

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:

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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:

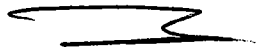
- a) Subject to review and approval by the City's Corporation Counsel, execute the attached Park Dedication Agreement.
- b) Subject to approval and acceptance by the City's Corporation Counsel of a title report provided by Athena, accept delivery of and record a deed of easement from Athena conveying 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.

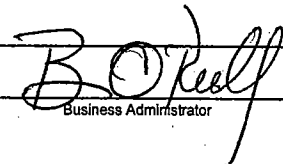
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APPROVED AS TO LEGAL FORM



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
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**Faraldi
Group, inc.**

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SURVEYORS & PLANNERS

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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

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.


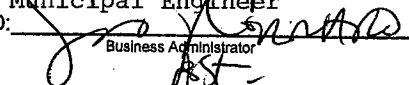
NOTE: New material to be inserted is underscored; material to be repealed is in [brackets].

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

