

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

File No. Ord. 22-059
Agenda No. 3.10 (1st Reading)
Agenda No. 4.9 (2nd Reading and Final Passage)



AN ORDINANCE AMENDING CHAPTER 160 (FEES AND CHARGES) SECTION 22 (CHAPTER 332, VEHICLES AND TRAFFIC) AND CHAPTER 175 (FOOD-HANDLING ESTABLISHMENTS), ARTICLE II (MOBILE FOOD VENDORS) TO ESTABLISH PARKING FEES AND REGULATIONS FOR FOOD TRUCK VENDORS.

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

Council moved and offered:

WHEREAS, Jersey City has become an increasingly popular location for mobile food vendors to conduct business; and

WHEREAS, most of the mobile food vendors park on public streets and in the public right-of-way; and

WHEREAS, the City Council finds it to be beneficial and in the public interest to adopt parking regulations for mobile food vendors; and

NOW THEREFORE, THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:

A. Chapter 160 (Fees and Charges) Section SS (Chapter 332, Vehicles and Traffic) and Chapter 175 (Food-Handling Establishments), Article II (Mobile Food Vendors) are hereby amended as follows:

CHAPTER 160 – FEES AND CHARGES

§ 160-1. - Fee schedule established.

A. through RR.

NO CHANGE.

SS. Chapter 332, Vehicles and Traffic

(14) Parking fee for Itinerant Food Vendor Parking: Parking or standing a vehicle in a designated space within the Itinerant Food Vendor Truck Parking Zone as set forth in § 332-57 shall be lawful upon receipt of a City-issued Itinerant Food Truck Parking Permit and payment of the following


Itinerant Food Truck Parking – Zone 1: \$11,000 per year, to be paid in twelve (12) monthly installments due on the first of each month.

Itinerant Food Truck Parking – Zone 2 \$4.00 per hour.


CHAPTER 175 – FOOD-HANDLING ESTABLISHMENTS

Article II – Mobile Food Vendors

APPROVED AS TO LEGAL FORM



Business Administrator



Corporation Counsel

An Ordinance amending Chapter 160 (Fees and Charges) Section 22 (Chapter 332, Vehicles and Traffic) and Chapter 175 (Food-Handling Establishments), Article II (Mobile Food Vendors) to establish parking fees and regulations for food truck vendors.

§ 175-13 – General Parking Requirements

A.Designated Mobile Food Vendor Parking Spots: Mobile food vendors are prohibited from parking in any spot within the City of Jersey City that has not been previously designated a Mobile Food Vendor Parking Spot. The following locations have been designated as Mobile Food Vendor parking spots:

Name of StreetSideSpace NumberLimits

ITINERANT FOOD TRUCK PARKING – ZONE 1

- Columbus DriveNorth0000130 feet west of Hudson Street extending 30 feet west
- Columbus DriveNorth0000270 feet west of Hudson Street extending 30 feet west
- Columbus DriveNorth00003140 feet west of Hudson Street extending 30 feet west
- Columbus DriveSouth0000490 feet west of Warren Street extending 30 feet west
- Columbus DriveSouth00005125 feet west of Warren Street extending 30 feet west
- Columbus DriveSouth North00006160 feet west of Warren Street extending 30 feet west
- Columbus DriveSouth North00007195 feet west of Warren Street extending 30 feet west
- Columbus DriveSouth00008230 feet west of Warren Street, extending 30 feet west
- Columbus DriveSouth00009265 feet west of Warren Street, extending 30 feet west
- Columbus DriveSouth00010300 feet west of Warren Street, extending 30 feet east
- Columbus DriveSouth0001175 feet east of Marin Boulevard, extending 30 feet east
- Columbus DriveSouth00012110 feet east of Marin Boulevard, extending 30 feet east
- Columbus DriveSouth00013145 feet east of Marin Boulevard, extending 30 feet east
- Columbus DriveSouth00014180 feet east of Marin Boulevard, extending 30 feet east
- Columbus DriveSouth00015215 feet east of Marin Boulevard, extending 30 feet east
- Montgomery StreetSouth00016103 feet east of Greene Street extending 25 feet east
- Montgomery StreetSouth00017139 feet east of Greene Street extending 25 feet east
- Montgomery StreetSouth00018123 feet west of Hudson Street extending 25 feet west
- Montgomery StreetSouth00019159 feet west of Hudson Street extending 25 feet west
- Sussex StreetSouth00020189 feet east of Hudson Street extending 30 feet east
- Sussex StreetSouth00021229 feet east of Hudson Street extending 30 feet east

ITINERANT FOOD TRUCK PARKING – ZONE 2

- Audubon AvenueNorth00022270 feet east of College Street extending 40 feet east
- John F. Kennedy BoulevardWest00023245 feet south of Culver Avenue extending 40 feet south
- West Side AvenueWest0002425 feet south of Gifford Avenue extending 40 feet south

An Ordinance amending Chapter 160 (Fees and Charges) Section 22 (Chapter 332, Vehicles and Traffic) and Chapter 175 (Food-Handling Establishments), Article II (Mobile Food Vendors) to establish parking fees and regulations for food truck vendors.

West Side AvenueWest0002575 feet south of Gifford Avenue extending 40 feet south

Garfield AvenueEast0002650 feet south of Bramhall Avenue extending 40 feet south

Berry LaneWest00027Southerly terminus extending 40 feet north

Chapel AvenueSouth00028500 feet east of Caven Point Road extending 40 feet east

Chapel AvenueSouth00029540 feet east of Caven Point Road extending 40 feet east

Colony RoadEast00030At Foot of Colony Road extending 40 feet south

Colony RoadEast0003140 feet south of Foot of Colony Road extending 40 feet south

14th StreetNorth0003240 feet west of North Boulevard extending 40 feet west

14th StreetNorth0003380 feet west of North Boulevard extending 40 feet west

Duncan AvenueSouth0003445 feet west of Plainfield Avenue extending 40 feet west

Carbon PlaceNorth00035275 feet west of West Side Avenue extending 40 feet west

Carbon PlaceNorth00036315 feet west of West Side Avenue extending 40 feet west

Summit AvenueEast0003735 feet north of Reservoir Avenue extending 40 feet north

Summit AvenueEast00038110 feet south of Manhattan Avenue extending 40 feet south

Mallory AvenueWest0003925 feet north of Gautier Avenue extending 40 feet north

Sip Avenue and Bergen Avenue – Northeast corner (Public Parking and Taxi Stand Lot)00040

Berry Lane Park (south of Bramhall Avenue)00041

9 Linden Avenue East Parking Lot00042

9 Linden Avenue East Parking Lot00043

351 Martin Luther King Drive (Container Village)00044

351 Martin Luther King Drive (Container Village)00045

914 Pavonia Avenue (Pavonia/Marion Municipal Pool)00046

B. Permitted Parking Hours. Mobile Food Vendor Parking Spots may only be utilized between the hours of 10:00 am to 8:00 pm, unless otherwise stated

1. Columbus Drive. Mobile Food Vendor Parking Spots located on Columbus Drive may be utilized between the hours of 10:00 am to 11:00 pm.

2. Mobile Food Vendor Parking Spots in the Vicinity of NJCU may be utilized between the hours of 6:00 am to 8:00p pm (spots 0018 and 0019)

C. City Use of Mobile Food Vendor Parking Spot: The City reserves the right to prohibit parking in Mobile Food Vendor Parking Spots, no more than five (5) days per year in any spot, with advanced notice, if necessary (i.e. for special events, construction, etc.) with a refund equal to 1/365th of the annual fee amount per day the City prohibits the use of that spot.

An Ordinance amending Chapter 160 (Fees and Charges) Section 22 (Chapter 332, Vehicles and Traffic) and Chapter 175 (Food-Handling Establishments), Article II (Mobile Food Vendors) to establish parking fees and regulations for food truck vendors.

§ 175-14 – Itinerant Food Truck Parking ZONE 1 Permit Required

A. Parking Permit Required. No person or business shall operate and/or park a mobile food vehicle within Itinerant Food Truck Parking – Zone 1 without a valid Mobile Food Vendor Parking Permit from the City of Jersey City.

A. Permits shall not be required for Itinerant Food Truck Parking – Zone 2.

B. Time of Permit: Permits shall be effective from April 1 to March 30 of each year.

C. Application Process and Contents. Applicants seeking a Mobile Food Vendor Parking Permit shall submit, on an annual basis, an application for such approval to the Business Administrator, or his/her designee. The application shall be furnished under oath on a form specified by the Business Administrator, or his/her designee and shall contain the following information:

a. The name, address, telephone and e-mail address of the applicant, including an emergency phone number and contact whereby the applicant can be reached 24 hours per day, 7 days per week. If the applicant is a corporation, then the Registered Agent of the corporation must be listed with all of the above.

b. A description of the applicant's menu and cuisine.

c. Pictures of the vehicle that will be used on site along with the vehicle's length and width.

d. Written acknowledgment that the applicant and owner are not currently and have not been subject to any outstanding assessments, fees or penalties within the past twelve (12) months that have been determined by the City or court of competent jurisdiction.

e. Proof of City-approved insurance that will be maintained in full force and effect throughout the term of the Permit.

f. All necessary and current approvals from relevant sources that will remain in full force and effect throughout the term of the Permit. This includes the Jersey City Fire Department/Fire Prevention and applicant sanitary inspection reports along with Division of Health permits.

g. Any other information or documents deemed necessary by the City.

D. Grant or Denial of Applications

a. Grant: Applications meeting the criteria set forth in this Chapter and by law shall be granted by the City. Mobile Food Vendor Parking Permits shall be issued annually, but such permit does not guarantee use of a Mobile Food Vendor Parking Spot for the entire year. The Business Administrator, or his/her designee, shall designate, at the time the permit is issued, the approved location(s) and months that the Mobile Food Vendor is entitled to exclusive use of an assigned spot. Exclusive use of an individual Mobile Food Vendor Parking Spot may rotate between different Mobile Food Vendors on a quarterly basis, to be determined by the Business Administrator or his/her designee, taking into consideration input from any relevant special improvement districts.

b. Denial. Applications may be denied where an applicant fails to demonstrate he/she meets the conditions and requirements of this Article, or where an applicant fails to comply with applicable local, state or federal law. Any false statements, material omissions or substantially misleading information provided in an application or furnished by an applicant in connection with an application constitute grounds for any one or combination of the following sanctions: denial; refusal to renew; revocation; suspension; and imposition of penalties.

E. Assignment of Mobile Food Vendor Parking Spot: The City of Jersey City shall determine the specific parking spot within the Zone 1 for each approved applicant. When deciding where to place each Mobile Food Vendor, the City will consider preferences and feedback from the surrounding neighborhoods and special improvement districts, including but not limited to their preferences and feedback regarding the placement of a Mobile Food Vendor within the district as it relates to public health, public safety, and nuisance concerns.

F. Reassignment of Mobile Food Vendor Parking Spot: The City reserves the right to reassign a Mobile Food Vendor to a different Mobile Food Vendor Parking Spot after the Mobile Food Vendor Parking Permit has been issued, upon thirty (30) days' notice of the reassignment to the Mobile Food Vendor. If a Mobile Food Vendor does not wish to continue operating in the reassigned location and therefore is no longer utilizing a Mobile Food Vendor Parking Spot after the reassignment, the Mobile Food Vendor shall be reimbursed for any payment made for time in which it is no

An Ordinance amending Chapter 160 (Fees and Charges) Section 22 (Chapter 332, Vehicles and Traffic) and Chapter 175 (Food-Handling Establishments), Article II (Mobile Food Vendors) to establish parking fees and regulations for food truck vendors.

longer occupying a Mobile Food Vendor Parking Spot. When deciding where to relocate each Mobile Food Vendor, the City will consider preferences and feedback from the surrounding neighborhoods and special improvement districts, including but not limited to their preferences and feedback regarding the placement of a Mobile Food Vendor within the district as it relates to public health, public safety, and nuisance concerns. The City will reassign the Mobile Food Vendor to a parking spot located within the same zone.

G. Transfer of Permit Prohibited. No person holding a Mobile Food Vendor Parking Permit shall sell, lend, lease or in any manner transfer any interest in the Mobile Food Vendor Parking Permit. Any unauthorized transfer or attempt to transfer a license and/or permit shall automatically void such item.

H. Renewal of Permit. Any Mobile Food Vendor holding a Mobile Food Vendor Parking Permit must reapply for that permit annually. Renewal of a permit does not guarantee the Mobile Food Vendor shall be granted use of the same Mobile Food Parking Spot from the prior year, nor does it guarantee the permit shall be granted for exclusive use of the same months/quarter from the prior year.

I. Continuous Use of Parking Spot. If a Mobile Food Vendor is absent from its' assigned Mobile Food Vendor Parking Spot for more than twenty (20) days per one of its assigned months, Jersey City reserves the right to revoke the Mobile Food Vendor Parking Permit.

J. Other Requirements. All Mobile Food Vendors must comply with the following additional requirements:

a. Mobile Food Vendors shall make every effort to minimize noise and odors while in operation and shall ensure that customers have trash receptacles readily available on-site, or some other adequate means to ensure the proper disposal of any food or other waste generated. Receptacles must be emptied as often as necessary to prevent spillage of refuse and shall be removed upon changing locations.

b. Vendors shall not provide or allow any dining area, including but not limited to tables, chairs, and booths, bar stools, benches or standup counters, in connection with its operation.

c. Vendors are not permitted to distribute any menus, flyers, handbills or other advertising. Vendors are encouraged to use digital menus available online and/or social media to display menus. Vendors are encouraged only to provide physical menus upon request and are responsible for removing any physical menus that are not properly thrown away and/or disrupt the cleanliness of the area.

d. All goods being sold must be located within the Mobile Food Vehicle at all times and may not be placed, stored or displayed on the ground, under the vehicle or on top of the vehicle.

K. Violations and Penalties. Any Mobile Food Vendor who violates the Jersey City Municipal Code, or any relevant local, state or federal regulation, will be subject to penalties, including but not limited to fines, revocation of the permit, or towing of the mobile food vehicle.

a. Mobile Food Vendors shall not be towed unless authorized by the City of Jersey City. Special Improvement Districts may contract for towing services within its special improvement district, but may not utilize such services until the City has approved the towing or impounding of such vehicle.

L. Fee. The fee for a Mobile Food Vendor Parking Permit shall be in accordance with Chapter 160 of the Code.

a. The Mobile Food Vendor is prohibited from parking in its' assigned spot for any period of time in which it is delinquent in payments.

b. If the Mobile Food Vendor is delinquent in payments for a period of forty-five (45) days or more, the Mobile Food Vendor Parking Permit will be revoked and reassigned. The City reserves the right to remove any mobile food vehicle from its parking spot if the Mobile Food Vendor is delinquent in payments for a period of forty-five (45) days or more.

c. All fees shall be suspended until 90 days after the Governor's State of Emergency related to COVID-19 is rescinded.

An Ordinance amending Chapter 160 (Fees and Charges) Section 22 (Chapter 332, Vehicles and Traffic) and Chapter 175 (Food-Handling Establishments), Article II (Mobile Food Vendors) to establish parking fees and regulations for food truck vendors.

RECORD OF COUNCIL VOTE ON INTRODUCTION – Jun 15 2022						
RIDLEY	AYE	SALEH	AYE	DEGISE	AYE	8-0
PRINZ-AREY	AYE	SOLOMON	AYE	RIVERA	AYE	
BOGGIANO	ABSENT	GILMORE	AYE	WATTERMAN, PRES	AYE	

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING – Jun 29 2022						
RIDLEY	AYE	SALEH	AYE	DEGISE	AYE	8-0
PRINZ-AREY	AYE	SOLOMON	AYE	RIVERA	ABSENT	
BOGGIANO	AYE	GILMORE	AYE	WATTERMAN, PRES.	AYE	


SPEAKERS:
Josh Feldman Russab Ali, Hany El-Adle, Jeanna Daly, Mohamed El-Adle, Hakim Berkauk, Ashley Taglieri

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY –						
RIDLEY		SALEH		DEGISE		
PRINZ-AREY		SOLOMON		RIVERA		
BOGGIANO		GILMORE		WATTERMAN, PRES.		


RECORD OF FINAL COUNCIL VOTE – Jun 29 2022						
RIDLEY	AYE	SALEH	AYE	DEGISE	AYE	8-0
PRINZ-AREY	AYE	SOLOMON	AYE	RIVERA	ABSENT	
BOGGIANO	AYE	GILMORE	AYE	WATTERMAN, PRES.	AYE	

Adopted on first reading of the Council of Jersey City, N.J. on Jun 15 2022
Adopted on second and final reading after hearing on Jun 29 2022


This is to certify that the foregoing Ordinance was adopted
by the Municipal Council at its meeting on Jun 29 2022



City Clerk



Joyce E. Watterman, President of Council
Approved: Jun 29 2022



Steven M. Fulop, Mayor
Date to Mayor: Jun 30 2022
Approved: Jun 30 2022

An Ordinance amending Chapter 160 (Fees and Charges) Section 22 (Chapter 332, Vehicles and Traffic) and Chapter 175 (Food-Handling Establishments), Article II (Mobile Food Vendors) to establish parking fees and regulations for food truck vendors.

FACT SHEET -

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

Project Manager

James Solomon, Councilperson		201-547-5315	jsolomon@jcnj.org
Department	Municipal Council		
Division	Municipal Council		

Note: Project Manager must be available by phone during agenda meeting (Wednesday prior to council meeting @ 1:00 p.m.)

Meeting	Regular Meeting of Municipal Council - Jun 29 2022
---------	--

Purpose

Amendments to Food Trucks on Columbus Drive btw Marin Blvd and Warren St to 1) Move the food truck locations to the southern side of the street to accommodate the new protected bike lanes on Columbus Drive and 2) to add 4 spaces to accommodate demand for food trucks in that location.
--

Cost (Identify all sources and amounts)	Contract term (include all)
0	

ATTACHMENTS:

Ordinance 20-059 2022 Solomon revision draft_JCW edits_MM edits_FINAL

Approved by John Metro, Business Administrator	Status: Approved - Jun 22 2022
---	-----------------------------------

Name of Street Side Space Number Limits

Ordinance amending Chapter 160 (Fees and Charges) Section 22 (Chapter 332, Vehicles and Traffic) and Chapter 175 (Food-handling establishments), Article ii (Mobile food vendors) to establish parking fees and regulations for food truck vendors.

Council moved and offered:

WHEREAS, Jersey City has become an increasingly popular location for mobile food vendors to conduct business; and

WHEREAS, most of the mobile food vendors park on public streets and in the public right-of-way; and

WHEREAS, the City Council finds it to be beneficial and in the public interest to adopt parking regulations for mobile food vendors; and

NOW THEREFORE, THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:

A. Chapter 160 (Fees and Charges) Section SS (Chapter 332, Vehicles and Traffic) and Chapter 175 (Food-Handling Establishments), Article II (Mobile Food Vendors) are hereby amended as follows:

CHAPTER 160 – FEES AND CHARGES

§ 160-1. - Fee schedule established.

A. *through* RR.

NO CHANGE.

SS. Chapter 332, Vehicles and Traffic

(14) Parking fee for Itinerant Food Vendor Parking: Parking or standing a vehicle in a designated space within the Itinerant Food Vendor Truck Parking Zone as set forth in § 332-57 shall be lawful upon receipt of a City-issued Itinerant Food Truck Parking Permit and payment of the following

Itinerant Food Truck Parking – Zone 1: \$11,000 per year, to be paid in twelve (12) monthly installments due on the first of each month.

Itinerant Food Truck Parking – Zone 2 \$4.00 per hour.

CHAPTER 175 – FOOD-HANDLING ESTABLISHMENTS

Article II – Mobile Food Vendors

§ 175-13 – General Parking Requirements

- A. **Designated Mobile Food Vendor Parking Spots:** Mobile food vendors are prohibited from parking in any spot within the City of Jersey City that has not been previously designated a Mobile Food Vendor Parking Spot. The following locations have been designated as Mobile Food Vendor parking spots:

ITINERANT FOOD TRUCK PARKING – ZONE 1

Columbus Drive	North	00001	30 feet west of Hudson Street extending 30 feet west
Columbus Drive	North	00002	70 feet west of Hudson Street extending 30 feet west
Columbus Drive	North	00003	140 feet west of Hudson Street extending 30 feet west
Columbus Drive	South	00004	<u>90 feet west of Warren Street extending 30 feet west</u>
Columbus Drive	South	00005	<u>125 feet west of Warren Street extending 30 feet west</u>
Columbus Drive	<u>South</u> North	00006	<u>160 feet west of Warren Street extending 30 feet west</u>
Columbus Drive	<u>South</u> North	00007	<u>195 feet west of Warren Street extending 30 feet west</u>
Columbus Drive	South	00008	<u>230 feet west of Warren Street, extending 30 feet west</u>
Columbus Drive	South	00009	<u>265 feet west of Warren Street, extending 30 feet west</u>
Columbus Drive	South	00010	<u>300 feet west of Warren Street, extending 30 feet east</u>
<u>Columbus Drive</u>	<u>South</u>	<u>00011</u>	<u>75 feet east of Marin Boulevard, extending 30 feet east</u>
<u>Columbus Drive</u>	<u>South</u>	<u>00012</u>	<u>110 feet east of Marin Boulevard, extending 30 feet east</u>
Columbus Drive	South	<u>00013</u>	<u>145 feet east of Marin Boulevard, extending 30 feet east</u>
Columbus Drive	South	<u>00014</u>	<u>180 feet east of Marin Boulevard, extending 30 feet east</u>
Columbus Drive	South	<u>00015</u>	<u>215 feet east of Marin Boulevard, extending 30 feet east</u>
Montgomery Street	South	<u>00016</u>	103 feet east of Greene Street extending 25 feet east

Montgomery Street	South	000 <u>17</u>	139 feet east of Greene Street extending 25 feet east
Montgomery Street	South	000 <u>18</u>	123 feet west of Hudson Street extending 25 feet west
Montgomery Street	South	000 <u>19</u>	159 feet west of Hudson Street extending 25 feet west
Sussex Street	South	000 <u>20</u>	189 feet east of Hudson Street extending 30 feet east
Sussex Street	South	000 <u>21</u>	229 feet east of Hudson Street extending 30 feet east

ITINERANT FOOD TRUCK PARKING – ZONE 2

Audubon Avenue	North	000 <u>22</u>	270 feet east of College Street extending 40 feet east
John F. Kennedy Boulevard	West	000 <u>23</u>	245 feet south of Culver Avenue extending 40 feet south
West Side Avenue	West	000 <u>24</u>	25 feet south of Gifford Avenue extending 40 feet south
West Side Avenue	West	000 <u>25</u>	75 feet south of Gifford Avenue extending 40 feet south
Garfield Avenue	East	000 <u>26</u>	50 feet south of Bramhall Avenue extending 40 feet south
Berry Lane	West	000 <u>27</u>	Southerly terminus extending 40 feet north
Chapel Avenue	South	000 <u>28</u>	500 feet east of Caven Point Road extending 40 feet east
Chapel Avenue	South	000 <u>29</u>	540 feet east of Caven Point Road extending 40 feet east
Colony Road	East	000 <u>30</u>	At Foot of Colony Road extending 40 feet south
Colony Road	East	000 <u>31</u>	40 feet south of Foot of Colony Road extending 40 feet south
14 th Street	North	000 <u>32</u>	40 feet west of North Boulevard extending 40 feet west
14 th Street	North	000 <u>33</u>	80 feet west of North Boulevard extending 40 feet west

Duncan Avenue	South	000 <u>34</u>	45 feet west of Plainfield Avenue extending 40 feet west
Carbon Place	North	000 <u>35</u>	275 feet west of West Side Avenue extending 40 feet west
Carbon Place	North	000 <u>36</u>	315 feet west of West Side Avenue extending 40 feet west
Summit Avenue	East	000 <u>37</u>	35 feet north of Reservoir Avenue extending 40 feet north
Summit Avenue	East	000 <u>38</u>	110 feet south of Manhattan Avenue extending 40 feet south
Mallory Avenue	West	000 <u>39</u>	25 feet north of Gautier Avenue extending 40 feet north
Sip Avenue and Bergen Avenue – Northeast corner (Public Parking and Taxi Stand Lot)		000 <u>40</u>	
Berry Lane Park (south of Bramhall Avenue)		000 <u>41</u>	
9 Linden Avenue East Parking Lot		000 <u>42</u>	
9 Linden Avenue East Parking Lot		000 <u>43</u>	
351 Martin Luther King Drive (Container Village)		000 <u>44</u>	
351 Martin Luther King Drive (Container Village)		000 <u>45</u>	
914 Pavonia Avenue (Pavonia/Marion Municipal Pool)		000 <u>46</u>	

B. Permitted Parking Hours. Mobile Food Vendor Parking Spots may only be utilized between the hours of 10:00 am to 8:00 pm, unless otherwise stated

1. Columbus Drive. Mobile Food Vendor Parking Spots located on Columbus Drive may be utilized between the hours of 10:00 am to 11:00 pm.
2. Mobile Food Vendor Parking SPots in the Vicinity of NJCU may be utilized between the hours of 6:00 am to 8:00p pm (spots 0018 and 0019)

C. City Use of Mobile Food Vendor Parking Spot: The City reserves the right to prohibit parking in Mobile Food Vendor Parking Spots, no more than five (5) days per year in any spot, with advanced notice, if necessary (i.e. for special events, construction, etc.) with a

refund equal to 1/365th of the annual fee amount per day the City prohibits the use of that spot.

§ 175-14 – Itinerant Food Truck Parking ZONE 1 Permit Required

- A. **Parking Permit Required.** No person or business shall operate and/or park a mobile food vehicle within Itinerant Food Truck Parking –Zone 1 without a valid Mobile Food Vendor Parking Permit from the City of Jersey City.
 - a. Permits shall not be required for Itinerant Food Truck Parking – Zone 2.
- B. **Time of Permit:** Permits shall be effective from April 1 to March 30 of each year.
- C. **Application Process and Contents.** Applicants seeking a Mobile Food Vendor Parking Permit shall submit, on an annual basis, an application for such approval to the Business Administrator, or his/her designee. The application shall be furnished under oath on a form specified by the Business Administrator, or his/her designee and shall contain the following information:
 - a. The name, address, telephone and e-mail address of the applicant, including an emergency phone number and contact whereby the applicant can be reached 24 hours per day, 7 days per week. If the applicant is a corporation, then the Registered Agent of the corporation must be listed with all of the above.
 - b. A description of the applicant's menu and cuisine.
 - c. Pictures of the vehicle that will be used on site along with the vehicle's length and width.
 - d. Written acknowledgment that the applicant and owner are not currently and have not been subject to any outstanding assessments, fees or penalties within the past twelve (12) months that have been determined by the City or court of competent jurisdiction.
 - e. Proof of City-approved insurance that will be maintained in full force and effect throughout the term of the Permit.
 - f. All necessary and current approvals from relevant sources that will remain in full force and effect throughout the term of the Permit. This includes the Jersey City Fire Department/Fire Prevention and applicant sanitary inspection reports along with Division of Health permits.
 - g. Any other information or documents deemed necessary by the City.
- D. **Grant or Denial of Applications**
 - a. Grant: Applications meeting the criteria set forth in this Chapter and by law shall be granted by the City. Mobile Food Vendor Parking Permits shall be issued annually, but such permit does not guarantee use of a Mobile Food Vendor Parking Spot for the entire year. The Business Administrator, or his/her designee, shall designate, at the time the permit is issued, the approved location(s) and months that the Mobile Food Vendor is entitled to exclusive use of an assigned spot. Exclusive use of an individual Mobile Food Vendor Parking Spot may rotate between different Mobile Food Vendors on a quarterly basis, to be determined by

the Business Administrator or his/her designee, taking into consideration input from any relevant special improvement districts.

- b. Denial. Applications may be denied where an applicant fails to demonstrate he/she meets the conditions and requirements of this Article, or where an applicant fails to comply with applicable local, state or federal law. Any false statements, material omissions or substantially misleading information provided in an application or furnished by an applicant in connection with an application constitute grounds for any one or combination of the following sanctions: denial; refusal to renew; revocation; suspension; and imposition of penalties.
- E. **Assignment of Mobile Food Vendor Parking Spot:** The City of Jersey City shall determine the specific parking spot within the Zone 1 for each approved applicant. When deciding where to place each Mobile Food Vendor, the City will consider preferences and feedback from the surrounding neighborhoods and special improvement districts, including but not limited to their preferences and feedback regarding the placement of a Mobile Food Vendor within the district as it relates to public health, public safety, and nuisance concerns.
- F. **Reassignment of Mobile Food Vendor Parking Spot:** The City reserves the right to reassign a Mobile Food Vendor to a different Mobile Food Vendor Parking Spot after the Mobile Food Vendor Parking Permit has been issued, upon thirty (30) days' notice of the reassignment to the Mobile Food Vendor. If a Mobile Food Vendor does not wish to continue operating in the reassigned location and therefore is no longer utilizing a Mobile Food Vendor Parking Spot after the reassignment, the Mobile Food Vendor shall be reimbursed for any payment made for time in which it is no longer occupying a Mobile Food Vendor Parking Spot. When deciding where to relocate each Mobile Food Vendor, the City will consider preferences and feedback from the surrounding neighborhoods and special improvement districts, including but not limited to their preferences and feedback regarding the placement of a Mobile Food Vendor within the district as it relates to public health, public safety, and nuisance concerns. The City will reassign the Mobile Food Vendor to a parking spot located within the same zone.
- G. **Transfer of Permit Prohibited.** No person holding a Mobile Food Vendor Parking Permit shall sell, lend, lease or in any manner transfer any interest in the Mobile Food Vendor Parking Permit. Any unauthorized transfer or attempt to transfer a license and/or permit shall automatically void such item.
- H. **Renewal of Permit.** Any Mobile Food Vendor holding a Mobile Food Vendor Parking Permit must reapply for that permit annually. Renewal of a permit does not guarantee the Mobile Food Vendor shall be granted use of the same Mobile Food Parking Spot from the prior year, nor does it guarantee the permit shall be granted for exclusive use of the same months/quarter from the prior year.
- I. **Continuous Use of Parking Spot. If a Mobile Food Vendor is absent from its' assigned Mobile Food Vendor Parking Spot for more than twenty (20) days per one of its assigned months, Jersey City reserves the right to revoke the Mobile Food Vendor Parking Permit.**

J. **Other Requirements.** All Mobile Food Vendors must comply with the following additional requirements:

- a. Mobile Food Vendors shall make every effort to minimize noise and odors while in operation and shall ensure that customers have trash receptacles readily available on-site, or some other adequate means to ensure the proper disposal of any food or other waste generated. Receptacles must be emptied as often as necessary to prevent spillage of refuse and shall be removed upon changing locations.
- b. Vendors shall not provide or allow any dining area, including but not limited to tables, chairs, and booths, bar stools, benches or standup counters, in connection with its operation.
- c. Vendors are not permitted to distribute any menus, flyers, handbills or other advertising. Vendors are encouraged to use digital menus available online and/or social media to display menus. Vendors are encouraged only to provide physical menus upon request and are responsible for removing any physical menus that are not properly thrown away and/or disrupt the cleanliness of the area.
- d. All goods being sold must be located within the Mobile Food Vehicle at all times and may not be placed, stored or displayed on the ground, under the vehicle or on top of the vehicle.

K. **Violations and Penalties.** Any Mobile Food Vendor who violates the Jersey City Municipal Code, or any relevant local, state or federal regulation, will be subject to penalties, including but not limited to fines, revocation of the permit, or towing of the mobile food vehicle.

- a. Mobile Food Vendors shall not be towed unless authorized by the City of Jersey City. Special Improvement Districts may contract for towing services within its special improvement district, but may not utilize such services until the City has approved the towing or impounding of such vehicle.

L. **Fee.** The fee for a Mobile Food Vendor Parking Permit shall be in accordance with Chapter 160 of the Code.

- a. **The Mobile Food Vendor is prohibited from parking in its' assigned spot for any period of time in which it is delinquent in payments.**
- b. If the Mobile Food Vendor is delinquent in payments for a period of forty-five (45) days or more, the Mobile Food Vendor Parking Permit will be revoked and reassigned. The City reserves the right to remove any mobile food vehicle from its parking spot if the Mobile Food Vendor is delinquent in payments for a period of forty-five (45) days or more.
- c. All fees shall be suspended until 90 days after the Governor's State of Emergency related to COVID-19 is rescinded.