

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

File No. Ord. 20-021
Agenda No. 3.10 (1st Reading)
Agenda No. 4.10 (2nd Reading and Final Passage)



AN ORDINANCE DIRECTING THE HUDSON COUNTY CLERK TO PLACE A NON-BINDING REFERENDUM ON THE BALLOT OF THE NEXT ENSUING GENERAL ELECTION TO BE HELD ON NOVEMBER 3, 2020, AS TO WHETHER THE MUNICIPAL COUNCIL SHOULD AUTHORIZE THE IMPOSITION OF AN ANNUAL TAX LEVY FOR ARTS AND CULTURE.

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

WHEREAS, the Municipal Council finds that art and culture enriches the City; and

WHEREAS, in January 2020, Governor Philip D. Murphy signed into Assembly Bill A3832 amending Title 40 of the Revised State Statutes to allow municipalities to submit to the voters of the municipality, in a general or special election, a proposition authorizing an annual levy, in an amount or at a rate that the governing body deems appropriate, to be established for the purpose of supporting local arts and culture; and

WHEREAS, Assembly Bill A3832 defines "Arts and culture" to mean creative and cultural activities, including but not limited to, performing, visual, and fine arts, music, dance, graphic design, film, digital media and video, architecture and urban design, humanities, literature, arts and culture education, historic preservation, museum curation, crafts and folk arts; and

WHEREAS, the Municipal Council believes that it would be in the best interests of the public to place a referendum on the November 2020 general election ballot for the purpose of determining the voters' support for imposing a municipal arts and culture tax levy to be funded by an annual tax not to exceed \$0.02 per \$100 of assessed valuation of each annual tax levy commencing with the first tax quarter of the next budget year following the year in which the levy has been approved by the voters; and

WHEREAS, the amounts raised by the levy imposed pursuant to this section shall be deposited into an "Arts and Culture Trust Fund" to be created by the City and which shall be used exclusively to support local arts; and

WHEREAS, in order to enable the Council to ascertain the voters' sentiment for whether or not it should impose an arts and culture tax and establish an arts and culture trust fund, N.J.S.A. 19:37-1 permits the Municipal Council to direct the Hudson County Clerk to print upon the official ballots to be used at the next ensuing general election, a proposition, in concise form, concerning the issue.

NOW, THEREFORE BE IT ORDAINED, by the Municipal Council of the City of Jersey City that the Municipal Council does hereby direct the Hudson County Clerk to print upon the official ballots to be used at the next ensuing general election, the proposition printed to read as follows:

"Should the Municipal Council of the City of Jersey City impose a Municipal Art and Culture Tax Levy, pursuant to Title 40 of the Revised State Statutes, to be funded at a rate not to exceed \$0.02 per \$100 of assessed valuation of each annual tax levy, commencing with the 1st tax quarter of the next budget year following the year in which the levy is approved by the voters and which funds shall be deposited into an "Arts and Culture Trust Fund" to be created by the City."

AND NOW, THEREFORE BE IT FURTHER ORDAINED, by the Municipal Council of the City of Jersey City that the accompanying Interpretative Statement shall be added to the ballot, in substantially the form as follows, subject to such minor modification as the Corporation Counsel deems appropriate or necessary:

APPROVED AS TO LEGAL FORM



Business Administrator



Corporation Council

An Ordinance directing the Hudson County Clerk to place a non-binding referendum on the ballot of the next ensuing general election to be held on November 3, 2020, as to whether the Municipal Council should authorize the imposition of an annual tax levy for arts and culture.

"The purpose of this non-binding referendum vote is to ascertain the voters' opinion concerning whether the City of Jersey City should establish its own Municipal Arts and Culture Trust Fund to support local funding for the arts. The annual yearly rate would be \$0.02 per \$100 of assessed valuation, meaning that a property assessed at \$100,000 would pay no more than \$20 per year to the Arts and Culture Trust Fund to support creative and cultural activities, including but not limited to, performing, visual, and fine arts, music, dance, graphic design, film, digital media and video, architecture and urban design, humanities, literature, arts and culture education, historic preservation, museum curation, crafts and folk arts."

AND NOW, THEREFORE BE IT ALSO ORDAINED, by the Municipal Council of the City of Jersey City that the City Clerk is hereby directed to send a certified copy of this Ordinance to the Hudson County Clerk as soon as possible.

- 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 at the time and in the manner as provided by law.
- IV. The City Clerk and the Corporation Counsel may change any chapter numbers, article numbers and section numbers if codification of the ordinance reveals a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

An Ordinance directing the Hudson County Clerk to place a non-binding referendum on the ballot of the next ensuing general election to be held on November 3, 2020, as to whether the Municipal Council should authorize the imposition of an annual tax levy for arts and culture.

| RECORD OF COUNCIL VOTE ON INTRODUCTION - FEB 13 2020 | | | | | |
|--|-----|----------|-----|-----------------|-----|
| RIDLEY | AYE | YUN | AYE | LAVARRO | AYE |
| PRINZ-AREY | AYE | SOLOMON | AYE | RIVERA | AYE |
| BOGGIANO | NAY | ROBINSON | AYE | WATTERMAN, PRES | AYE |
| | | | | | 8-1 |

MOTION: RIVERA **SECOND: WATTERMAN**

| RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING - FEB 26 2020 | | | | | |
|--|--------|----------|-----|------------------|-----|
| RIDLEY | ABSENT | YUN | AYE | LAVARRO | AYE |
| PRINZ-AREY | AYE | SOLOMON | AYE | RIVERA | AYE |
| BOGGIANO | AYE | ROBINSON | AYE | WATTERMAN, PRES. | AYE |
| | | | | | 8-0 |

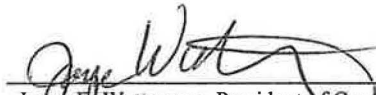
| RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY - | | | | | |
|--|--|----------|--|------------------|--|
| RIDLEY | | YUN | | LAVARRO | |
| PRINZ-AREY | | SOLOMON | | RIVERA | |
| BOGGIANO | | ROBINSON | | WATTERMAN, PRES. | |

| RECORD OF FINAL COUNCIL VOTE - FEB 26 2020 | | | | | |
|--|--------|----------|-----|------------------|-----|
| RIDLEY | ABSENT | YUN | AYE | LAVARRO | AYE |
| PRINZ-AREY | AYE | SOLOMON | AYE | RIVERA | AYE |
| BOGGIANO | AYE | ROBINSON | AYE | WATTERMAN, PRES. | AYE |
| | | | | | 8-0 |

Adopted on first reading of the Council of Jersey City, N.J. on **FEB 13 2020**
 Adopted on second and final reading after hearing on **FEB 26 2020**


This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on **FEB 26 2020**


 City Clerk


 Joyce E. Watterman, President of Council
 Approved: **FEB 26 2020**

SPEAKERS:
 DAVID GIBSON
 BRIAN EUSTAFSON
 COURTNEY LITTLE
 BRYAN BENNINGHOPE
 RICHARD CUSH
 ALEX BERENSON
 ATIM ANNETTE OTON
 OLGA LEVINA
 BETH COPE
 HEATHER WAMFEL
 MAC ADAM SMITH
 WYCLIFFE DANIELS
 MICHAEL ENBY
 ROBINSON HOLLOWAY
 JULIA MARROGIN
 SONJA GARCIN
 DEVIDE KENNEDY
 GRIGORY GUREVICH
 WENDY PAUL

WINNIE HARPER
 HEATHER WAHL
 JEANNE DALY
 CAROLINE TABONE


 Steven M. Fulop, Mayor
 Date to Mayor: **FEB 27 2020**
 Approved: **MAR -2 2020**