

City Clerk File No. Ord. 16.059

Agenda No. 3. I 1st Reading

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



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE

offered and moved adoption of the following ordinance:

CITY ORDINANCE 16.059

TITLE: ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 3 (ADMINISTRATION OF GOVERNMENT) ARTICLE IX (DEPARTMENT OF PUBLIC WORKS) AND ARTICLE VI (BUSINESS ADMINISTRATION) OF THE JERSEY CITY CODE

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

- A. The following amendments and supplements to Chapter 3 (Administration of Government) Article IX (Department of Public Works) are hereby adopted:

CHAPTER 3 ADMINISTRATION OF GOVERNMENT

ARTICLE IX DEPARTMENT OF PUBLIC WORKS

Sec. 3-66 Department created; head

There shall be a Department of Public Works, the head of which shall be the Director of Public Works. The Department of Public Works shall be responsible for all public works functions undertaken by the City of Jersey City and shall in addition -

- A. Supervise the city mail room;
- B. Provide for and supervise the City messenger service;
- C. Provide security services for all public buildings owned, operated or occupied by the City of Jersey City;
- D. Supervise the Mary McLeod Bethune Life Center
- E. Administer the Jersey City Clean Communities Program.

Sec. 3-67 Duties of Director; divisions

- A. The Director shall be responsible for the proper and efficient conduct of all public works functions of the city government and shall provide technical advice and service to other departments as needed. The Director shall serve as city liaison with the Jersey City Incinerator and Sewerage Authorities. Within the Department shall be the following divisions:

- A. Division of Automotive Maintenance
- B. Division of Buildings and Street Maintenance
- C. Division of Park Maintenance
- D. Division of Neighborhood Improvement
- E. Division of Sanitation

B. The Director of Public Works may appoint one or more Deputy Directors who shall be responsible for the supervision of one or more divisions as assigned by the Director of Public Works.

Sec. 3-68 Division of Automotive Maintenance

A. Creation of the Division of Automotive Maintenance: Director of Automotive Maintenance in charge. There is hereby created within the Department of Public Works a Division of Automotive Maintenance, the head of which shall be the Deputy Director of Automotive Maintenance

B. Division of Automotive Maintenance functions: Under the direction and supervision of the Director of Public Works the Division of Automotive Maintenance shall:

- (1) Supervise the work done in all city garages or by contract for the storage, repair and maintenance of city-owned vehicles.
- (2) Operate a garage or garages for the storage, servicing, repair and maintenance of all city-owned motor vehicles.
- (3) Maintain individual vehicle records of mileage, costs of operation and maintenance and replacement schedules and charge all such costs to the using department under appropriate regulations by the Business Administrator.
- (4) Operate a motor pool consisting of all motor vehicles, equipment and apparatus of the city and allocate the use of motor vehicles, equipment and apparatus to the departments of the city.
- (5) Operate and maintain communication equipment and supervise radio repair work done by contract.

Sec. 3-69 Division of Buildings and Street Maintenance; functions

A. Creation of the Division of Buildings and Street Maintenance; Director of Buildings and Street Maintenance in charge. There is hereby created within the Department of Public Works, the Division of Buildings and Street Maintenance, the head of which shall be the Director of Buildings and Street Maintenance

B. Division of Buildings and Street Maintenance

- (1) Under the supervision and direction of the Director of Public Works the Division of Buildings and Street Maintenance shall:
 - (a) ~~Install and maintain traffic signals and other traffic control devices.~~
 - (b) Erect barriers, ropes, lines, traffic cones, and stanchions when necessary to control or regulate traffic emergencies, parades, crowds and gatherings.
 - (c) Construct, install, maintain and repair all traffic signs and traffic markings by all departments.
 - (d) Provide for the repair and maintenance of all public streets.
- (2) Establish standards and procedures for the control, use and care of all city-owned equipment, materials and supplies in the custody of the Division.
- (3) Supervise the performance of all contracts for public works related capital improvement projects and certify the amounts due and payable thereunder.

- (4) Provide for the preparation of plans and specifications for the construction, repair, alteration and demolition of all City buildings and structures.
- (5) Set standards for the construction, reconstruction and maintenance of all facilities in and/or on public lands and rights-of-way.
- (6) Provide for custodial services for all public buildings owned and operated by the City of Jersey City.
- ~~(7) Secure abandoned properties.~~

Sec. 3-70 Division of Park Maintenance

- A. Creation of the Division of Park Maintenance in charge. There is hereby created in the Department of Public Works a Division of Park Maintenance the Director of which shall be the Director of Park Maintenance
- B. (1) Division of Park Maintenance; functions. Under the direction and supervision of the Director of Public Works, the Division of Park Maintenance shall:
 - (a) Be responsible for planning and maintaining all facilities for recreational purposes offered by the City, which includes parks, playgrounds, green space, sitting areas and indoor recreational facilities.
 - ~~(b) Be responsible for the administration of the Clean Communities Program.~~
 - (c) Be responsible for the trimming of trees on sidewalks.
 - (d) Be responsible for the planting of trees within public easement areas.
 - (e) Be in charge of issuing park usage permits for picnics, reunions, weddings, other social gatherings, and for flea markets and farmers' markets, provided that flea markets and farmers' markets permits are subject to the following permitting requirements:
 - (i) Subject to such rules, regulations, restrictions and requirements of Sec. 239-15 of this Code, flea markets permits shall be issued as follows: Each organization seeking a flea market permit may be issued two (2) such permits per calendar year for any of the following parks in which flea markets may be held: Van Vorst Park; Hamilton Park; Columbia Park; Audubon Park; Erce! Webb Park; Bayside Park; Arlington Park; Riverview Park; Leonard Gordon Park and Sgt. Anthony Park. Each of the aforementioned arks may have no more than six (6) flea markets per year, and there shall be no flea markets permitted and no permits issued for Pershing Field and Grundy Pier Parks; and
 - (ii) Subject to such rules, regulations, restrictions and requirements of Sec. 239-15 and Sec. 175-16 et seq. of this Code, permits to operate farmers' markets within City parks may be issued to nonprofit organizations which have been licensed by the City Health Officer under Sec. 175-16 et seq. when applying for a permit to operate a farmers' market within a City park, the nonprofit organization shall provide proof to the Director of the Division of Park Maintenance prior to the issuance of the permit, that the nonprofit organization has been licensed to operate a farmers' market by the City Division of Health and has secured general liability insurance for the farmers' market in the amount of one million dollars (\$1,000,000.00) from an A.M. Best-rated insurance company which names the City of Jersey City as an additional insured unless waived by the City's Risk Manager. Farmers' markets may be held in the passive recreation portion of any City park, space permitting, except J. Owen Grundy

Pier Park. The exact location of any farmers' market within a City park shall be determined by the Director of the Division of Park Maintenance and the permit issued shall include a map indicating where the market is to be situated. Applications to establish a farmers' market in a City park and all supporting documents must be submitted to the Division of Health at least thirty (30) days before the planned opening of the market.

- (f) Be responsible for codifying costs to the Tax Collector on work performed on private property.

Sec. 3-70.1 Division of Neighborhood Improvement

- A. Creation of the Division of Neighborhood Improvement; Director of Division of Neighborhood Improvement in charge. There is hereby created within the Department of Public Works, the Division of Neighborhood Improvement, the head of which shall be the Director of the Division of Neighborhood Improvement.
- B. Under the supervision of the Director of Public Works and of the Division, Neighborhood managers shall:
- (1) Direct the daily operations of all aspects of the neighborhood Improvement Districts program within an assigned Neighborhood Improvement District.
 - (2) Act as a resident liaison through scheduling and attending neighborhood meetings, soliciting input and program evaluation, soliciting service requests, producing work orders and monitoring City employee performance regarding said requests.
 - (3) Monitor any public works contracts specifically designed to enhance a particular Neighborhood Improvement District for timely and satisfactory performance on a scheduled and random basis.
 - ~~(4) Inspect backfilling operations of street openings permitted in accordance with Sec. 296-20 through 296-51.~~
 - (4) Secure abandoned properties.
- C. Neighborhood managers, under the supervision of the Director of Neighborhood Improvement, and in cooperation with relevant City agencies, are authorized to issue summonses for the following City ordinances:
- ~~(1) Chapter 90 (Animals), Article II (Dogs), sections:~~
- ~~(a) Section 90-16 (Use of leash in public places);~~
 - ~~(b) Section 90-19 (Noisy dogs);~~
 - ~~(c) Section 90-20 (Removal and disposal of dog feces); and~~
 - ~~(d) Section 90-21 (Enforcement)~~
- (1) Chapter 296 (Streets and Sidewalks),
- (a) Article I (Snow and Ice Removal), sections:
 - (a) Section 296-1 (Duties of owners or occupants; time for removal);
 - (b) Section 296-2 (Snow removal)
 - (c) Section 296-3 (Ice removal)

(d) Section 296-4 (Injury to pavement; spreading ashes, sawdust or sand); and

(e) Section 296-5 (Deposit of harmful substances prohibited; rock salt).

~~(b) Article VII (Excavations), Subarticle V (Post-excavations repair, maintenance and pavement), Sections:~~

~~(a) Section 296-45 to 296-50 (Post excavation repair, maintenance and pavement)~~

(2) Chapter 287 (Solid Waste), Article I (Storage, Collecting and Disposal), sections(s):

(a) Section 287-4 (Accumulation of refuse and noxious plants on vacant lots);

(b) Section 287-9 (Accumulation of refuse and swill);

(c) Section 287-13 (Dumping prohibited);

(d) Section 287-17 (Burning of refuse, rubbish and other materials prohibited);

(e) Section 287-19 (Depositing litter in public places);

(f) Section 287-21 (Litter from vehicles);

(g) Section 287-22 (Litter prohibited; litter receptacles);

(h) Section 287-23 (Use of litter receptacles);

(i) Section 287-24 (Vehicles to be loaded to prevent littering);

(j) Section 287-25 (Littering in parks)

(k) Section 287-26 (Materials not permitted in litter receptacles);

(l) Section 287-27 (Handbills); and

(m) Section 287-32 (Persons authorized to enforce provisions).

(3) Chapter 173 (Retail Florists), section(s)

(a) Section 173-3 (Sale of cut flowers prohibited without proper refrigeration).

(4) Chapter 245 Peddling, Soliciting and Canvassing), Article I (Licensing of Peddlers), section(s)

(a) Section 245-8 (Articles not to be sold).

(5) Chapter 287-41 to 287-49 (Recycling)

D. Graffiti removal services:

(1) Remove graffiti from municipal, commercial and residential dwellings;

(2) Provide all personnel needed to perform the services and purchase (and maintain in good repair) any capital equipment as is reasonably necessary to carry out its obligations;

(3) Maintain accurate records concerning the cost of labor and materials it expends in order to remove graffiti from each privately owned residential dwelling and forward a statement of costs to the Tax Collector so as to enable the City to file a lien and seek reimbursement for such costs from the private owners. The owner of record shall be entitled to a written notice of the order to remove graffiti, which notice shall be delivered to the owner by certified

and regular mail and provide for 90 days to remove the graffiti from the date the notice is sent. The notice shall contain a form to be utilized by the property owner to inform the City that the graffiti has been removed. The owner may object to the order of removal within 30 days of the date of the order. If the owner does not remove the graffiti, present the owner with an itemization of cost by certified mail and if unpaid, the governing body may assess the cost as a municipal lien, all in accordance with N.J.S.A. 40:48-2.59.

Sec. 3-70.2 Division of Sanitation

E. Creation of the Division of Sanitation, Director of Sanitation in charge. Functions. There is hereby created within the Department of Public Works a Division of Sanitation, the head of which shall be the Director of the Division of Sanitation. The Division of Sanitation shall perform the following functions:

F. Trash collection functions:

- (1) Place and remove public litter baskets and receptacles at locations to be designated by the Director of Public Works and the Business Administrator or his designee;
- (2) Remove and dispose of refuse from litter baskets and receptacles, and from City-owned lots and from within City-owned vacant buildings;
- (3) Inspect and enforce sanitation ordinances and remove refuse from privately owned lots;
- (4) Maintain accurate records concerning the cost of labor and materials it expends in order to remove refuse from each privately owned lot and forward a statement of costs to the Tax Collector so as to enable the City to file a lien and seek reimbursement for such costs from the private owners.

G. Demolition functions:

- (1) Demolish buildings and structures as requested by the City's Construction Code Official and/or Director of Architecture, Engineering, Traffic and Transportation.
- (2) Maintain accurate records concerning the cost of labor and materials expended in order to demolish each building and forward a statement of costs to the Tax Collector so as to enable the filing of a lien should reimbursement for such costs from the private owner, not be forthcoming.
- (3) Conduct inspections and enforce demolition ordinances;

H. Street sweeping functions:

- (1) Sweep and clean designated City streets by use of mechanical street sweeping equipment in accordance with the current City schedule and practice;
- (2) Remove and dispose of refuse from streets and City-owned parking areas;
- (3) Snow plowing, salt spreading and snow removal;
- (4) Inspect and enforce removal and disposal of refuse and snow/ice removal ordinances.

I. Solid Waste/Recycling Functions:

- (1) Implement the existing Solid Waste Recycling Program, concerning the collection and disposal of all materials generated within the City from any residential, commercial or residential property;

- (2) Ensure compliance with applicable sections of the Jersey City Code and all state and county laws including but not limited to "The Solid Waste Management Act," N.J.S.A. 13:1E-1 et seq; "The Recycling Enhancement Act," N.J.S.A. 13:1E-96.3 et seq; and "New Jersey Statewide Mandatory Source Separation and Recycling Act," N.J.S.A. 13:1E-99.32 et seq.
- (3) Conduct inspections and enforce storage, collection and disposal of solid waste and recycling ordinances.

J. — Graffiti removal services:

- (4) Remove graffiti from municipal, commercial and residential dwellings;
- (5) Provide all personnel needed to perform the services and purchase (and maintain in good repair) any capital equipment as is reasonably necessary to carry out its obligations;
- (6) Maintain accurate records concerning the cost of labor and materials it expends in order to remove graffiti from each privately owned residential dwelling and forward a statement of costs to the Tax Collector so as to enable the City to file a lien and seek reimbursement for such costs from the private owners. The owner of record shall be entitled to a written notice of the order to remove graffiti, which notice shall be delivered to the owner by certified and regular mail and provide for 90 days to remove the graffiti from the date the notice is sent. The notice shall contain a form to be utilized by the property owner to inform the City that the graffiti has been removed. The owner may object to the order of removal within 30 days of the date of the order. If the owner does not remove the graffiti, present the owner with an itemization of cost by certified mail and if unpaid, the governing body may assess the cost as a municipal lien, all in accordance with N.J.S.A. 40:48-2.59.

- B. The following amendment to Chapter 3 (Administration of Government) Article VI (Purchasing; Division of Purchasing and Central Services) of the Jersey City Code

Article VI

Department of Administration

Sec. 3-46. Division of Engineering

Within the Department of Administration, there shall be a Division of Engineering, the head of which shall be the Municipal Engineer. The Division of Engineering shall comply with N.J.S.A. 45:8-27 et seq. governing the licensing and practice of professional engineers and all other applicable laws. Under the direction of the Municipal Engineer of Engineering shall perform or oversee the performance of the following:

A. Engineering functions:

1 through 9 No change

10. Inspect backfilling operations of street openings permitted in accordance with Sec. 296-20 through 296-51

B. Traffic and Transportation functions:

1 through 14 No Change

15. Install and maintain traffic signals and other traffic control devices.

§ 3-49. - Powers and duties of Division of Communications

The Division of Communications shall:

- A. In coordination with the various departments of city government, develop and implement communications, public information and educational programs to enhance the knowledge of city residents concerning the availability of and access to city services.
- B. Coordinate the interrelationship between and dissemination of public information to the public and all aspects of the media, including print media, radio, television and video.
- C. Participate in and coordinate the development of local origination programming and other aspects of the interrelationship between the cable television franchisee and the city's public access and city access cable television channels.
- D. ~~[Supervise the mailroom; establish and maintain mail delivery schedules, routes and mail drop locations; distribute all incoming interdepartmental mail to various departments and divisions of the city; process all outgoing mail; and provide duplicating services for all departments.]~~

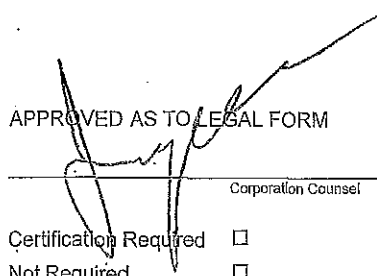
Sec. 3-51 Division of Purchasing and Central Services

(a) through (t) No change~~[(u) Provide for security services for all public buildings owned or operated by the City of Jersey City.]~~~~[(v) Provide for and supervise the City messenger function.]~~

- C. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- D. This ordinance shall be part of the Jersey City Code as though codified and fully set forth therein. The City shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
- E. This ordinance shall take effect at the time and in the manner as provided by law.
- F. 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: All new material is underlined; words in ~~[brackets]~~ are omitted. For purposes of advertising only, new material is indicated by **boldface** repealed matter by *italic*.

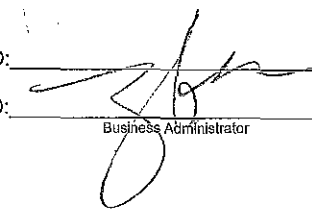
APPROVED AS TO LEGAL FORM



Corporation Counsel

APPROVED: _____

APPROVED: _____



Business Administrator
Certification Required ☐Not Required ☐

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



ORDINANCE NO. Ord. 16.059
TITLE: 3.1 MAR 23 2016

4.J. APR 13 2016

Ordinance amending and supplementing Chapter 3
(Administration of Government) Article IX (Department of
Public Works) and Article VI (Business Administration) of the
Jersey City Code.

RECORD OF COUNCIL VOTE ON INTRODUCTION											
MAR 23 2016 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											
APR 13 2016 8-0											
Councilperson <u>COLEMAN</u> moved, seconded by Councilperson <u>WATTERMANN</u> to close P.H.											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	ABSENT		
RAMCHAL	✓			OSBORNE	✓			WATTERMANN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

JAYSON BURG
LAVERN WASHINGTON

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											
APR 13 2016 8-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	ABSENT		
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 MAR 23 2016

Adopted on second and final reading after hearing on APR 13 2016

This is to certify that the foregoing Ordinance was adopted by
the Municipal Council at its meeting on APR 13 2016

Robert Byrne
Robert Byrne, City Clerk

*Amendment(s):

APPROVED:

Rolando R. Lavarro, Jr., Council President

Date APR 13 2016

APPROVED:

Steven M. Fulop, Mayor

Date APR 15 2016

Date to Mayor APR 14 2016