

City Clerk File No. Ord. 18-067
Agenda No. 3.G 1st Reading
Agenda No. 4.G. 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 18-067

TITLE:

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 23 (COURT, MUNICIPAL) OF THE JERSEY CITY MUNICIPAL CODE TO CREATE TWO (2) ADDITIONAL PART-TIME MUNICIPAL JUDGE POSITIONS

COUNCIL offered and moved adoption of the following Ordinance:

A. The following amendments to Chapter 23 (Court, Municipal) of the Jersey City Municipal Code are hereby adopted:

CHAPTER 23 COURT, MUNICIPAL

§ 23-1. - Court established.

There is hereby created and established in the City of Jersey City a Municipal Court which shall be known and designated as the "Municipal Court of Jersey City" pursuant to N.J.S.A. 2B:12-1 et seq. As a part of that Court, there shall be a Municipal Housing Court pursuant to N.J.S.A. 2B:12-20.

§ 23-2. - Number of Judges; terms.

- A. The Municipal Court of Jersey City shall consist of ~~nine~~ eleven Judges. Six of the Judges shall be full-time Judges, and ~~three~~ five of the Judges shall be part-time Judges. One of the full-time Judges shall be designated the Chief Judge in accordance with § 23-8.
- B. Each of the full-time Judges, the ~~Presiding~~ Chief Judge and the part-time Judges shall serve for a term of three years from the date of appointment and until a successor is appointed and qualified.

§ 23-3. - Sessions.

The Municipal Court shall be divided into two sessions. One session shall be known and designated as the "daytime session" and the other session shall be known and designated as the "evening session."

§ 23-4. - Employment of full-time Judges restricted.

The full-time Judges appointed pursuant to this chapter may engage in the practice of law except as prohibited by Court Rule 1:15-1(b) and any other gainful employment except as prohibited by the Code of Judicial Conduct during their respective terms of office as full-time Judges.

§ 23-5. - Duties of full-time Judges.

During their respective terms of offices all full-time Municipal Court Judges shall devote full-time to their judicial duties. Full-time judges shall be assigned to the daytime Municipal Court session. In addition thereto, full-time Judges shall also be assigned to the evening court session whenever a part-time Municipal Court Judge is absent or whenever it becomes otherwise necessary. In addition, at such time as the Assignment Judge for Hudson County Superior Court shall designate a full-time Judge to serve as a Judge of the Hudson County Central Judicial Processing Court, such Judge shall devote full-time to such Court.

§ 23-6. - Duties of part-time Judges.

The part-time Judges may be assigned as needed to either day or evening court sessions by the Presiding Judge.

§ 23-7. - Judges' salaries; vacation leaves and other benefits.

A. Pursuant to N.J.S.A. 2B:12-7b, the annual salaries of the Judges of the Municipal Court shall be set as follows:

Salary	Title
\$45,000	Judge of Municipal Court (part-time)*
\$100,000	Judge of Municipal Court (full-time)**
\$110,000	Judge of Municipal Court (designated Chief Judge)

* Part-time means a minimum of twenty (20) hours or five sessions per week.

** Full-time means a minimum of forty (40) hours or ten (10) sessions per week.

B. The vacation leave and other benefits for Judges of the Municipal Court shall be the same as those for other nonunion unclassified personnel and nonunion managerial personnel as provided for in Jersey City Code Chapter 53, §§ 53-38 through 53-49.

§ 23-8. - Chief Judge.

The Mayor, with the advice and consent of the Municipal Council, shall designate one of the Judges of the Municipal Court as the Chief Judge of said Court. Said designation may be changed from time to time by the same coordinated actions of the Mayor and Municipal Council. The Chief Judge may designate a Judge to act in his or her behalf during his or her absence or disability.

§ 23-9. - Appointment of Judges.

All appointments of Judges of the Municipal Court shall be made by the Mayor with the advice and consent of the Municipal Council.

§ 23-10. - Qualification of Judges; residency.

All Municipal Court Judges shall be domiciled in the City of Jersey City at the time of their appointment and during their terms of office. In the event that a Municipal Court Judge shall move his or her domicile out of the city, his or her office shall be deemed to be vacant. All Municipal Court Judges shall be admitted to practice law in the State of New Jersey for at least five years at the time of their appointment.

§ 23-11. - Municipal Court Justice Clinic.

The Municipal Court pursuant to Court Rule 1:21-3(b) may coordinate the establishment of a program authorizing the appearance by law students and graduates of law schools before the Court subject to the approval of the Supreme Court.

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§ 23-12. - Alternative dispute resolution.

The Municipal Court pursuant to Court Rule 7:8-1 and Court Rule 1:40-7 may establish a mediation program to resolve minor disputes and provide an alternative to prosecution for persons who might be harmed by the imposition of quasi-criminal sanctions as presently administered when an alternative can be expected to serve as a sufficient sanction to deter such conduct.

- 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 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 ~~struck through~~ are omitted. For purposes of advertising only, new matter is **boldface** and repealed by *italics*.

JJH6/05/18

APPROVED AS TO LEGAL FORM


Corporation Counsel

APPROVED:

APPROVED:


Business Administrator

Certification Required ☐

Not Required ☐

ORDINANCE 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.

Full Title of Ordinance/Resolution

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 23 (COURT, MUNICIPAL) OF THE JERSEY CITY MUNICIPAL CODE TO CREATE TWO (2) ADDITIONAL PART-TIME MUNICIPAL JUDGE POSITIONS

Initiator

Department/Division	Business Administration	
Name/Title	Brian Platt	Business Administrator
Phone/email	BPlatt@icnj.org	201- 547-5147

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

Resolution Purpose

The purpose of the within ordinance is to amend and supplement chapter 23 (Court, Municipal) of the Jersey City Municipal Code to create two (2) additional part-time Municipal Judge Positions in order to create more efficiencies and expediencies for the public and for the dept.

I certify that all the facts presented herein are accurate.

Signature of Department Director

Date

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



ORDINANCE NO. Ord. 18-067
TITLE: 3.G JUN 13 2018 4.G

JUN 27 2018

An ordinance amending and supplementing Chapter 23 (Court, Municipal)
of the Jersey City Municipal Code to create two (2) additional Part-time
Municipal Judge positions.

RECORD OF COUNCIL VOTE ON INTRODUCTION JUN 13 2018 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
RIDLEY	✓			YUN	✓			RIVERA	✓		
PRINZ-AREY	✓			SOLOMON	✓			WATTERMEN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	✓		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING JUN 27 2018 8-0											
Councilperson <u>PRINZ AREY</u> moved, seconded by Councilperson <u>LAVARRO</u> to close P.H.											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
RIDLEY	✓			YUN	✓			RIVERA	✓		
PRINZ-AREY	✓			SOLOMON	✓			WATTERMEN	✓		
BOGGIANO	ABSENT			ROBINSON	✓			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.
RIDLEY				YUN				RIVERA			
PRINZ-AREY				SOLOMON				WATTERMEN			
BOGGIANO				ROBINSON				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE JUN 27 2018 8-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
RIDLEY	✓			YUN	✓			RIVERA	✓		
PRINZ-AREY	✓			SOLOMON	✓			WATTERMEN	✓		
BOGGIANO	ABSENT			ROBINSON	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on **JUN 13 2018**
Adopted on second and final reading after hearing on **JUN 27 2018**

This is to certify that the foregoing Ordinance was adopted by
the Municipal Council at its meeting on **JUN 27 2018**

Robert Byrne, City Clerk

*Amendment(s):

APPROVED:

Rolando R. Lavarro, Jr., Council President

Date **JUN 27 2018**

APPROVED:

Steven M. Fulop, Mayor

JUN 29 2018

Date

Date to Mayor **JUN 28 2018**