

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

File No. Ord. 26-005
Agenda No. 3.5 (1st Reading)
Agenda No. 4.4 (2nd Reading and Final Passage)



AN FRANCHISE ORDINANCE GRANTING PERMISSION TO 20 VANW, LLC BY IT MANAGING MEMBER, HANGYUAN ZHANG, ALLOWING THE INSTALLATION OF CONCRETE STAIRS THAT EXTEND INTO THE RIGHT OF WAY BEYOND THE BOUNDARY LINES OF LOT 38, BLOCK 12003, AND ARE FOR THE BENEFIT OF LOT 38, BLOCK 12003, COMMONLY KNOWN AS 20 VAN WAGENEN AVENUE, JERSEY CITY, NEW JERSEY.

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

WHEREAS, the City of Jersey City (the "City") does possess rights-of-way through all public streets, thoroughfares and sidewalks located within the City; and

WHEREAS, the City is authorized pursuant to N.J.S.A. 40:67-1 et seq. and N.J.S.A. 40A:12-5 to establish, change the grade of, or vacate any public street, highway, lane or alley, or any part thereof at the discretion of the City; and

WHEREAS, 20 VANW, LLC, by its Managing Member, Hangyuan Zhang ("Petitioners") having an address at 33-33 Prince St., Floor 4, Flushing, NY 11354; and the Petitioners own the property located at 20 Van Wagenen Avenue, and known as Block 12003, Lot 38 in the City of Jersey City, County of Hudson, New Jersey; and

WHEREAS, the Petitioners have filed a petition with the Municipal Council of the City of Jersey City requesting permission to make improvements into the public right-of-way of 20 Van Wagenen Avenue such improvement consisting of concrete stairs; and

WHEREAS, the proposed concrete stairs will be in context with the neighborhood and in line with the neighboring properties without any harm to the public good; and

WHEREAS, the Petitioners have provided a proposed Franchise Agreement Survey (attached as Exhibit A), prepared by Schmidt Surveying, LLC 49 Sullivan Street, Westwood, NJ 07675 by Adrew Schmidt, PLC, NJ License Number 24 GS 04330100 and a Metes and Bounds Description of the area (attached as Exhibit B); and

WHEREAS, the Petitioners are required to file the Petition for a Franchise Ordinance to place these improvements, pursuant to the requirement of the Building Department of the City of Jersey City; and

WHEREAS, there will remain sufficient area in the right-of-way for pedestrian use, and the proposed private improvements will not impede or have a negative impact on typical pedestrian use; and

WHEREAS; the Petitioners have filed a petition for relief and represented to the Municipal Council of the City of Jersey City that the passage of this Ordinance is in the best interests and essential to the building, development and general welfare; and

WHEREAS, after due notice was given in accordance with law, a public hearing was held on the Petition to grant permission to construct private improvements within the public right-of-way for the following purposes:

1. The contemplated improvements include concrete stairs with a maximum encroachment of six and a half feet (6'-6") over the property line that encroach into the right-of-way beyond the boundary lines of Lot 38, Block 12003 and into the right-of-way of 20 Van Wagenen Avenue; and

APPROVED AS TO LEGAL FORM

A handwritten signature in black ink, appearing to read 'Peter C.A. Weber', is written over a horizontal line.

Business Administrator

Corporation Counsel

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2. All costs and maintenance associated with these improvements will be incurred by the Petitioners, and there being no objections thereto; and

WHEREAS, the City of Jersey City Zoning Officer and Building Department can approve the construction of these improvements at the Property conditioned upon the Petitioners being granted a franchise ordinance by the City Council of the City of Jersey City; and

WHEREAS, a franchise ordinance is required to permit the construction of the private improvements within the public right-of-way, and pursuant to the requirement of the Building Department of the City of Jersey City; and

WHEREAS by reason of the character of the development of the area wherein this Property is situated, the said improvements will enhance public purposes, and the aesthetic and character of the property and greatly benefit Jersey City and the surrounding neighborhood; and

WHEREAS, the public interest will be served by said improvements; which will be of great benefit to the citizens of Jersey City and Hudson County and the rights of the public will not be injuriously or adversely affected by the requested relief;

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

Section I: Permission be, and is hereby granted to petitioners 20 VANW, LLC, by its Managing Member, Hangyuan Zhang, their successors and/or assigns, to construct and maintain private improvements to a portion of lands located along the public right-of-way of 20 Van Wagenen Avenue, Jersey City, New Jersey and known as Lot 38, Block 12003 on the current tax map of Jersey City, areas being more particularly described on the Franchise Agreement, Survey, and the metes and bounds descriptions attached hereto as Exhibit A, Exhibit B, respectively.

1. The contemplated improvements will include concrete stairs with a maximum encroachment of six and a half feet (6' - 6") that extend over the property line and encroach into the right-of-way beyond the boundary lines of Lot 38, Block 12003 and into the right-of-way of 20 Van Wagenen Avenue.
2. The contemplated improvements will be consistent in design as shown in Exhibit A.
3. The contemplated improvements will be constructed consistently with the development plans approved by the Jersey City Zoning Officer and Building Department.

Section II: All the work herein authorized shall be done under the supervision of the proper departments of the City of Jersey City. Further, all the work herein authorized shall comply with any State of New Jersey Uniform Construction Code requirements. The construction plans shall be submitted to the City Engineer for his review and comments prior to the start of construction. After construction there shall remain no damage to the sidewalk or roadway or interference with the free and safe flow of pedestrian traffic. The Petitioners, their successors and/or assigns, shall maintain all improvements installed by it for the entire term of this Franchise at no cost to the City.

Section III: This Ordinance shall remain in full force and effect for a period of ninety-nine (99) years. This Ordinance shall take effect upon final passage and publication according to law. In the event that the Municipal Council determines that this Ordinance must be canceled in whole or in part because of a public purpose, the City reserves the right to cancel this Ordinance or any part thereof by giving written notice to the Petitioner one-year prior to the date of cancellation.

Section IV: All costs and expenses incident to the introduction, passage and publication of this Ordinance shall be borne and paid by said Petitioners.

Section V: In accepting the privileges of this Ordinance and the installation, maintenance and use hereby authorized, Petitioners, their successors and/or assigns, hereby agrees to assume, full, complete and undivided responsibility for any and all injury or damage to persons or property by reason of said installation, maintenance and use, and to indemnify and hold the City of Jersey City harmless from all injury or damages to persons or property by reason of such installation, maintenance and use (except such injury or damage which is caused by negligence or misconduct of the City or its officers, employees or agents) for the term of this Ordinance. Petitioners, their successors and assigns, shall Jersey City, its officers and employees as additional insured, covering the use and occupancy of the public property subject to this franchise. A certificate of insurance, in the amount of \$2,000,000.00 or in such

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amount and type as the City of Jersey City's Risk Manager may deem reasonable shall be delivered to the Risk Manager before use or occupancy of the Property subject to this Franchise Ordinance. Insurance limits shall be reviewed annually by the City of Jersey City's Risk Manager to determine if they need to be increased.

Section VI: This Ordinance shall not become effective unless an acceptance hereof in writing is filed by the Petitioners with City Clerk. In the event that the Petitioners shall not file with the City Clerk their acceptance in writing of the provisions of this Ordinance within 30 days after receiving notice of its passage, this Ordinance shall become void and be no effect.

Section VII: Only with prior written consent and approval by the City Council of the City of Jersey City, which consent, and approval shall not be unreasonably withheld, shall Petitioners have the right to assign or otherwise transfer their rights under this Franchise Ordinance.

Section VIII: An easement for the duration of this Ordinance is reserved for the benefit of the City of Jersey City and all public utility companies including any cable television company as defined in the Cable Television Act, P.L. 1972, c. 186 (c. 48:5A-1 et seq.) for the purpose of ingress and egress over and upon the area subject to this Franchise Ordinance in order to maintain, repair or replace existing utility facilities including water lines, sewer lines, gas lines and telephone, electrical and cable television wires and poles which may be located either beneath or above the surface of the area subject to this Franchise Ordinance.

Section IX: For the rights and privileges herein granted, said beneficiaries hereunder, their successors and assigns, shall annually on the 1st day of _____ next succeeding the time when this Ordinance shall become effective and on each first day of _____ thereafter until the termination of this Ordinance.

Section X: A. All ordinance and parts of ordinances inconsistent herewith are hereby repealed.

B. This Ordinance shall be a part of the Jersey City code as though codified and set forth therein. The City Clerk shall have this Ordinance certified and incorporated in the official copies of the Jersey City Code.

C. This Ordinance shall take effect at the time and in the manner provided by law.

D. The City Clerk and the Corporation Counsel be and they are hereby authorized and directed to change any chapter numbers, articles numbers and section numbers in the event that the codification of this Ordinance reveals that there is a conflict between those numbers and the existing Code, in order to avoid confusion and possible accidental repeals of existing provisions.

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RECORD OF COUNCIL VOTE ON INTRODUCTION – Jan 28 2026						
BROOKS	AYE	LITTLE	AYE	SINGH	AYE	9-0
ZUPPA, JR.	AYE	GILMORE	AYE	LAVARRO	AYE	
EPHROS	AYE	GRIFFIN	AYE	RIDLEY, PRES.	AYE	

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING – Feb 11 2026						
BROOKS	AYE	LITTLE	AYE	SINGH	AYE	9-0
ZUPPA, JR.	AYE	GILMORE	AYE	LAVARRO	AYE	
EPHROS	AYE	GRIFFIN	AYE	RIDLEY, PRES.	AYE	

SPEAKERS:

Philip Carrington

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY –						
BROOKS		LITTLE		SINGH		
ZUPPA, JR.		GILMORE		SINGH		
EPHROS		GRIFFIN		RIDLEY, PRES.		

RECORD OF FINAL COUNCIL VOTE – Feb 11 2026						
BROOKS	AYE	LITTLE	AYE	SINGH	AYE	9-0
ZUPPA, JR.	AYE	GILMORE	AYE	LAVARRO	AYE	
EPHROS	AYE	GRIFFIN	AYE	RIDLEY, PRES.	AYE	

Adopted on first reading of the Council of Jersey City, N.J. on **Jan 28 2026**

Adopted on second and final reading after hearing on **Feb 11 2026**

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on Feb 11 2026



City Clerk



Denise Ridley, President of Council
Approved: Feb 11 2026



James Solomon, Mayor
Date to Mayor: Feb 13 2026
Approved: Feb 13 2026

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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

Renee Jackson, Assistant Municipal Clerk	2015474842	renee@jcnj.org
Department	Municipal Clerk	
Division	Municipal Clerk	

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 - Jan 28 2026
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Purpose

An Franchise Ordinance granting permission to 20 VANW, LLC by it managing member, Hangyuan Zhang, allowing the installation of concrete stairs that extend into the right of way beyond the boundary lines of Lot 38, Block 12003, and are for the benefit of Lot 38, Block 12003, commonly known as 20 Van Wagenen Avenue, Jersey City, New Jersey.

Cost (Identify all sources and amounts)

n/a

Contract term (include all)

ATTACHMENTS:

20251202101124 20251202101135 20260225111250
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Approved by

Sean Gallagher, City Clerk

John McKinney, Attorney

Peter Horton, Acting Business Administrator

Status:

Approved - Dec 12 2025

Approved - Dec 30 2025

Approved - Feb 04 2026

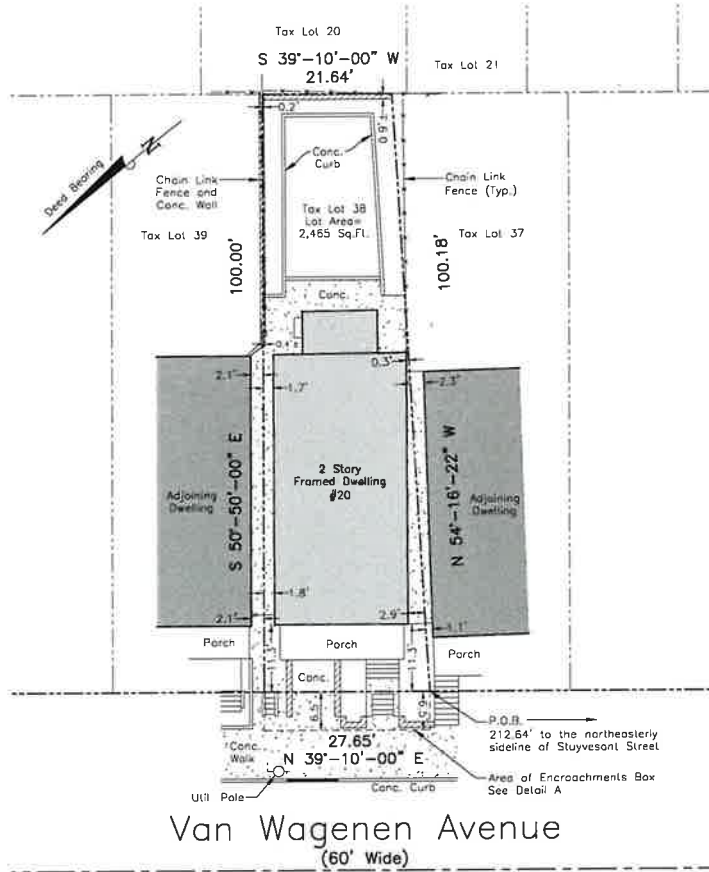
Exhibit A
Franchise Agreement Survey

References:

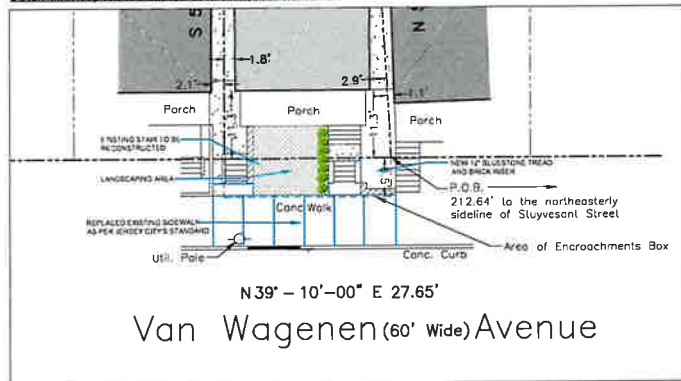
1. KNOWN AND DESIGNATED as Lot 38 in Block 12003 as shown on the current Tax Assessment, City of Jersey City, Hudson County, New Jersey.
2. Deed Book 9728 Page 12.

Notes:

1. This survey is for title purpose only.
2. Only surface conditions are shown on this map. The surveyor takes no responsibility for buried pipes, wires, wells, and other utilities.
3. Property subject to easements and restrictions of record and findings of a current title report.
4. Any setback lines shown are per Filed Map or Deed and are subject to change by municipality or other governmental authority.
5. Property corners have not been set pursuant to N.J.A.C. 13:40-5.2.



Detail A: Proposed Features Shown per Site Plan



Revisions:

- 09/24/2025 Added Area of Encroachments Box
- 11/03/2025 Detail A



49 Sullivan Street
 Westwood, NJ 07675
 Phone: (201) 403-5801
 www.schmidtsurveying.weebly.com
 Certificate of Authorization No. 24GA28182800

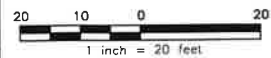
Andrew A. Schmidt

Andrew A. Schmidt

NJ Professional
 Land Surveyor
 No. 24GS04330100

Boundary Survey
 Tax Lot 38 - Block 12003
 20 Van Wageningen Avenue
 City of Jersey City
 Hudson County, New Jersey

This Survey is certified to:
 Guanhao Huang



Drawn: Checked: Date: Scale:
 AS 08-27-24 1" = 20'

Exhibit B
Metes and Bounds Description

SCHMIDT SURVEYING, LLC

49 Sullivan Street
Westwood, New Jersey 07675
Phone: 201-403-5801 Fax: 201-244-6163
SchmidtSurveying@gmail.com

Metes and Bounds of Encroachments into Van Wagenen Avenue Right of Way

20 Van Wagenen Avenue
Tax Lot 38, Block 12003
City of Jersey City
Hudson County, New Jersey

BEGINNING at a point in the southeasterly sideline of Van Wagenen Avenue, 60.00 feet wide, said point being distant 212.64 feet northeasterly from the intersection formed by said sideline and the northeasterly sideline of Stuyvesant Street and running, THENCE;

1. Along the southeasterly sideline of Van Wagenen Avenue, North 39 degrees 10 minutes 00 seconds East, a distance of 27.65 feet to a point, THENCE;
2. North 50 degrees 50 minutes 00 seconds West, a distance of 6.50 feet to a point, THENCE;
3. South 39 degrees 10 minutes 00 seconds West, a distance of 27.65 feet to a point, THENCE;
4. South 50 degrees 50 minutes 00 seconds East, a distance of 6.50 feet, returning to the southeasterly sideline of Van Wagenen Avenue to the point and place of BEGINNING.

In accordance with a survey prepared by Schmidt Surveying, LLC dated August 27th, 2024.



Andrew Schmidt, PLS
Professional Land Surveyor
N.J. License No. 24GS04330100

WHEREFORE, your Petitioners respectfully petitions for themselves, their successors and assigns, for the enactment of a Franchise Ordinance to allow them to make private improvements pursuant to the requirement of the Building Department of the City of Jersey City within the public right-of-way of 20 Van Wagenen Avenue, Lot 38, Block 12003, all as more particularly shown on the plan annexed hereto and made a part hereof.

By: _____
Eugene P. O'Connell, Esq.
o/b/o 20 VANW, LLC
Attorney for the Petitioners