

CITY OF JERSEY CITY
Office of the City Clerk

280 Grove Street
Jersey City, New Jersey 07302



Robert Byrne, R.M.C., City Clerk
Sean J. Gallagher, R.M.C., Deputy City Clerk

Telephone: (201) 547-5150
Fax: (201) 547-5461

October 27, 2015

Honorable Kim Guadagno, Lt. Governor
Office of the Governor
PO Box 500
Trenton, NJ 08625

Dear Lt. Governor Guadagno:

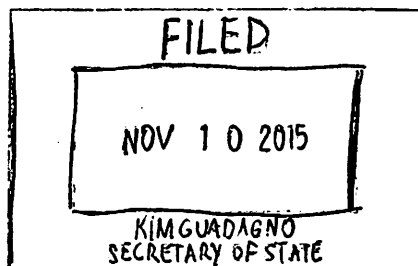
Re: Ord. 14.017 & Ord. 15.104

Enclosed please find a certified copy of the following Ordinances adopted by the Municipal Council of the City of Jersey City on November 12, 2014 and October 14, 2015:

- 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.
- An ordinance amending and supplementing Chapter 12 (Authorities, Municipal) Article II (Incinerator Authority) of the Jersey City Municipal Code, dissolving the Jersey City Incinerator Authority, and amending and supplementing Chapter 3 (Administration of Government) Article IX (Department of Public Works) of the Jersey City Municipal Code, to consolidate and assume the functions of the Incinerator Authority with the Jersey City Department of Public Works.

Very truly yours,

Robert Byrne
City Clerk



RB/rj
Enclosure

c: President and Members of the Municipal Council

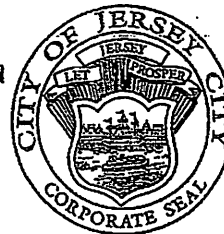
City Clerk File No. Ord. 15.104

Agenda No. 3.G 1st Reading

Agenda No. 4.F 2nd Reading & Final Passage *11.H. TABLED AGENDA*

4.D. OCT 14 2015

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 10/14/15**

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

CITY ORDINANCE 15.104

[Signature] CITY CLERK

TITLE:

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 12 (AUTHORITIES, MUNICIPAL) ARTICLE II (INCINERATOR AUTHORITY) OF THE JERSEY CITY MUNICIPAL CODE, DISSOLVING THE JERSEY CITY INCINERATOR AUTHORITY, AND AMENDING AND SUPPLEMENTING CHAPTER 3 (ADMINISTRATION OF GOVERNMENT) ARTICLE IX (DEPARTMENT OF PUBLIC WORKS) OF THE JERSEY CITY MUNICIPAL CODE, TO CONSOLIDATE AND ASSUME THE FUNCTIONS OF THE JERSEY CITY INCINERATOR AUTHORITY WITH THE JERSEY CITY DEPARTMENT OF PUBLIC WORKS

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

WHEREAS, the Jersey City Incinerator Authority (JCIA) was created by the adoption of an ordinance by the City of Jersey City (City) pursuant to the New Jersey Incinerator Authorities Law, N.J.S.A. 40:66A-1, et seq.; and

WHEREAS, the Jersey City Department of Public Works (DPW) was also created by the adoption of an Ordinance of the City, specifically, Article IX of the Jersey City Code; and

WHEREAS, the City has conducted extensive research and engaged in significant discussion concerning the possible consolidation of the JCIA and the DPW and determined that such consolidation would result in significant cost savings to the City and markedly increased efficiency of City services and functions; and

WHEREAS, pursuant to N.J.S.A. 40A:5A-20, the City is authorized to dissolve the JCIA, so long as provision is made for payment of the JCIA's debts and obligations and for assumption of the JCIA's functions by another body and/or entity; and

WHEREAS, the City has determined that the most efficient and cost-effective method to consolidate the JCIA and the DPW is to dissolve the JCIA as a separate entity and transfer some of its employees and functions to the DPW, thereby consolidating the two (2) entities into one (1); and

WHEREAS, the City proposes to assume responsibility for the payment of any and all debts and obligations of the JCIA; and

WHEREAS, the New Jersey Local Finance Board has reviewed this Ordinance and has approved the adoption of this Ordinance; and

~~**WHEREAS**, no later than _____ months from the date of the adoption of the within ordinance, the Business Administrator will prepare a new table of organization for the Department of Public Works that will reflect personnel needed to perform the functions that will no longer be performed by the JCIA, and _____ months thereafter, this ordinance shall take effect.~~

FILED
NOV 10 2015
KIM GUADAGNO
SECRETARY OF STATE

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 12 (AUTHORITIES, MUNICIPAL) ARTICLE II (INCINERATOR AUTHORITY) OF THE JERSEY CITY MUNICIPAL CODE, DISSOLVING THE JERSEY CITY INCINERATOR AUTHORITY, AND AMENDING AND SUPPLEMENTING CHAPTER 3 (ADMINISTRATION OF GOVERNMENT) ARTICLE IX (DEPARTMENT OF PUBLIC WORKS) OF THE JERSEY CITY MUNICIPAL CODE, TO CONSOLIDATE AND ASSUME THE FUNCTIONS OF THE JERSEY CITY INCINERATOR AUTHORITY WITH THE JERSEY CITY DEPARTMENT OF PUBLIC WORKS

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

- A. The following amendments to Chapter 12 (Authorities, Municipal) Article II (Incinerator Authority) are hereby adopted:

AUTHORITIES, MUNICIPAL

**ARTICLE II
Incinerator Authority**

~~§12-2. Authority Established; Membership.]~~

- A. ~~The Incinerator Authority is hereby established pursuant to law N.J.S.A. 40:66A-1, et seq.~~
- B. ~~The membership of the Incinerator Authority is hereby increased from five to seven members. The two additional members shall be appointed to serve five year terms commencing on February 1 next following their appointment and expiring on February 1 in the fifth year after their appointment.~~
- C. ~~The Board may provide its members with compensation for their services in the form of medical health care, prescription, optical or dental insurance coverage. Effective as of the date of adoption of the within Ordinance, no new board member shall receive compensation of any kind, including but not limited to, salary, medical health coverage, life insurance, prescription, optical or dental coverage. No board members shall receive any other compensation of any kind whatsoever, except as provided herein. Existing board members as of the effective date of this ordinance will continue to receive medical health care, prescription, optical or dental insurance coverage through December 31, 2011.]~~

- 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**

§3-67. - Duties of Director; divisions.

The Director shall be responsible for the proper and efficient conduct of all public works functions of the city government and shall provide technical advice and service to other departments as needed. The Director shall serve as city liaison with the Jersey City Incinerator and Sewerage Authorities. Within the Department shall be the following divisions:

- A. Division of Architecture.
- B. Division of Engineering, Traffic and Transportation.
- C. Division of Buildings and Street Maintenance.
- D. Division of Automotive Maintenance.*

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 12 (AUTHORITIES, MUNICIPAL) ARTICLE II (INCINERATOR AUTHORITY) OF THE JERSEY CITY MUNICIPAL CODE, DISSOLVING THE JERSEY CITY INCINERATOR AUTHORITY, AND AMENDING AND SUPPLEMENTING CHAPTER 3 (ADMINISTRATION OF GOVERNMENT) ARTICLE IX (DEPARTMENT OF PUBLIC WORKS) OF THE JERSEY CITY MUNICIPAL CODE, TO CONSOLIDATE AND ASSUME THE FUNCTIONS OF THE JERSEY CITY INCINERATOR AUTHORITY WITH THE JERSEY CITY DEPARTMENT OF PUBLIC WORKS

* *Editor's Note: Former Subsection D, which immediately followed this subsection and listed the Division of Neighborhood Improvement, was repealed 8-13-1997 by Ord. No. 97-052.*

- E. Division of Park Maintenance.
- F. Division of Neighborhood Improvement.
- G. Division of Automobile Impounding.
- H. Division of Demolition.
- I. Division of Solid Waste Recycling.
- J. Division of Graffiti Removal.
- K. Division of Sanitation.

§3-68. Through §3-71.1. No Change.
§3-71.3. - Division of Automobile Pound.

A. Creation of the Division of Automobile Impounding: Director in charge.
There is hereby created within the Department of Public Works a Division of Automobile Impounding, the head of which shall be the Director of the Director of Automobile Impounding.

B. Division of Automobile Impounding: functions.
Under the direction and supervision of the Director of the Department of Public Works, the Division of Automobile Impounding shall provide the following services:

- (1) Oversee the towing of all vehicles, including abandoned vehicles, upon order of the Police (JCPD) and notify the Division of Motor Vehicles and the National Automobile Theft Bureau that possession was taken of the abandoned vehicle;
- (2) Run data checks on vehicles and staff the on-site National Crime Index Communicator (NCIC) terminal for this purpose with civilian personnel. Such information includes the owner's name, address and other pertinent information needed by the Automobile Pound to properly notify the owner of record. JCPD shall also notify the National Insurance Crime Bureau (NICB) of all vehicles impounded by the JCPD;
- (3) Release the vehicle upon presentation by the owner of a valid license, registration and insurance card to the JCPD;
- (4) Retain copies of the Order of Impoundment for all vehicles impounded;
- (5) Obtain motor vehicle background checks, prior to release of impounded vehicles and name, address and other pertinent information relating to all vehicles impounded. Such information is to be provided daily;
- (6) Remove all visible personal property from impounded vehicles prior to being towed to the City Car Pound;

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 12 (AUTHORITIES, MUNICIPAL) ARTICLE II (INCINERATOR AUTHORITY) OF THE JERSEY CITY MUNICIPAL CODE, DISSOLVING THE JERSEY CITY INCINERATOR AUTHORITY, AND AMENDING AND SUPPLEMENTING CHAPTER 3 (ADMINISTRATION OF GOVERNMENT) ARTICLE IX (DEPARTMENT OF PUBLIC WORKS) OF THE JERSEY CITY MUNICIPAL CODE, TO CONSOLIDATE AND ASSUME THE FUNCTIONS OF THE JERSEY CITY INCINERATOR AUTHORITY WITH THE JERSEY CITY DEPARTMENT OF PUBLIC WORKS

- (7) Process the documentation necessary to allow a vehicle to be sold at auction;
- (8) The Division of Automobile Impounding shall then send a letter by registered mail to the owner as identified by the data check as required by Statute;
- (9) As appropriate, the Division of Automobile Impounding shall make application for titles upon expiration of the statutory period. Each vehicle shall be classified, according to relevant standards and procedures set forth in N.J.S.A. 39:1 et seq., to be either:
 - (a) a junk title; or
 - (b) a renegotiable title.
- (10) Prior to making this application, the Division of Automobile Impounding must notify the JCPD Scofflaw/Auto Squad Commander, in writing, that all statutory requirements have been met relating to the list of vehicles to be auctioned;
- (11) The Division of Automobile Impounding shall cooperate with forfeiture claims.
- (12) Conduct auctions in accordance with State Law.
- (13) Collect fees generated by the impoundment, storage or auction or sale of vehicles:
 - (a) any fees collected for the impoundment or storage of vehicles may be retained by the DPW to off-set the costs of providing towing services and other related operation cost;
 - (b) provide the Municipal Council with an annual financial statement prepared in accordance with generally accepted accounting principles, regarding all fees and income collected;
 - (c) fees shall follow the uniform schedule of fees for involuntary tows as set forth in the Jersey City Municipal Code.
- (14) Allow the JCPD to use four unclaimed vehicles per month as undercover cars.

§3-71.4. - Division of Demolition.

- A. Creation of the Division of Demolition: Director in charge.
There is hereby created within the Department of Public Works a Division of Demolition, the head of which shall be the Director of the Division of Demolition.
- B. Division of Demolition: functions.
Under the direction and supervision of the Director of the Department of Public Works, the Division of Demolition shall:

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 12 (AUTHORITIES, MUNICIPAL) ARTICLE II (INCINERATOR AUTHORITY) OF THE JERSEY CITY MUNICIPAL CODE, DISSOLVING THE JERSEY CITY INCINERATOR AUTHORITY, AND AMENDING AND SUPPLEMENTING CHAPTER 3 (ADMINISTRATION OF GOVERNMENT) ARTICLE IX (DEPARTMENT OF PUBLIC WORKS) OF THE JERSEY CITY MUNICIPAL CODE, TO CONSOLIDATE AND ASSUME THE FUNCTIONS OF THE JERSEY CITY INCINERATOR AUTHORITY WITH THE JERSEY CITY DEPARTMENT OF PUBLIC WORKS

- (1) Demolish buildings and structures as requested by the City's Construction Code Official and/or the Municipal Engineer.
- (2) Maintain accurate records concerning the cost of labor and materials expended in order to demolish each building and forward a statement of costs to the Tax Collector so as to enable the filing of a lien should reimbursement for such costs from the private owner, not be forthcoming.

§3-71.5. - Division of Solid Waste / Recycling.

- A. Creation of the Division of Solid Waste Recycling: Director in charge.
There is hereby created within the Department of Public Works a Division of Solid Waste Recycling, the head of which shall be the Director of the Division of Solid Waste/Recycling.
- B. Division of Solid Waste Recycling: functions.
Under the direction and supervision of the Director of the Department of Public Works, the Division of Solid Waste/Recycling shall:
 - (1) Implement the existing Solid Waste, Recycling Program, a copy of which is on file in the office of the City Clerk, concerning the collection and disposal of all materials generated within the City from any residential, commercial or municipal property.

§3-71.6. - Division of Graffiti Removal.

- A. Creation of the Division of Graffiti Removal: Director in charge.
There is hereby created within the Department of Public Works a Division of Graffiti Removal, the head of which shall be the Director of the Division of Graffiti Removal.
- B. Division of Graffiti Removal: functions.
Under the direction and supervision of the Director of the Department of Public Works, the Division of Graffiti Removal shall:
 - (1) Removal of graffiti from municipal, commercial and residential dwellings.

§3-71.7. - Division of Sanitation.

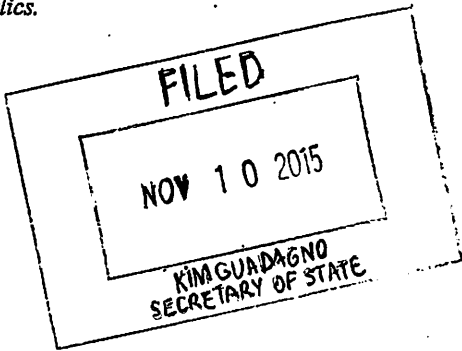
- A. Creation of the Division of Sanitation: Director in charge.
There is hereby created within the Department of Public Works a Division of Sanitation, the head of which shall be the Director of the Division of Sanitation.
- B. Division of Sanitation: functions.
Under the direction and supervision of the Director of the Department of Public Works, the Division of Sanitation shall:
 - (1) Plow snow, spread salt, and remove snow;
 - (2) Install public litter baskets and receptacles at locations to be designated by the City Business Administrator or his designee;

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 12 (AUTHORITIES, MUNICIPAL) ARTICLE II (INCINERATOR AUTHORITY) OF THE JERSEY CITY MUNICIPAL CODE, DISSOLVING THE JERSEY CITY INCINERATOR AUTHORITY, AND AMENDING AND SUPPLEMENTING CHAPTER 3 (ADMINISTRATION OF GOVERNMENT) ARTICLE IX (DEPARTMENT OF PUBLIC WORKS) OF THE JERSEY CITY MUNICIPAL CODE, TO CONSOLIDATE AND ASSUME THE FUNCTIONS OF THE JERSEY CITY INCINERATOR AUTHORITY WITH THE JERSEY CITY DEPARTMENT OF PUBLIC WORKS

- (3) Sweep and clean designated City streets by use of mechanical street sweeping equipment in accordance with the current City schedule and practice.
- (4) Remove and dispose of refuse from public litter baskets and receptacles, and from City-owned lots and from within City-owned vacant buildings;
- (5) Remove and dispose of refuse from streets and City-owned parking areas;
- (6) Inspect and enforce sanitation ordinances and remove refuse from privately owned lots;
- (7) Maintain accurate records concerning the cost of labor and materials it expends in order to remove refuse from each privately owned lot and forward a statement of costs to the Tax Collector so as to enable the City to file a lien and seek reimbursement for such costs from the private owners.

- I. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- II. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
- III. This ordinance shall take effect *no earlier than January 1, 2016 subject to approval of Civil Service concerning titles and permanent status requests from the City.*
- IV. 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*.



APPROVED AS TO LEGAL FORM _____
 Corporation Counsel

APPROVED: _____
 Business Administrator

Certification Required
 Not Required

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



ORDINANCE NO. Ord. 15.104.
 TITLE: 3.G JUL-15 2013 4.F AUG 19 2015 4.D. OCT 14 2015

An ordinance amending and supplementing Chapter 12 (Authorities, Municipal) Article II (Incinerator Authority) of the Jersey City Municipal Code, dissolving the Jersey City Incinerator Authority, and amending and supplementing Chapter 3 (Administration of Government) Article IX (Department of Public Works) of the Jersey City Municipal Code, to consolidate and assume the functions of the Incinerator Authority with the Jersey City Department of Public Works.

RECORD OF COUNCIL VOTE ON INTRODUCTION JUL 15 2015 7-2

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 AUG 19 2015 9-0

Councilperson LAVARRO moved, seconded by Councilperson OSBORNE 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 BALCER
 TEARETHA IZARD-SIMS
 DARYN MARTIN
 HOWARD JONES
 LORENZO RICHARDSON
 VIOLA RICHARDSON
 TABILI TAYARI
 WILLIAM O'DEA*

Removed 7-0 from the Tabbed Agenda on a motion by Lavarro, seconded by Osborne, Ramchal and Yun. Absent

Tabbed 7-2 after the close of the public hearing on a motion by Lavarro, seconded by Osborne, Boggiano & Yun & May

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY OCT 14 2015

Councilperson OSBORNE moved to amend* Ordinance, seconded by Councilperson LAVARRO & adopted 6-1.

COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	ABSENT			RIVERA	✓		
RAMCHAL		ABSENT		OSBORNE	✓			WATTERMAN	✓		
BOGGIANO		✓		COLEMAN	✓			LAVARRO, PRES.	✓		

RECORD OF FINAL COUNCIL VOTE OCT 14 2015 6-1

COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	ABSENT			RIVERA	✓		
RAMCHAL		ABSENT		OSBORNE	✓			WATTERMAN	✓		
BOGGIANO		✓		COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.—Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on JUL 15 2015
 Adopted on second and final reading after hearing on OCT 14 2015

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on OCT 14 2015

Robert Byrne
 Robert Byrne, City Clerk

APPROVED: *[Signature]*
 Rolando R. Lavarro, Jr., Council President
 Date OCT 14 2015

*Amendment(s):
*remove last paragraph on page 1
 page 6 III*

APPROVED: *[Signature]*
 Steven M. Fulop, Mayor
 Date OCT 16 2015

Date to Mayor OCT 15 2015