB WASHINGTON N.V.-Not Voting (Abstain)

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

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

RECORD OF FINAL COUNCIL VOTE											
FEB 23 2011 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			AHMAD	✓		
LOPEZ	✓			RICHARDSON	✓			VELAZQUEZ	✓		

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

Adopted on first reading of the Council of Jersey City, N.J. on FEB 09 2011

Adopted on second and final reading after hearing on FEB 23 2011

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on FEB 23 2011

Robert Byrne, City Clerk

APPROVED:

Peter M. Brennan, Council President

*Amendment(s):

Date: FEB 23 2011

APPROVED:

Jerramiah T. Healy, Mayor

Date: FEB 28 2011

Date to Mayor FEB 24 2011

City Clerk File No. Ord. 11-025
Agenda No. 3.G 1st Reading
Agenda No. 4.G. 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 11-025

TITLE:

ORDINANCE AMENDING CHAPTER 319 (TOWERS AND TOWING) OF THE JERSEY CITY CODE

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

- A. The following amendments to Chapter 319 (Towers and Towing) of the Jersey City Code are hereby adopted:

Section 319-1 No Change

Sec. 319-2 License required; issuance; application.

- A. No person shall operate a vehicle towing business within this city unless such person has obtained a towing license issued by the Division of Commerce except with permission of the Office of Emergency Management in the event of an emergency.
- B. No such license shall be issued except on the approval of the Division Director or designee.
- C. Each license issued shall be assigned a license number, and the same number shall be assigned to every subsequent renewal of that particular license.
- D. Application for a tower license shall be made to the Division Director on a form to be supplied by the Division Director for that purpose.

Sections 319-3 through 319-14 No Change

Sec. 319-15 Rotating system of summoning towers.

A. The Director of the Jersey City Police Department is hereby authorized and directed to establish a just and equitable rotating system of licensees to be summoned to tow away and store a disabled vehicle. The rotating system shall be established so as to give as nearly as is practicable an equal share of the towing business to each licensee and to furnish protection to the owners of disabled vehicles. There shall be a separate list for light-duty and heavy-duty towers with specific equipment requirements for each list to be promulgated by the Police Director; however, at minimum, a tower on the light-duty list shall have two tow trucks and a flatbed, and a tower on the heavy-duty list shall have two heavy-duty tow trucks. The Director of the Police Department shall be guided by the following minimum requirements for the rotating system:

- (1) Only a Class A licensee may be in the rotation system and shall not have more than one position on the rotating list regardless of how many supplemental licenses the licensee shall hold.

(2) A licensee tower on the rotating list shall not be removed therefrom before he or she is accorded an opportunity to be heard after receiving written charges preferred against the licensee. No licensee shall lose his or her turn in the rotating system until the licensee is accorded this opportunity to be heard; provided, however, that the Police Director may immediately suspend any licensee if it is determined to be in the best interests of the citizens or the rotation system. A licensee may request in writing to be removed from the rotating list. When so removed, the licensee shall not be eligible to be placed on the rotating list for a period of one year from the date removed.

(3) Each licensee in the rotating system shall be given equal time and opportunity as all other licensees in the rotating system, and there shall be no discrimination for any reason whatsoever.

(4) No police officer or other official of the city shall have any authority to remove or skip over any licensee in the rotating system. If any licensee commits any violation of the motor vehicle laws of the State of New Jersey, the proper action taken against such licensee shall be by way of summons for the motor vehicle violation. If the infraction involves a violation of this chapter or any provision of the Jersey City Code, charges specifying the offense shall be presented to the Director of the Jersey City Police Department, who shall thereupon cause a hearing to be held in accordance with the provisions of this chapter.

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

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

Sec. 319-16 through 319-18 No Change

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

Note: 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: _____
 APPROVED: *[Signature]*
 Business Administrator
 ASST.

APPROVED AS TO LEGAL FORM _____
 Corporation Counsel

Certification Required
 Not Required

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

ORDINANCE NO. Ord. 11-025

TITLE: 3.G. FEB 09 2011 4.G. FEB 23 2011



Ordinance amending Chapter 319 (Towers and Towing) of the Jersey City Code. (Authorizes the Office of Emergency Management to permit out of town towers to operate in Jersey City in case of emergencies).

RECORD OF COUNCIL VOTE ON INTRODUCTION								FEB 09 2011 7-0			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓						
LOPEZ	✓			RICHARDSON	ABSENT			VELAZQUEZ	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING								FEB 23 2011 9-0			
Councilperson <u>GAUGHAN</u>				moved, seconded by Councilperson <u>SOTTOLANO</u>				to close PH.			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			AHMAD	✓		
LOPEZ	✓			RICHARDSON	✓			VELAZQUEZ	✓		

✓ Indicates Vote JASON BURG

N.V.-Not Voting (Abstain)

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

✓ Indicates Vote

N.V.-Not Voting (Abstain)

RECORD OF FINAL COUNCIL VOTE												FEB 23 2011 9-0			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.				
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓						
DONNELLY	✓			FULOP	✓			AHMAD	✓						
LOPEZ	✓			RICHARDSON	✓			VELAZQUEZ	✓						

✓ Indicates Vote

N.V.-Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on FEB 09 2011

Adopted on second and final reading after hearing on FEB 23 2011

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on FEB 23 2011

Robert Byrne
Robert Byrne, City Clerk

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

*Amendment(s):

Date: FEB 23 2011

APPROVED:
Jerry Healy
Jeremiah T. Healy, Mayor

Date: FEB 28 2011

Date to Mayor: FEB 24 2011