ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 14.017

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 this 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 summons 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 whatever 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 such vehicle before surrendering such 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. (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) (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 repeaters 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

FILED

NOV 10 2015

KIM GUADAGNO
SECRETARY OF STATE

APPROVED AS TO LEGAL FORM

Approved:

□ Certification Required

□ Not Required

APPROVED:

Approved:

□ Certification Required

□ Not Required
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

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<th>Department/Division</th>
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<tbody>
<tr>
<td>Name/Title</td>
<td>Jeremy Farrell</td>
<td>Corporation Counsel</td>
</tr>
<tr>
<td>Phone/email</td>
<td>(201) 547-4667</td>
<td><a href="mailto:JFarrell@jcnn.org">JFarrell@jcnn.org</a></td>
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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

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.

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<td>Boggianno</td>
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<td>Lavarrro, Pres.</td>
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Indicates Vote

Speakers:

Yvonne Balcer
Jayson Buss
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 from tabled agenda on a motion
by Ramchall, seconded by Watterman, Coleman?
Riversa: Absent

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Indicates Vote

Record of Final Council Vote

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Indicates Vote

N.V. - Not Voting (Abstain)

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

Adopted on second and final reading after hearing on

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

Robert Byrne, City Clerk

Amendment(s):

APPROVED:

Rolando R. Lavarrro, Jr., Council President

Date

APPROVED:

Steven M. Fulop, Mayor

Date

Date to Mayor

FEB 11 2014

NOV 12 2014

NOV 14 2014

NOV 1 3 2014