

City Clerk File No. Ord. 11-159

Agenda No. 3.F 1st Reading

Agenda No. 4.D. 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 11-159

TITLE: ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 332 (VEHICLES AND TRAFFIC) ARTICLE VIII (PERMIT PARKING) OF THE JERSEY CITY CODE RESTRICTING RESIDENTIAL PARKING PERMITS TO RESIDENTS OF PROPERTIES WHICH HAVE NO AVAILABLE OFF-STREET PARKING AND REQUIRING LANDLORDS AND SELLERS TO NOTIFY PROSPECTIVE TENANTS AND PURCHASERS

MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:

WHEREAS, the City of Jersey City has established residential parking zones throughout many areas the City; and

WHEREAS, parking for more than two hours within these zones is restricted to residents and operators of businesses within the permit-parking zone; and

WHEREAS, because of residential development throughout the City, the number of residents seeking such permits has substantially increased and will likely exceed the available on-street parking; and

WHEREAS, many new residential properties offer off-street parking to residents either free of charge or for an additional fee; and

WHEREAS, to assure that parking space will be available to all residents within a permit-parking zone, permits shall hereafter be issued only to residents who have no available alternative means of off-street parking.

WHEREAS, landlords and sellers shall be required to notify prospective tenants and purchasers of the requirement.

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

A. The following amendments to Chapter 332 (Vehicles and Traffic) Article VIII (Permit Parking) are hereby adopted:

ARTICLE VIII Permit Parking

§332-58. Parking Restrictions in Residential Zones.

A. Through D. No Change.

E. Parking permits shall be issued to motor vehicles only upon application by the following persons:

ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 332 (VEHICLES AND TRAFFIC) ARTICLE VIII (PERMIT PARKING) OF THE JERSEY CITY CODE RESTRICTING RESIDENTIAL PARKING PERMITS TO RESIDENTS OF PROPERTIES WHICH HAVE NO AVAILABLE OFF-STREET PARKING

- (1) A legal resident of the residential permit parking zone who (a) has a motor vehicle registered in his/her name or ~~[who has a motor vehicle]~~ available for his/her exclusive use and under his/her control; and (b) resides in a property in which no off-street parking is available to residents, whether the off-street parking is provided free of charge or is only offered for a separate fee or rent.
- (2) A person who owns or leases commercial property and actively engages in business activity within a residential permit parking area or employee thereof (pay stubs shall be submitted for proof of employment). However, no more than one (1) parking permit may be issued for each employee for a motor vehicle registered to or under the control of such a person.
- (3) A person who is a current student of an educational institution (proof of current registration required) located in the residential parking permit zone.

F. Subsection (E)(1)(b) shall not apply to any resident (a) who is 65 years of age or older, or (b) who held a permit before the effective date of the ordinance imposing the (E)(1) (b) restriction; (c) of property that is restricted to occupancy by low or moderate income persons within the meaning of the New Jersey Fair Housing Act, N.J.S.A. 55:27D-301 et seq.; or (d) who resides in a property classified as R-2 under the City's land use regulations.

G. To assure that both prospective residential tenants and purchasers of property, including condominiums, are aware of the residential parking permit conditions imposed hereunder, every landlord and every seller shall, on or before the date a lease is executed or a deed is conveyed, provide the prospective tenant or buyer with a copy of Section 332-58.

~~{F}~~ H. Proof of residency, ownership, employment or student status shall be demonstrated in a manner determined by the CEO.

~~{G}~~ I. Proof of motor vehicle ownership or vehicle use and control shall be demonstrated in a manner determined by the CEO.

~~{H}~~ J. Temporary residential parking permits may be issued for vehicles which are owned, rented or under the operational control of any person who owns, leases property or attends school in the residential permit zone or used in providing services to persons or property in the residential permit zone. Temporary residential parking permits may also be issued to vehicles owned by temporary visitors who are residing in the residential permit parking zones. Such temporary residential parking permits shall have all of the rights and privileges of a regular permit. A temporary parking permit shall be valid for no more than ninety (90) days from the date of issuance. No resident of a residential permit parking zone shall be issued more than two (2) temporary parking permits at any one (1) time. A temporary residential parking permit issued to a vehicle providing services or to a vehicle owned by temporary visitors shall be considered to be a temporary permit issued to the resident of the property where the services are provided or the temporary visitors are residing.

K. The Parking Authority shall maintain a current record of all properties with 30 or more dwelling units which make off-street parking available to residents whether as part of the rental or service charge or for an optional fee. The Tax Assessor and all departments of the City which maintain relevant records shall cooperate with the Parking Authority to assure that the record of available off-street parking maintained by the Parking Authority remains current.

L. Any person who obtains a parking permit in violation of Section 332-58 shall, in addition to cancellation of the permit, be liable for the penalties prescribed by Section 1-25.

M. Any owner, landlord or seller of real property who fails to comply with Section 332-58G shall be liable for the penalties prescribed by Section 1-25.

ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 332 (VEHICLES AND TRAFFIC) ARTICLE VIII (PERMIT PARKING) OF THE JERSEY CITY CODE RESTRICTING RESIDENTIAL PARKING PERMITS TO RESIDENTS OF PROPERTIES WHICH HAVE NO AVAILABLE OFF-STREET PARKING

~~¶~~ N. No permit shall be issued to any person who has failed to pay any City of Jersey City municipal parking fines until such fines, including any penalties thereon, are paid in full, under arrangement with the city or Parking Authority, to be paid in full or stayed or overturned by a court of competent jurisdiction.

B. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

C. This ordinance shall be a part of the Jersey City Code as though codified and fully set forth therein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.

D. This ordinance shall take effect at the time and in the manner as provided by law.

E. The City Clerk and the Corporation Counsel be and they are hereby authorized and directed to change any chapter numbers, article 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 repealers of existing provisions.

NOTE: New matter is underlined; deleted matter in ~~{brackets}~~ For purposes of advertising only, new matter is indicated by **bold face** and repealed matter by *italic*.

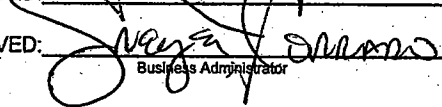
12/08/11

APPROVED AS TO LEGAL FORM



Corporation Counsel

APPROVED: _____

APPROVED: 

Business Administrator

Certification Required
Not Required

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

ORDINANCE NO. Ord. 11-159
 TITLE: 3.F. DEC 14 2011 4.D. JAN 11 2012



Ordinance amending and supplementing Chapter 332 (Vehicles and Traffic) Article VIII (Permit Parking) of the Jersey City Code restricting residential permits to residents of properties which have no available off-street parking and requiring landlords and sellers to notify prospective tenants and purchasers.

RECORD OF COUNCIL VOTE ON INTRODUCTION											
DEC 14 2011 8-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			LAVARRO	✓		
LOPEZ	✓			RICHARDSON	✓						

✓ Indicates Vote N.V.-Not Voting (Abstain)

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING											
JAN 11 2012											
Councilperson <u>BRENNAN</u>				moved, seconded by Councilperson <u>FULOP</u>				to close RH. <u>8-0</u>			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			LAVARRO	✓		
LOPEZ	✓			RICHARDSON	ABSENT			MASSEY	✓		

✓ Indicates Vote N.V.-Not Voting (Abstain)
YVONNE BACER
JASON BURG

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
Councilperson _____				moved to amend* Ordinance, seconded by Councilperson _____				& adopted			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO				GAUGHAN				BRENNAN			
DONNELLY				FULOP				LAVARRO			
LOPEZ				RICHARDSON				MASSEY			

✓ Indicates Vote N.V.-Not Voting (Abstain)

RECORD OF FINAL COUNCIL VOTE											
JAN 11 2012 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			LAVARRO	✓		
LOPEZ	✓			RICHARDSON	✓			MASSEY	✓		

✓ Indicates Vote N.V.-Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on DEC 14 2011

Adopted on second and final reading after hearing on JAN 11 2012

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on JAN 11 2012

Robert Byrne
 Robert Byrne, City Clerk

*Amendment(s):

APPROVED:

Peter M. Brennan

Peter M. Brennan, Council President

JAN 11 2012

Date:
 APPROVED:

Jeremiah T. Healy
 Jeremiah T. Healy, Mayor

JAN 18 2012

Date

JAN 12 2012

Date to Mayor