

City Clerk File No. Ord. 14.017

Agenda No. 3.0 1st Reading

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



ORDINANCE OF JERSEY CITY, N.J.

**CERTIFIED to be a true copy of
ORDINANCE adopted by the
Municipal Council of the city of
Jersey City at its meeting of 11/12/14**

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

CITY ORDINANCE 14.017

Pat Byrne CITY CLERK

TITLE: ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 12 (AUTHORITIES, MUNICIPAL) ARTICLE III (PARKING AUTHORITY) AND CHAPTER 3 (ADMINISTRATION OF GOVERNMENT) ARTICLE IX (DEPARTMENT OF PUBLIC WORKS) AND ARTICLE XI (DEPARTMENT OF PUBLIC SAFETY) OF THE JERSEY CITY MUNICIPAL CODE, TO DISSOLVE THE JERSEY CITY PARKING AUTHORITY AND TO CONSOLIDATE AND ASSUME THE FUNCTIONS OF THE PARKING AUTHORITY WITHIN THE DEPARTMENT OF PUBLIC SAFETY

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

WHEREAS, the Jersey City Parking Authority [JCPA] was created by the adoption of an ordinance by the Municipal Council of the City of Jersey City [City], pursuant to the New Jersey Parking Authority Law, N.J.S.A. 40:11A-1 et seq.; and

WHEREAS, the City has conducted extensive research and engaged in significant discussion regarding the dissolution of the JCPA and the assumption by the City of the JCPA's necessary services and functions by various City departments; and

WHEREAS, the City has determined that the dissolution of the JCPA would result in significant cost savings to the City, and increase the efficient delivery of parking services and functions to the City; and

WHEREAS, pursuant to the Local Authorities Fiscal Control Law, N.J.S.A. 40A:5A-20, the City is authorized to dissolve its JCPA, so long as the City provides for payment of the JCPA's debts and obligations and assumes the JCPA's necessary services and functions; and

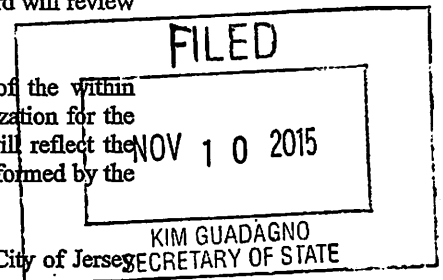
WHEREAS, the City has determined that the most efficient and cost-effective method for it to assume the JCPA's necessary functions is to merge the JCPA's parking enforcement functions within the City's Department of Public Safety, transfer some of the JCPA's employees to the Department of Public Safety and other appropriate City Departments and dissolve the JCPA as a separate entity; and

WHEREAS, the City will assume responsibility for the payment of any and all debts and obligations of the JCPA; and

WHEREAS, pursuant to N.J.S.A. 40A:5A-20 the New Jersey Local Finance Board will review this Ordinance and has approved it prior to its adoption; and

WHEREAS, no later than three (3) months from the date of the adoption of the within Ordinance, the City's Business Administrator will prepare a new table of organization for the City departments that will be affected by the dissolution of the JCPA which will reflect the placement of personnel needed to perform the functions that will no longer be performed by the JCPA.

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



- A. The following amendments to Chapter 12 (Authorities; Municipal) Article III (Parking Authority) are hereby adopted:

AUTHORITIES, MUNICIPAL
~~[ARTICLE III] Reserved~~
~~[Parking Authority]~~

~~§12-3. Authority continued; membership.~~

~~The Parking Authority, as heretofore established pursuant to law (N.J.S.A. 40:11A-1 et seq.), is reconstituted and continued. The Jersey City Parking Authority shall consist of seven members, appointed in the manner provided by law.~~

~~§12-3.1. Residential Permit Parking Zone Program.~~

~~The Parking Authority hereby has full power and authority to operate the City of Jersey City Residential Permit Parking Zone Program in accordance with Chapter 332 (Vehicles and Traffic), Sections 332-58 through 332-67 of the Jersey City Code.~~

~~§12-4. Division of Parking Enforcement.~~

~~There is hereby created a Division of Parking Enforcement, the head of which shall be the Director of Parking Enforcement. Parking enforcement officers employed by the Division of Parking Enforcement shall have full power and authority to:~~

- ~~A. Issue summonses for violations of any provision of said law, ordinances or regulations;~~
- ~~B. Serve and execute all process with respect to any such violation issuing out of the police court of the municipality by whatsoever name the same shall be known; and~~
- ~~C. Cause any vehicle parked, stored or abandoned in violation of any provision of said law, ordinances or regulations to be towed away from the scene of such violation and collect from the owner of such vehicle the costs of the towing and subsequent storage of said vehicle before surrendering said vehicle to such owner.]~~

- B. The following amendments to Chapter 3 (Administration of Government) Article IX (Department of Public Works) are hereby adopted:

ADMINISTRATION OF GOVERNMENT
 ARTICLE IX
 Department of Public Works

§3-66. No Change.

§3-67. No Change.

§3-68. Division of Architecture, Engineering, Traffic and Transportation.

A. through C. No Change.

D.(1) - (14). No Change.

D. (15). The Division of Architecture, Engineering, Traffic and Transportation shall concurrently, with the Division of Parking Enforcement within the Department of [Police and the Jersey City Parking Authority]Public Safety, enforce all laws and regulations regulating the parking of vehicles:

D. (15) (a). through D. (15) (f). No Change.

D. (15) (g). In an off-street parking area operated by the [Jersey]City[~~Parking Authority~~].

D. (16). No Change.

§3-69. Through §3-71.2. No Change.

C. The following amendments to Chapter 3 (Administration of Government) Article XI (Department of Public Safety) are hereby adopted:

ADMINISTRATION OF GOVERNMENT
ARTICLE XI
Department of Public Safety

§3-83. No change.

§3-84. Director of Public Safety.

A. No change.

B. The Director of Public Safety shall be responsible for the administrative, regulation and discipline of the Division of Police, Division of Fire, ~~and~~ Division of Communications and Technology[-] , and Division of Parking Enforcement.

C. through F. No change.

§3-85. through §3-90. No change.

§3-91. Division of Parking Enforcement [~~Reserved~~]

There shall be a Division of Parking Enforcement, the head of which shall be the Director of Parking Enforcement.

A. The Division of Parking Enforcement shall perform the following functions:

(1) Enforce all relevant parking regulations and operate all parking programs and facilities as set forth in Chapter 332 (Vehicles and Traffic) of the Municipal Code, including Article VII (Metered Parking), and Article VIII (Permit Parking), which were previously authorized to be enforced by the Jersey City Parking Authority on behalf of the City.

(2) Issue summonses for violations of any provision of applicable state law, municipal ordinance or regulation as to the parking of vehicles within the City of Jersey City.

(3) Serve and execute all process with respect to any such violation issuing out of the Jersey City Municipal Court.

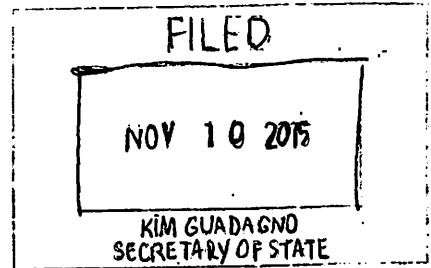
(4) Cause any vehicle parked, stored or abandoned in violation of any provision of said law, ordinance or regulation to be towed away from the scene of such violation, or booted at the scene, and collect from the owner of such vehicle the costs of the towing and subsequent storage of said vehicle before surrendering said vehicle to such owner, or removal of said boot.

D. Any reference in the Municipal Code to the Parking Authority shall be amended to the City, Department of Public Safety or Division of Parking Enforcement as deemed appropriate by the City Clerk.

- E. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- F. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
- G. This ordinance shall take effect at the time and in the manner as provided by law.
- H. 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
 1/29/14



APPROVED AS TO LEGAL FORM

 Corporation Counsel

APPROVED: _____

APPROVED: _____

Business Administrator

Certification Required

Not Required

Public Safety Director

Director Parking Operations

Operations

Enforcement

Buildings & Lot Maintenance

Supervisor (1)

Custodians (4)

Mechanics (2)

Meter Repair (4)

Collections

Supervisor (1)
P/T (1)

Collectors/Lot Cleaners (3)
Alternates (3)
4 collectors required each collection day

Signs Meter Bags

(1)

(1)
Operations Posts/Removes signs

Permits

Supervisor (1)

(2)

Communications Booth/Dispatch 0500-2330 (3)

Assistant Director 0530-1330

Supervisor Scofflaw 0500-0100 (1)

1 PEO

Supervisor Sweepers 0500-0300 (1)

12 PEO's

0530-1530 (3)
0630-1630 (3)
0700-1700 (6)

Supervisor Walkers 0900-1500 OPEN RETIRED

12 PEO's

0900-1700 (5)
Disability/W/C (2)
OPEN 5 PEO's Needed to Cover all Routes

Supervisor Booting 0700-1500 (1)

3 PEO's

0800-1600 (3)

Complaints 4 PEO's 0700-2300 (3) OPEN -2

Assistant Director 1330-2130

Night Supervisor (1)

1200-1800 (2)
Open 1400-2200 (1)
3 PEO's 1600-2300 (2)

Proposed 2nd Night Supervisor (1)

New Hires Propose Hiring 6 Additional Evening PEO's

Saturday
2 Supervisors 0630-1430 & 0900-1700
4 Sweeper PEO's
6 Walker PEO's
2 Complaints PEO's
2 Boot Release PEO's
Regular scheduled day for PEO's Supervisors rotate

Proposed Overnight Supervisor 2130-0530 (1)

New Hires Propose Hiring 4 PEO's for

RESOLUTION FACT SHEET - NON CONTRACTUAL

This summary sheet is to be attached to the front of any resolution that is submitted for Council Consideration. Incomplete or vague fact sheets will be returned with the resolution.

Full Title of Ordinance/Resolution

ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 12 (AUTHORITIES, MUNICIPAL) ARTICLE III (PARKING AUTHORITY) AND CHAPTER 3 (ADMINISTRATION OF GOVERNMENT) ARTICLE IX (DEPARTMENT OF PUBLIC WORKS) AND ARTICLE XI (DEPARTMENT OF PUBLIC SAFETY) OF THE JERSEY CITY MUNICIPAL CODE, TO DISSOLVE THE JERSEY CITY PARKING AUTHORITY AND TO CONSOLIDATE AND ASSUME THE FUNCTIONS OF THE PARKING AUTHORITY WITHIN THE DEPARTMENT OF PUBLIC SAFETY

Initiator

Department/Division	Law Department	Law Department
Name/Title	Jeremy Farrell	Corporation Counsel
Phone/email	(201) 547-4667	JFarrell@jcnj.org

Note: Initiator must be available by phone during the agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Resolution Purpose

Before the members of the council are a resolution authorizing an application to the New Jersey Local Finance Board to approve the dissolution of the Jersey City Parking Authority and an ordinance authorizing the dissolution. The ordinance can be introduced but not adopted until the Local Finance Board approved the dissolution. In conjunction with this ordinance and resolution, we have prepared an extensive report explaining the reasons for the dissolution.

The Jersey City Parking Authority (JCPA) was created by an ordinance of the Council as authorized by the New Jersey Parking Authorities Law, N.J.S.A. 40:11A-1, et seq. As explained by the report submitted with the ordinance and resolution, the mayor has concluded that the dissolution of the JCPA would both reduce expenses and make parking more available in the City.

Under the Local Authorities Fiscal Control Law, N.J.S.A. 40A:5A-20, the City may dissolve the JCPA by adopting a plan which provides for payment of the JCPA's debts, assumes its present obligations and undertakes its services and functions. Based upon his research the mayor has concluded that the most efficient and cost-effective method to achieve these goals is to merge the JCPA's parking enforcement functions within the City's Department of Public Safety, transfer some of the JCPA's employees to the Department of Public Safety and other appropriate City Departments and dissolve the JCPA as a separate entity. In accordance with the Fiscal Control Law, the City will also assume responsibility for the debts and obligations of the JCPA.

I certify that all the facts presented herein are accurate

Signature of Department Director

Date

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



ORDINANCE NO. Ord. 14.017

TITLE:

3.D FEB-11-2014 4.D **FEB 26 2014** 4.E. **NOV 12 2014**

Ordinance amending and supplementing Chapter 12 (Authorities, Municipal) Article III (Parking Authority) and Chapter 3 (Administration of Government) Article IX (Department of Public Works) and Article XI (Department of Public Safety) of the Jersey City Municipal Code, to dissolve the Jersey City Parking Authority and to consolidate and assume the functions of the Parking Authority within the Department of Public Safety.

RECORD OF COUNCIL VOTE ON INTRODUCTION											
FEB 11 2014 <i>7-2</i>											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN		✓		RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO		✓		COLEMAN	✓			LAVARRO, PRES.	✓		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING											
FEB 26 2014 <i>9-0</i>											
Councilperson <u>COLEMAN</u> moved, seconded by Councilperson <u>OSBORNE</u> to close P.H.											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

YVONNE BALÇER
JAYSON BURG
KATHLEEN HUNT
PAT O'MELIA
JOHN TARANTULA

TABLED 9-0 AFTER THE CLOSE OF THE PUBLIC HEARING ON A MOTION BY WATTERMAN; SECONDED BY COLEMAN

REMOVED 7-0 FROM TABLED AGENDA ON A MOTION BY RAMCHAL, SECONDED BY WATTERMAN; COLEMAN; RIVERA: ABSENT

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.
GAJEWSKI				YUN				RIVERA			
RAMCHAL				OSBORNE				WATTERMAN			
BOGGIANO				COLEMAN				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE											
NOV 12 2014 <i>5-2</i>											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN		✓		RIVERA		ABSENT	
RAMCHAL	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO		✓		COLEMAN		ABSENT		LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

FEB 11 2014

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

Adopted on second and final reading after hearing on _____

NOV 12 2014

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on **NOV 12 2014**

Robert Byrne
Robert Byrne, City Clerk

APPROVED:

Rolando R. Lavarro, Jr.
Rolando R. Lavarro, Jr., Council President

Date

NOV 12 2014

APPROVED:

Steven M. Fulop
Steven M. Fulop, Mayor

Date

NOV 13 2014

Date to Mayor

*Amendment(s):