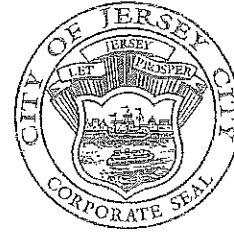


City Clerk File No. Ord. 15.147
Agenda No. 3.B 1st Reading
Agenda No. 4.B. 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 15.147

TITLE ORDINANCE OF THE CITY OF JERSEY CITY AMENDING AND SUPPLEMENTING CHAPTER 345 (ZONING) ARTICLE IV (FEES, DEPOSITS AND INSPECTIONS), SECTION 345-33 (FEES) AND CHAPTER 160 (FEES AND CHARGES) OF THE JERSEY CITY MUNICIPAL CODE

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

WHEREAS, pursuant to N.J.S.A. 40:55D-62, the Municipal Council of Jersey City adopted the Land Development Ordinance, Chapter 345 of the Jersey City Municipal Code (Ordinance No. 01-042), on April 11, 2001, as amended thereafter; and

WHEREAS, Article IV, Section 345-33 and Chapter 160 set forth the fees to apply for approvals from the Planning Board, the Zoning Board of Adjustment, and the Historic Preservation Commission; and

WHEREAS, the Municipal Council may require the issuance of specified permits, certificates or authorizations as a condition precedent to (1) the erection, construction, alteration, repair, remodeling, conversion, removal or destruction of any building or structure, (2) the use or occupancy of any building, structure or land, and (3) the subdivision or resubdivision of any land; and shall establish an administrative officer and offices for the purpose of issuing such permits, certificates or authorizations, pursuant to N.J.S.A. 40:55D-18; and

WHEREAS, the Municipal Council has established the Zoning Officer and Division of Zoning Enforcement as the administrative officer and offices to enforce and administer Chapter 345 of the Jersey City Municipal Code, pursuant to Article VIII, Section 345-76; and

WHEREAS, the Zoning Officer and the Division of Zoning Enforcement may establish reasonable fees to cover administrative costs for the issuance of permits, certificates or authorizations pursuant to N.J.S.A. 40:55D-18; and

WHEREAS, the Municipal Council, pursuant to N.J.S.A. 40:55D-64, sought and received the recommendations of the Jersey City Planning Board relative to these issues and voted at its meeting of September 1, 2015, to recommend that the Municipal Council amend the Fees of the Land Development Ordinance to establish fees for applications to the Division of Zoning Enforcement; and

WHEREAS, the amendments to the Land Development Ordinance are attached hereto and made a part hereof, and are available for public inspection in the Office of the City Clerk, City Hall, 280 Grove, Jersey City, NJ;

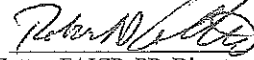
NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that the attached amendment to Chapter 345 (Zoning) Article IV (Fees, Deposits and Inspections) and Chapter 160 (Fees and Charges) be, and hereby is, adopted as recommended by the Jersey City Planning Board.

BE IT FURTHER ORDAINED THAT:

- A. All ordinances 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 fully herein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
- C. This ordinance shall take effect at the time and in the manner as provided by law.
- D. The City Clerk and the Corporation Council 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

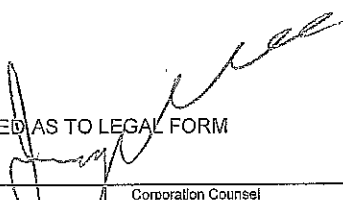
avoid confusion and possible repealers of existing provisions.

- E. The City Planning Division is hereby directed to give notice at least ten days prior to the hearing on the adoption of this Ordinance to the Hudson County Planning board and to all other persons entitled thereto pursuant to N.J.S. 40:55D-15 and N.J.S. 40:55D-63 (if required). Upon the adoption of this Ordinance after public hearing thereon, the City Clerk is directed to publish notice of the passage thereof and to file a copy of the Ordinance as finally adopted with the Hudson County Planning Board as required by N.J.S. 40:55D-16. The clerk shall also forthwith transmit a copy of this Ordinance after final passage to the Municipal Tax Assessor as required by N.J.S. 40:49-2.1.



Robert D. Cotter, FAICP, PP, Director
Division of City Planning

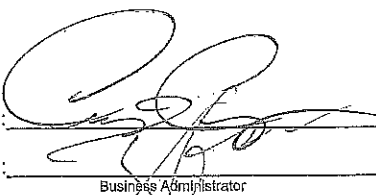
APPROVED AS TO LEGAL FORM



Corporation Counsel

Certification Required ☐
Not Required ☐

APPROVED:



Business Administrator

RESOLUTION FACT SHEET – NON-CONTRACTUAL

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

Full Title of Ordinance/Resolution

ORDINANCE OF THE CITY OF JERSEY CITY AMENDING AND SUPPLEMENTING CHAPTER 345 (ZONING) ARTICLE IV (FEES, DEPOSITS AND INSPECTIONS), SECTION 345-33 (FEES) AND CHAPTER 160 (FEES AND CHARGES) OF THE JERSEY CITY MUNICIPAL CODE

Initiator

Department/Division	HEDC	City Planning
Name/Title	Robert Cotter, PP, AICP	Director
Phone/email	201-547-5010	bobbyc@jcnj.org

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

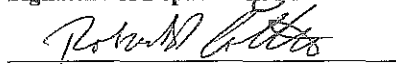
Resolution Purpose

The proposed amendment amends the Fees sections of the Land Development Ordinance to establish fees for applications to the Division of Zoning Enforcement to cover administrative costs for the issuance of permits, certificates or authorizations, pursuant to N.J.S.A. 40:55D-18.

I certify that all the facts presented herein are accurate.


Signature of Department Director

Date


Signature of Division Director

Date

10/15/15

Department of Housing, Economic Development & Commerce
Division of City Planning



Inter-Office Memorandum

DATE: October 14, 2015
TO: Council President Lavarro, Anthony Cruz, Bob Cotter
FROM: Matt Ward, AICP
SUBJECT: Application Fees – Division of Zoning Enforcement

The amendments before you pertain to Application Fees for the Division of Zoning Enforcement.

Presently, the Division of Zoning Enforcement does not have a set fee schedule to cover the administrative cost of issuing permits, certificates, or authorizations, as is permitted under N.J.S.A. 40:55D-18.

This ordinance would establish these fees by application type .

Summary Sheet:

ORDINANCE OF THE CITY OF JERSEY CITY AMENDING AND SUPPLEMENTING CHAPTER 345 (ZONING) ARTICLE IV (FEES, DEPOSITS AND INSPECTIONS), SECTION 345-33 (FEES) AND CHAPTER 160 (FEES AND CHARGES) OF THE JERSEY CITY MUNICIPAL CODE

The proposed amendment amends the Fees sections of the Land Development Ordinance to establish fees for applications to the Division of Zoning Enforcement to cover administrative costs for the issuance of permits, certificates or authorizations, pursuant to N.J.S.A. 40:55D-18.

Amendments to Chapter 345-33, 345-76 and 160 to be presented to the planning board.

text to be added is bold and italics like this

§ 345-33. - Fees.

A. Applicable Fees.

1. NO CHANGE
2. NO CHANGE
3. NO CHANGE
4. NO CHANGE

5. **The Zoning Officer and the Division of Zoning Enforcement may establish reasonable fees to cover administrative costs for the issuance of permits, certificates or authorizations pursuant to N.J.S.A. 40:55D-18.**

B. Schedule of Fees.

Fee Table I

<u>Application Type</u>	<u>Application Fees</u>
<u>Zoning Officer and Division of Zoning Enforcement Applications</u>	<u>Non-Refundable</u>
<u>Plan Review & Determination</u>	<u>\$100</u>
<u>Certificate of Occupancy Review & Determination</u>	<u>\$100</u>
<u>Zoning Determination</u>	<u>\$100</u>
<u>Pre-existing Curbcut Determination</u>	<u>\$25</u>

<u>Application Type</u>	<u>Application Fees</u>
<u>Planning Board and Board of Adjustment Applications</u>	<u>Non-Refundable</u>
Minor Site Plan – Cell Antenna Application Minor Site Plan – Signage and Storefronts Minor Site Plan – Other	NO CHANGE
Preliminary Major Site Plan Residential	NO CHANGE
Preliminary Major Site Plan Non Residential	NO CHANGE
Preliminary Major Site Plan Non Residential	NO CHANGE
Final Major Site Plan	NO CHANGE

Site Plan Amendment	NO CHANGE
Administrative Amendment	\$100
Conceptual Site Plan	NO CHANGE
Extension of Site Plan Approval	NO CHANGE
Minor Subdivision	NO CHANGE
Preliminary Major Subdivision	NO CHANGE
Final Major Subdivision	NO CHANGE
SPECIAL MEETING REQUESTED BY APPLICANT	NO CHANGE
REZONING OR REDEVELOPMENT PLAN AMENDMENT REQUESTED BY DEVELOPER	NO CHANGE
APPEALS, INTERPRETATIONS AND VARIANCES	NO CHANGE
"a" & "b" Appeals and Interpretations as per NJSA 40:55D-70 a & b	NO CHANGE
"c" Variance as per NJSA 40:55D-70(c) & deviation from redevelopment plan	NO CHANGE
"d" Variance as per NJSA 40:55D-70 (d)	NO CHANGE
Extension of Variance Approval	NO CHANGE
Historic Preservation Commission Applications	NO CHANGE
SPECIAL MEETING REQUESTED BY APPLICANT	NO CHANGE

§ 345-76. - Enforcement.

- A. NO CHANGE
- B. NO CHANGE
- C. NO CHANGE
- D. NO CHANGE
- E. NO CHANGE

F. Plan Review and Determination. The real or prospective owner and/or developer of any land may apply in writing for the issuance of a Plan Review and Determination certifying that submitted plans comply with the provisions of this chapter, redevelopment plan or deviation/variance therefrom duly authorized.

G. Zoning Determination. The real or prospective owner and/or developer of any land may apply in writing for the issuance of a Zoning Determination letter signed by the Zoning Officer which

acknowledges that such use, structure or building complies with the provisions of this chapter, redevelopment plan or deviation/variance therefrom duly authorized.

H. Pre-existing Curbcut Determination. The real owner, prospective purchaser, prospective mortgagee, or any other person interested in any land may apply in writing for the issuance of a Pre-existing Curbcut Determination certifying that a curbcut exists legally before the adoption of the ordinance which rendered the curbcut nonconforming or a deviation/variance therefrom was duly authorized. The applicant shall have the burden of proof.

I. Fees. The Zoning Officer and Division of Zoning Enforcement may establish fees to cover administrative costs for the issuance of permits, determinations, certificates and authorizations.

§ 160-1(UU).

Fee Table I

<u>Application Type</u>	<u>Application Fees</u>
<u>Zoning Officer and Division of Zoning Enforcement Applications</u>	<u>Non-Refundable</u>
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<u>Certificate of Occupancy Review & Determination</u>	<u>\$100</u>
<u>Zoning Determination</u>	<u>\$100</u>
<u>Pre-existing Curbcut Determination</u>	<u>\$25</u>

<u>Application Type</u>	<u>Application Fees</u>
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Site Plan Amendment	NO CHANGE
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Conceptual Site Plan	NO CHANGE
Extension of Site Plan Approval	NO CHANGE
Minor Subdivision	NO CHANGE
Preliminary Major Subdivision	NO CHANGE
Final Major Subdivision	NO CHANGE
SPECIAL MEETING REQUESTED BY APPLICANT	NO CHANGE
REZONING OR REDEVELOPMENT PLAN AMENDMENT REQUESTED BY DEVELOPER	NO CHANGE
APPEALS, INTERPRETATIONS AND VARIANCES	NO CHANGE
"a" & "b" Appeals and Interpretations as per NJSA 40:55D-70 a & b	NO CHANGE
"c" Variance as per NJSA 40:55D-70(c) & deviation from redevelopment plan	NO CHANGE
"d" Variance as per NJSA 40:55D-70 (d)	NO CHANGE
Extension of Variance Approval	NO CHANGE
Historic Preservation Commission Applications	NO CHANGE
SPECIAL MEETING REQUESTED BY APPLICANT	NO CHANGE

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



ORDINANCE NO. Ord. 15.147
TITLE: 3.B OCT 28 2015 4.B

NOV 10 2015

Ordinance of the Municipal Council of the City of Jersey
City amending and supplementing Chapter 345 (Zoning)
Article IV (Fees, Deposits and Inspections), Section 345-33
(Fees) and Chapter 160 (Fees and Charges) of the Jersey City
Municipal Code.

RECORD OF COUNCIL VOTE ON INTRODUCTION											
OCT 28 2015 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMANN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING											
NOV 10 2015											
Councilperson <u>RIVERA</u> moved, seconded by Councilperson <u>OSBORNE</u> to close P.H. 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMANN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

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.
GAJEWSKI				YUN				RIVERA			
RAMCHAL				OSBORNE				WATTERMANN			
BOGGIANO				COLEMAN				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE											
NOV 10 2015 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMANN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

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

OCT 28 2015

Adopted on second and final reading after hearing on

NOV 10 2015

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

NOV 10 2015

Robert Byrne
Robert Byrne, City Clerk

*Amendment(s):

APPROVED:

Rolando R. Lavarro, Jr.
Rolando R. Lavarro, Jr., Council President

Date

NOV 10 2015

APPROVED:

Steven M. Fulop
Steven M. Fulop, Mayor

Date

NOV 13 2015

Date to Mayor

NOV 12 2015