

City Clerk File No. Ord. 14.086
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 14.086

TITLE:

AN ORDINANCE AMENDING CHAPTER 254, (PROPERTY MAINTENANCE) ARTICLE IV, TO REQUIRE THAT ALL VACANT BUILDINGS BE SECURED ACCORDING TO THE FEDERAL DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT'S (HUD) BOARD UP SPECIFICATIONS

WHEREAS, the City of Jersey City contains many vacant buildings; and

WHEREAS, often the owners of these vacant buildings are often neglectful of them, fail to maintain or secure them to an adequate standard, or plan to return to productive use; and

WHEREAS, it has been demonstrated that vacant buildings cause harm to the health, welfare and safety of the community, including an increase in criminal activity, litter, environmental degradation and diminution of adjacent and neighboring property values; and

WHEREAS, the citizens of Jersey City must bear the increased cost associated with dealing with the problems of vacant buildings including, but not limited to excessive police calls, and property inspections; and

WHEREAS, even though vacant buildings are required to be secured as per the Municipal Code, there are no standards for how these vacant buildings are to be secured; and

WHEREAS, the Federal Department of Housing and Urban Development (HUD) has established a list a specifications for securing ("boarding-up") vacant buildings; and

WHEREAS, it is in the public's best interest that the City of Jersey City establish minimum standards for the securing of vacant buildings in order to protect the health, welfare and safety of the community; and

WHEREAS, the City is desirous of adopting HUD's specifications for securing ("boarding-up") vacant buildings and make these specifications part of the City's Code.

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

- A. The following amendments to Chapter 254 (Property Maintenance) are set forth below and shall be adopted:

**PROPERTY MAINTENANCE
Article IV Vacant Properties**

§ 254-20. Vacant structures, inspection; notice; hearings.

NO CHANGE

§ 254-21. Vacant or boarded structures.

NO CHANGE

§ 254-21.1. Purpose.

NO CHANGE

§ 254-22.2. Definitions.

NO CHANGE

§ 254-21.3. General requirements for vacant buildings and lots.

NO CHANGE

§ 254-21.4. Registration requirements for vacant buildings and lots.

NO CHANGE

§ 254-21.5. Vacant building inspection.

NO CHANGE

§ 254-21.6. Requirements for owners of vacant buildings.

The owner of any building that has become vacant, and any person maintaining, operating or collecting rent for any such building shall, within thirty (30) days:

- (1) Enclose and secure the building against unauthorized entry in accordance with the applicable provisions of the Code of the City of Jersey City and as per the specifications established by the Department of Housing and Urban Development (HUD) for securing vacant buildings.
 - a. The securing of the building shall include the boarding up of all windows/doors/garages (except the front door through which access to the interior of the building is made) with un-sanded exterior-grade CDX plywood painted white on the outside. All board-ups must meet the approval of the Director of HCE or his or her designee.
 - b. Plywood thickness should be ½ of an inch for window openings, 5/8 of an inch for door openings and ¾ of an inch for sliding door and French door openings.
 - c. Plywood is to be cut to size to fit snugly against the blind stop of the window. Where no blind spots exist, plywood shall be cut to fit snugly in the opening.
 - d. All plywood shall be cut and installed so that the grain of the plywood runs in the same direction as the long run of the opening. All plywood shall be installed in one piece whenever possible.
 - e. 2x4 inch lumber planks shall be attached with 10d common nails or screws as appropriate.
 - f. 2x4 inch lumber planks should be graded and should be a minimum of 16 inches longer than the width of the plywood cover and 2x4 inch lumber planks are to be drilled with ½ inch diameter holes that line up with the holes in the plywood covers.
 - g. Hardware shall be cadmium plated or galvanized steel, 3/8 inch or ½ inch diameter and of sufficient length to extend from the outside

through the 2x4 brace laid flat from wall to wall across the opening plus metal washer and nut with a minimum three thread exposure after tightening. Each bolt shall have one flat washer on the outside of the boarding. Bolts shall be tightened to the maximum extent without damaging the wood. Bolts shall be inserted with the head on the exterior side of the boarding and nuts on the inside of the brace.

- (2) Post a sign affixed to the building indicating the name, address and telephone number of the owner, the owner's authorized agent for the purpose of service of process (if designated pursuant to this Chapter) and the person responsible for day-to-day supervision and management of the property, if such person is different from the owner or authorized agent. The sign shall be of a size and placed in such a location so as to be legible from the nearest public street or sidewalk, whichever is nearer, but shall be no smaller than 18" x 24" and shall state "WARNING: THIS BUILDING IS SECURED PURSUANT TO CHAPTER 254 OF THE JERSEY CITY MUNICIPAL CODE. ANYONE ENTERING THIS BUILDING WITHOUT AUTHORIZATION WILL BE SUBJECT TO ARREST"; and
- (3) Secure the building from unauthorized entry and maintain the sign until the building is again legally occupied or demolished or until repair or rehabilitation of the property is complete.

§ 254.21.7. Vacant building deemed abandoned building; list of abandoned building to be maintained by the director of housing and economic development; remedies for abandoned building.

NO CHANGE

§254.21.8. Requirements for owners of vacant lots.

NO CHANGE

§254.21.9. Fees.

NO CHANGE

§254.21.10. Violations and Penalties.

NO CHANGE

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

C. 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.

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 hereby are authorized and directed to change any chapter numbers, article numbers and section numbers in the event the codification of this Ordinance reveals that there is conflict between those numbers and the existing code.

Note: All new material is underlined; words ~~struck through~~ are omitted. For purposes of advertising only, new matter is **boldface** and repealed by *italics*.

JH
7/7/14

APPROVED AS TO LEGAL FORM



Corporation Counsel

APPROVED: 

APPROVED: _____
Business Administrator

Certification Required ☐
Not Required ☐

ORDINANCE FACT SHEET – NON-CONTRACTUAL

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

AN ORDINANCE AMENDING CHAPTER 254, (PROPERTY MAINTENANCE) ARTICLE IV, TO REQUIRE THAT ALL VACANT BUILDINGS BE SECURED ACCORDING TO THE FEDERAL DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT'S (HUD) BOARD UP SPECIFICATIONS

Initiator

Department/Division	Municipal Council	
Name/Title	Frank Gajewski / David Donnelly	
Phone/email		

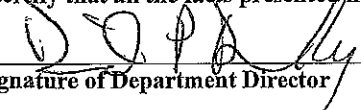
Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

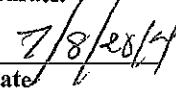
Ordinance Purpose

Our residents must bear the increased cost associated with dealing with the problems of vacant buildings including, but not limited to excessive police calls, and property inspections. Therefore, it is in the public's best interest that the City of Jersey City establishes minimum standards for the securing of vacant buildings in order to protect the health, welfare and safety of the community.

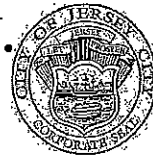
The United States Department of Housing and Urban Development has minimum standards for the securing of vacant buildings, which this ordinance implements.

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. 14.086
TITLE: 3.B JUL 16 2014 4.B

AUG 20 2014

An ordinance amending Chapter 254 (Property Maintenance) Article IV, to require that all vacant buildings be secured according to the Federal Department of Housing and Urban Development's (HUD) Board Up specifications.

RECORD OF COUNCIL VOTE ON INTRODUCTION								JUL 16 2014 9-0			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING								AUG 20 2014 6-0			
Councilperson <u>OSBORNE</u> moved, seconded by Councilperson <u>COLEMAN</u> to close P.H.											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	ABSENT			YUN	✓			RIVERA	✓		
RAMCHAL	ABSENT			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	ABSENT			COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

JAYSON BURG
PHIL CARRINGTON

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				WATTERMAN			
BOGGIANO				COLEMAN				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE								AUG 20 2014 9-0			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

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

JUL 16 2014

Adopted on second and final reading after hearing on

AUG 20 2014

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on **AUG 20 2014**

Robert Byrne, City Clerk

*Amendment(s):

APPROVED:

Rolando R. Lavarro, Jr., Council President

Date **AUG 20 2014**

APPROVED:

Steven M. Eulop, Mayor

Date **AUG 26 2014**

Date to Mayor **AUG 21 2014**