

①

1st reading  
4-18-12

Sponsored By: *[Signature]*  
Seconded By: *[Signature]*

City of Hoboken Ordinance No \_\_\_\_\_

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 192 OF THE CODE OF THE CITY OF HOBOKEN ENTITLED (PARKING FOR HANDICAPPED) Approval; ( 1312 Bloomfield Street)

THE MAYOR AND COUNCIL OF THE CITY OF HOBOKEN DOES HERE BY ORDAIN AS FOLLOWS:

Handicapped Parking

Section 192-4 (A) is hereby amended to add the following restricted handicapped parking spaces:

**Juana Corzo 1312 Bloomfield Street:** west side of Bloomfield Street, beginning at a point of 140 feet north of the northerly curblin of Thirteenth Street and extending 22 feet northerly therefrom.

Section 2: This ordinance shall be part of the Administrative Code of the City of Hoboken as though codified and fully set forth therein.

Section 3: The City Clerk shall have this ordinance codified and incorporated in the official copies of the Hoboken code. All ordinance and parts of ordinances inconsistent herewith are hereby repealed.

Section 4: This ordinance shall take effect as provided by law.

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor

Meeting Date:

\_\_\_\_\_  
Approved as to Legal form  
Corporation Counsel

②

1st reading  
4-18-12

Sponsored by: David J. Mus

Seconded by: [Signature]

City of Hoboken  
Ordinance No.: \_\_\_\_\_

**AN ORDINANCE DELETING THE CURRENT CHAPTER §196-31 IN ITS ENTIRETY  
AND REPLACING IT WITH A NEW CHAPTER §196-31 ENTITLED  
"SIGNS & SIGNAGE"**

**WHEREAS**, the language, rules and regulations of Chapter 196-31 of the current Code of the City of Hoboken have become antiquated and outdated; and

**WHEREAS**, it is in the City 's best interest to update the City Code to reflect modern issues and conditions and to promote an aesthetic consistent with the Master Plan and the character of our vibrant, urban, pedestrian oriented city.

Now **THEREFORE**, be it ordained by the City Council of the City of Hoboken, County of Hudson, State of New Jersey, as follows:

**SECTION ONE: DELETION**

Section §196-31 of the Code of the City of Hoboken entitled "Signs", as it currently exists, and shown below, is hereby deleted in its entirety.

~~§ 196-31. Signs.~~

~~Signs may be erected and maintained only when in compliance with the following conditions:~~

~~A. General regulations shall be as follows:~~

~~(1) Interference with vision and safety.~~

~~(a) Signs, other than municipal, county or state traffic direction signs, shall not be erected within the right-of-way of any street, nor shall any sign be located so as to be a traffic hazard.~~

~~(b) No sign of any type shall be permitted to obstruct driving vision, traffic signals, traffic direction and identification signs, adjacent properties, businesses or signs, or windows or buildings on which they are located.~~

~~(c) No sign shall project into a public way traversed by vehicles or pedestrians.~~

~~(2) Action by Building Inspector.~~

~~(a) A permit shall be secured from the Building Inspector for the erection, alteration or reconstruction of any signs, other than nameplates, identifications, sales or rental signs.~~

~~(b) Whenever a sign becomes structurally unsafe or endangers the safety of the public or the building to which it is affixed, the Building Inspector shall order such sign to be made safe or removed. Such order shall be complied with within 10 days thereof by the person, firm or corporation owning or using the sign or the owner of the building or premises on which the unsafe sign is affixed or erected.~~

~~(3) Temporary signs. All temporary signs erected for a special event, such as an election or a sale, shall be removed by the property owner when the event shall have taken place. No permit is required for such temporary signs, provided that they do not exceed 32 square feet and provided that all temporary signs, other than election signs, shall not remain in place more than four weeks.~~

~~(4) Illuminated, flashing and animated signs.~~

~~(a) No sign with red, green, amber or blue in a flashing beam or beacon form shall be erected.~~

~~(b) All lighted signs shall be indirectly illuminated so that such light source is properly shielded from residences and streets.~~

~~(c) Signs using mechanical and/or electrical devices to display movement or the illusion of movement are prohibited in all districts, except that signs displaying the time and/or temperature shall be permitted.~~

~~B. Signs in residential districts. The following signs are permitted in residential districts:~~

~~(1) Nameplate and identification signs. A sign indicating the name and/or address of the occupants may be permitted, provided that the sign shall be no larger than two square feet. A permitted home occupation may be included with the name of the occupant and occupation. Only one sign per dwelling unit is permitted.~~

~~(2) Sales or rental signs. Signs advertising the sale or rental of the premises upon which they are located may be permitted, provided that:~~

~~(a) The size of any such sign is not in excess of eight square feet.~~

~~(b) Not more than one sign is placed upon any property.~~

~~(c) Such signs shall be promptly removed when premises are sold or rented.~~

~~(3) Institutional signs. Signs of schools, colleges, churches or other institutions of similar public or semipublic nature may be erected and maintained, provided that:~~

~~(a) The size of such sign is not in excess of 25 square feet.~~

~~(b) Not more than one such sign is placed on a property, unless such property front is upon more than one street, in which event two such signs may be~~

erected, one on each of two frontages. In the event that the property has 800 feet of frontage on one road or has a number of entrances or exits, the Planning Board may authorize placement of additional signs.

(c) If illumination is permitted, lights must be placed so as not to shine directly or indirectly on neighboring properties.

(4) Retail businesses and services. The total gross advertising area of a sign for a retail business or service in a residential district shall not exceed 10% of the area of the first story of the building frontage to which it is attached. Where signs are required for retail uses on floors, other than the first or street level floor, the total area of all signs displayed on such building frontage shall not exceed 20% of the area of the first floor building frontage. For buildings with more than one retail use, each use shall be permitted no more than one sign for each street frontage, and the maximum area of all signs on a building frontage shall not exceed 20% of the area of the first floor frontage.

#### C. Signs in special and industrial districts.

##### (1) Special districts.

(a) Retail businesses or services, hotels, motels and other commercial activities shall be permitted one primary sign each, which shall be attached flat against a wall. The primary sign shall not exceed an area equivalent to 10% of the area of the first story of the building frontage to which it is attached, but not to exceed 200 square feet for a hotel or motel or 100 square feet for other uses, whichever is smaller. Signs may be lighted.

(b) In addition to the signs otherwise permitted under this Article within the district in which a planned development is located, a planned development shall be permitted one freestanding lighted sign which shall not exceed a height of 10 feet nor a width of six feet. The precise location of the sign shall be approved by the Planning Board as part of the site plan approval process with due regard to issues of traffic safety and the need for proper identification of the planned development and the uses located therein.

##### (2) Industrial districts.

(a) Service stations may be permitted one freestanding lighted sign and one lighted sign attached flat against the building. The freestanding sign shall not be closer to any street than 30 feet and shall not exceed a height of 25 feet nor an area of 48 square feet. The attached sign shall not exceed 48 square feet in area or be higher than the height of the roofline.

(b) Each structure shall be permitted unlighted signs identifying tenants or owners. Total area of the signs shall not exceed 10% of the area of the wall to which it is attached or 200 square feet, whichever is smaller. There shall be no more than three separate signs on any one wall.

#### D. Advertising signs. Advertising signs shall not be permitted in any zoning district in the City of Hoboken.

## E. Permanent signs in Historic Subdistricts.

### ~~(1) General provisions.~~

~~(a) All signage within an historic district or on a designated historic landmark shall conform to all city codes and shall require a certificate of appropriateness or of no effect. Any sign hereafter erected, displayed or repaired [more than 50% of replacement] within an historic district or on a landmark shall conform to the provisions of this section and any other ordinance or regulation of the City of Hoboken.~~

~~(b) All signage shall reflect the historic character of the area of the proposed sign placement and will respect the size, scale and mass of the facade, building height and rhythms and sizes of windows and door openings.~~

### ~~(2) Prohibited signs. Large mechanical portable signs shall not be permitted within historic districts or on historic landmarks. Other signs which shall not be permitted are:~~

~~(a) Any sign placed upon a building, structure, object or site in any manner which disfigures, damages or conceals any window opening, door or significant architectural feature/detail of any building.~~

~~(b) Any sign which is not directly identified or associated with a permitted use in a specific district or landmark.~~

~~(c) Any sign which is abandoned for more than six months or damaged beyond 50% of its replacement value.~~

~~(d) Any attachment to an already affixed sign which does not meet the provisions of the City Code.~~

~~(e) Any roof mounted signs, except in the case of landmark signs.~~

### ~~(3) Regulations.~~

~~(a) All signs shall comply with the following regulations:~~

~~[1] No sign shall be placed in such a position that it will cause danger to traffic on a street by obscuring the view.~~

~~[2] No sign other than official traffic signs shall be erected within or shall project over the lines of any street right-of-way unless specifically authorized.~~

~~[3] No sign shall be backlighted within the historic districts. No sign shall be lighted with flashing lights. No sign shall be lighted with lights that are disproportionately large in relation to the building facade.~~

~~[4] In addition to the other requirements of this section, every sign referred to in this section must be constructed of durable materials, must be kept in good condition and repair and shall not be allowed to become dilapidated.~~

~~(b) Hanging signs shall also comply with the following regulations:~~

~~[1] The maximum projection of hanging signs from the building surface shall not exceed four feet. In no event shall any sign extend over the public right-of-way.~~

~~[2] The support of such signs shall be of materials in keeping with the historic character of the district.~~

~~[3] The size of such sign shall be in proportion to the building facade on which it is displayed, but in no event shall the size of the sign exceed eight square feet.~~

~~[4] The face of the sign shall represent the name of the firm, store or establishment or represent the craft, guild or profession practiced therein.~~

~~[5] The minimum distance between the ground and the bottom of such signs shall be eight feet.~~

~~[6] Hanging signs shall not be allowed in noncommercial areas.~~

~~(4) Signs for residential buildings permitted. The following signs are permitted:~~

~~(a) A nameplate sign situated within the property lines and bearing only the name and address of the principal occupants or home occupation/professional office, provided that the sign does not exceed 24 square inches in total area.~~

~~(b) One "For Sale" or "For Rent" sign may be erected on the property to be sold or rented, except that on corner properties an additional sign may be erected on the side of the building. Signs shall not exceed four square feet in area.~~

~~(5) Signs for mixed-use/commercial buildings permitted. Wall signs are permitted on each building wall that faces on a street, subject to the following limitations and requirements:~~

~~(a) The requirements of Subsection E(4)(a) and (b) above.~~

~~(b) Not more than one wall sign shall be permitted for each business establishment or use located in the building except for corner buildings which will be allowed one minor sign not to exceed six square feet.~~

~~(c) No such sign shall extend farther than six inches from the face of the building wall to which it is attached.~~

~~(d) The height of any sign shall not exceed three feet or 20% of the height of the building wall to which it is attached, whichever is less.~~

(e) ~~The total of the widths of all such signs may be equal to the building wall to which they are attached.~~

~~F. Banners, flags and/or pennants that promote the consumption of alcohol shall be prohibited.~~

## SECTION TWO: ADDITION

The following Section is hereby added to the City Code of the City of Hoboken:

### §196-31 Signs and Signage

#### §196-31.1 Definitions

The following words and terms, when used in this ordinance, shall have the following meanings, unless the context clearly indicates otherwise.

*Awning Sign* – A sign that is mounted, painted, or attached to an awning or other window or door canopy. Awnings may be fixed or retractable. The sign area of an awning is based on the total gross printed area.

*Banner* – See “Temporary Sign” below.

*Billboard* – A commercial sign that directs attention to a business, commodity, service, or entertainment conducted, sold or offered at a location other than the premises on which the sign is located.

*Blade Sign* – A vertically oriented wall sign that projects from the façade of the building to which it is attached.

*Bulletin Board* – A sign that identifies an institution or organization on whose premises it is located and that contains the name of the institution or organization, the names of individuals connected with it, and general announcements of events or activities occurring at the institution, or similar messages.

*Bus Shelter Sign* – Advertising signs that are enclosed by a frame, glass or are otherwise mounted to a bus shelter.

*Canopy Sign* – A sign that is affixed to a ridged building canopy. See also *Awning Signs*.

*Directional Sign* – Signs limited to directional messages such as “one way,” “entrance,” and “exit.”

*Feather Flag Sign* – Temporary advertising signs made of lightweight cloth that are supported by a light weight freestanding pole or frame.

*Freestanding Sign* – Any of a group of sign types, including but not limited to; A-frames, poster signs, “swinger” or “springer” signs, specifically designed for use on the sidewalk, and not permanently affixed to a building or other structure.

Governmental Sign – A sign erected and maintained pursuant to an in discharge of any governmental functions or required by law, ordinance, or other governmental regulation.

Pole Sign – A sign that is mounted on a freestanding pole or other support so that the bottom edge of the sign face is six (6) feet or more above grade.

Political Sign – A temporary sign announcing or supporting political candidates or issues in connection with any national, state, or local election.

Portable Sign – See Freestanding Sign.

Projecting Sign – A sign that is wholly or partly dependent upon a building for support and that projects more than twelve (12) inches from the façade of that building.

Real Estate Sign – A sign pertaining to the sale or lease of the premises, or a portion of the premises, on which the sign is located.

Roof Sign – A sign that is mounted on the roof of a building or that is wholly dependent upon a building for support and that projects above the top edge or roof line of a building with a flat roof, the eave line of a building with a gambrel, gable, or hip roof, or the deck line of a building with a mansard roof.

Sign Area – The entire face of a sign, including the advertising surface and any framing, trim, or molding but not including the supporting structure; or the unprinted area of an awning.

Suspended Sign – A sign hanging from a marquee, awning, porch or canopy.

Temporary Sign – A sign or advertising display constructed of cloth, canvas, fabric, plywood, or other light material and designed or intended to be displayed for a short period of time. Other than political signs, temporary signs shall not remain in place more than four (4) weeks unless expressly approved by the Zoning Officer.

Wall Sign – A sign fastened to, or painted on, the wall of a building or structure in such a manner that the wall becomes the supporting structure for, or forms the background surface of, the sign and that does not project more than twelve (12) inches from such building or structure.

Window Sign – A sign that is painted or mounted onto a windowpane, or that is hung directly inside a window for the purpose or effect of identifying any premises from the sidewalk or street; or for advertising special sales, events, or products.

#### **§196-31.2 Compliance, Certification and Permits.**

- A. All signs hereinafter erected, altered, enlarged, relocated, or repaired shall require a Certificate of Zoning Compliance issued by the Zoning Officer and a Building Permit issued by the Construction Code Official.
- B. Applications shall include the following:
  - (1) Drawings indicating plot plan, building elevation, sections showing sign location, size, type, material, method of attachment and indicating all

other existing wall signs, projecting signs, and/or other signs on the building, lighting and support details.

- (2) Proof of ownership or authorization of the owner to erect a sign.
- C. Signs; on buildings, structures, or property, whether public or private, designated a historic site, or located within any historic district; erected, altered, enlarged, relocated, or repaired, must obtain prior approval from the Hoboken Historic Preservation Commission.
- D. Exceptions. Those signs enumerated in 196-31.3.A below do not require zoning or building permits.

### **§196-31.3 Signs Permitted In All Districts.**

- A. Signs Permitted in All Districts.
  - (1) Any public notice or warning required by a valid and applicable Federal, State, County, or local law, regulation or ordinance.
  - (2) Traffic control signs which meet Department of Transportation standards, and which contain no commercial message of any sort.
  - (3) Governmental and public utility signs.
  - (4) Flags of the United States, New Jersey, the City of Hoboken, flags of any foreign nation, or other flags with purely non-commercial purposes.
  - (5) Signs or banners advertising public or quasi-public events that are posted with the permission of the City of Hoboken according to guidelines set by the City of Hoboken and with a set time limit to their posting.
  - (6) Any sign indicating the name of a building and/or date of construction and/or other incidental information about its construction, which may be cut into a masonry surface or made of bronze or of similar permanent material such as historic tables, cornerstones, memorial plaques and emblems. Such "address signs" shall be no larger than two (2) square feet. No more than two (2) such signs shall appear on any single building façade, and no more than three (3) on any two (2) adjoining facades.
  - (7) Any sign which is inside a building, not attached to a window or door, and is not readable from a distance of more than three (3) feet beyond the lot line of the lot or parcel nearest to where such sign is located.
  - (8) Real estate signs for the sale or rental of the premises upon which the sign is posted provided that the sign is no more than eight (8) square feet and removed within one (1) week of the date of sale or rental of the

property. One (1) sign shall be permitted per dwelling or commercial unit listed for sale or rent.

- (9) Political signs may be displayed for a period of not more than sixty (60) days prior to an election and no more than three (3) days after the election.

B. Signs Prohibited in All Districts.

- (1) Signs which interfere with, disrupt, or block a pedestrian or vehicular circulation pattern or site line, and which constitute a safety hazard to persons or vehicles.
- (2) Signs attached in any manner to a public sidewalk.
- (3) "Illuminated Signs" which have interior or exterior flashing light sources, which have intermittent or variable intensity lighting, or which cause glare on pedestrian or vehicular circulation patterns within or into residential areas.
- (4) Privately owned or operated signs which simulate or resemble by color, size, shape, or location any governmental, public utility, official, traffic, directional or warning sign or device.
- (5) Advertising signs for products or services on any building exclusively used for residential purposes, or on any structure, fence or lot where the product or service is not made, produced, assembled, stored or sold.
- (6) Signs which move either by wind, motion, mechanical or electrical means, except signs with time or temperature messages.
- (7) Feather flags.
- (8) Roof signs.
- (9) Signs on any building façade not fronting on a public right-of-way or driveway with direct access to a public right-of-way.
- (10) Signs applied to the façade of a building which cover any portion of a window, cornice or other architectural detail of the building.
- (11) Billboard signs.

**§196-31.4 Signs Permitted in Residential, Waterfront and Redevelopment Districts.**

In addition to the permitted signs enumerated in 196-31.3.A, the following signs are permitted in Residential (R), Waterfront (W), and Redevelopment (RDV) districts:

- (1) Home Occupation signs, identifying a permitted use in residential districts, affixed to the structure, and not exceeding one (1) square foot in area.
- (2) Institutional identification signs for schools, colleges, churches, or other institutions of similar public or semipublic nature provided that; (i) the sign does not exceed twenty-five (25) square feet in area, (ii) if freestanding, is not more than five (5) feet in height, and (iii) not more than one (1) sign is placed on a property, unless such property fronts upon two (2) non-adjointing streets, in which event two (2) signs are permitted, one (1) on each frontage.
- (3) Retail businesses and services, where permitted, shall be allowed one (1) sign affixed to the front of the building. The total gross advertising area of a sign for a retail business or service shall not exceed ten percent (10%) of the area of the first floor frontage, up to but not exceeding one hundred (100) square feet. For buildings with more than one (1) retail use or where retail uses are located on floors other than the first or street level floor, each use shall be permitted one (1) sign, and the maximum area of all signs on a building frontage shall not exceed twenty percent (20%) of the area of the first floor frontage.
- (4) Projecting signs are permitted provided they comply with the following regulations:
  - (a) The maximum projection of a hanging sign from the building surface shall not exceed forty-eight (48) inches. In no event shall a projecting sign extend over the street.
  - (b) The support of such signs shall be of materials in keeping with the character of the district and/or the supporting structure.
  - (c) If an existing sign, which predates the adoption of this ordinance, is being refaced, then the sign size and style shall not be altered. New signs shall not exceed eight (8) square feet.
  - (d) Signs shall be not less than eight (8) feet above grade.
- (5) Awning and canopy signs. See 196-31.7.
- (6) Window signs, not exceeding thirty percent (30%) of the window area to which the sign is affixed. Temporary signs hung in the window of a retail business or service location may not exceed fifty percent (50%) of the window area and shall not obstruct visibility in such a manor as to be unsafe.
- (7) Free-standing directional signs for real estate open houses are permitted provided they comply with the following regulations:
  - (a) The number of signs does not exceed three (3).

- (b) The size of the free-standing directional sign does not exceed five (5) square feet.
- (c) Signs are placed and removed on the day of the open house. No sign shall remain on the right-of-way over night.
- (d) Signs are located not more than five-hundred (500) feet from the subject location and must be located on the same block frontage.
- (e) Signs do not block handicap accessibility or pedestrian egress.
- (8) Non-illuminated temporary signs on new construction sites, not exceeding twelve (12) square feet, provided that a building permit for said construction has been issued and that said sign is removed prior to the issuance of a certificate of occupancy.
- (9) Directional signs for entry and exits to parking areas, not to exceed four (4) square feet in area.

**§196-31.5 Signs Permitted in the Central Business Districts (CBD)**

In addition to the permitted signs enumerated in 196-31.3.A, the following signs are permitted on Washington Street and in the CBD:

- (1) Those signs permitted in Residential, Waterfront and Redevelopment Districts.
- (2) Bus shelter advertisement signs. Information is available through the Office of the Director of Transportation and Parking.
- (3) Pole signs are permitted, affixed to lamp posts on Washington Street, provided the bottom edge of any sign is not less than (8) feet above grade, and the sign area does not exceed twelve (12) square feet. These sign spaces are governed for use by the municipality. Information and applications are available through the Office of Cultural Affairs.
- (4) Free-standing signs such as a-frames, poster stands or similar, are permitted for retail business and service locations, provided the following criteria are met:
  - (a) The number of signs shall be limited to one (1) sign per business location.
  - (b) The sign shall be located immediately in front of the business for which it is advertising, and shall not be more than six (6) feet from the principal entrance to the business.
  - (c) No sign shall be located within the sight triangle of an intersection.

- (d) The maximum size of any free-standing sign shall not exceed twenty-four (24) by thirty-six (36) inches.
- (e) No sign shall have more than two (2) display faces.
- (f) No sign shall be displayed when there is snow covering more than 25% of any part of the sidewalk.
- (5) Restaurants shall be permitted one (1) menu display not to exceed three (3) square feet attached either to the façade of the building or to an approved café divider.
- (6) Temporary signs, provided:
  - (a) No temporary sign is displayed for more than four (4) weeks.
  - (b) No more than one (1) temporary sign is displayed at any time and the total area of the sign does not exceed thirty (30) square feet.
  - (c) No sign shall be displayed that promotes the consumption of alcohol or cigarettes.

**§196-31.6 Signs Permitted in I-1 and I-2 Industrial Zones**

In addition to the permitted signs enumerated in 196-31.3.A, the following signs are permitted in the I-1 and I-2 Industrial zones:

- (1) Those signs permitted in Residential, Waterfront, and Redevelopment Districts and signs permitted in the Central Business Districts.
- (2) Service stations shall be permitted one (1) lighted pole sign and one (1) lighted sign attached flat against the building. The pole sign shall not be closer to any street than thirty (30) feet and shall not exceed a height of twenty-five (25) feet or a sign area of forty-eight (48) square feet.

**§196-31.7 Awning and Canopy Signs.**

- A. An awning or canopy sign may be used in lieu of or in combination with a permitted wall sign. In either case, the total sign area shall not exceed the coverage permitted in 196-31.4 (3) above.
- B. The sign area of an awning shall be calculated based on the total gross printed area.
- C. A fixed awning shall project no more than thirty-six (36) inches from the front façade of the building to which it is attached.
- D. Retractable awnings are permitted to extend up to but not more than ten (10) feet from the building to which they are attached.

- E. The bottom edge of either a fixed or retractable awning shall be not less than eight (8) feet or more than ten (10) feet in height above the sidewalk.
- F. A fabric building canopy constructed over a fixed frame shall be limited in use to multi-unit residential dwellings (where expressly permitted as part of site-plan approval), funeral homes, nursing homes, senior housing facilities, assisted-living facilities, hospitals and acute patient care facilities. No canopy shall extend beyond the curb-line or ten (10) feet whichever is less. No framework or supporting structure shall encumber the sidewalk or limit the public right-of-way.
- G. Awnings and canopies located at the entrance of any dwelling, store or other building shall be imprinted with the address of the building.

**§196-31.8 Lighting Regulations for Signs.**

- A. All signs to be lighted, including awning signs, shall be externally illuminated so that such light source is properly shielded from residences and streets.
- B. Signs using mechanical and/or electrical devices to display movement or the illusion of movement are prohibited in all districts.
- C. No sign with red, green, amber or blue in a flashing beam or beacon form shall be permitted.
- D. Backlit signs are not permitted in historic districts unless expressly permitted by the Historic Preservation Commission.
- E. Neon signs are not permitted in historic districts unless expressly permitted by the Historic Preservation Commission.
- F. Signs affixed to a commercial structure that display time and/or temperature shall be permitted provided all other sign regulations are met.

**§196-31.9 Historic Districts; Approval Procedure and Protections.**

- A. A Zoning Letter shall accompany all applications to the Historic Preservation Commission (HPC). No Historic Preservation Board hearing shall be scheduled until said letter has been filed with the Board secretary.
- B. A Certificate of Appropriateness from the Historic Preservation Commission shall be required for all signs within a historic district or on a designated historic landmark.

**§196-31.10 General Provisions, Maintenance and Appearance.**

- A. All signs shall be maintained in a clean and neat-appearing condition, and such maintenance, where applicable, shall include regular cleaning; regular

painting and removal of any peeled, chipped or blistered paint; the renewal or replacement, in whole or in part, or any sign which has been caused to crack, break, peel or otherwise disintegrate or fall apart.

- B. All signs attached to the ground or to a building or other structure shall be thoroughly and rigidly secured and shall be repaired and maintained as necessary to keep them secure, safe and free from causing any danger or damage to persons or property.
- C. No sign shall be erected or maintained so as to obstruct access to any fire escape, window, door, exit or standpipe, or obstruct passage by either vehicular or pedestrian traffic on any public or quasi-public right-of-way.
- D. Signs shall be constructed and erected in such a manner as to allow for the effects of high winds and other natural forces.
- E. If the Zoning Officer or Building Inspector determines that any sign, now or hereafter erected or maintained, is unsafe or insecure or is a menace to the public, or has been constructed or erected or is being maintained in such a manner as to pose a hazard to persons or property, or has been constructed or erected or is being maintained in violation of the provisions of this chapter or any other law or ordinance, he/she shall give written notice via certified mail, to the permittee, and, if there is no permittee, to the owner of the premises of such violation. If the permittee or owner fails to remove or alter the sign within ten (10) days after such notice is sent, such sign may be removed or altered by the City at the expense of the permittee or owner of the premises upon which it is located. The Zoning Officer or Building Inspector may cause any sign which is an immediate peril to persons or property to be removed summarily and without notice.
- F. Any sign, now or hereafter erected or maintained, which no longer advertises a bona fide business conducted or product sold, or notice of a current or future event, shall be taken down and removed by the permittee or by the owner of the premises, if there is no permittee, within thirty (3) days after such business ceases, such product ceases to be sold or such event occurs. Upon failure to comply, the Zoning Officer is hereby authorized to cause the removal such sign and any expense incident thereto shall be paid by the permittee or owner of the premises upon which the sign is located. The Zoning Officer shall thereafter refuse to issue a permit for the erection of any sign, awning, canopy or marquee in the City of Hoboken to any permittee or property owner who refuses to pay the cost of such removal.
- G. Temporary signs erected for a special event or sale shall be removed by the property owner when the event shall have taken place, or after four (4) weeks, whichever is less.

#### **§196-31.11 Nonconforming Signs.**

Signs lawfully in existence or approved by an action of the Planning Board, Zoning Board of Adjustment or Zoning Officer at the effective date of the section,

which shall be made nonconforming at the passage of this section, shall be allowed to continue as of right, regulated as follows:

- (1) Repair of an existing sign is permitted, provided that the cost of repair does not exceed fifty percent (50%) of the replacement costs of the sign. If a sign is identified as a landmark sign by the Historic Preservation Commission, that sign may be maintained regardless of cost.
- (2) The structural alteration of a nonconforming sign shall only be permitted if said alteration brings the sign into conformance with this section.
- (3) No permits shall be issued for new signs on single-tenanted properties where nonconforming signs exist.

### **SECTION THREE: REPEAL OF INCONSISTENT PROVISIONS**

All ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only to the extent of such conflict or inconsistency, it being the legislative intent that all such ordinances or part of ordinances now existing or in effect unless the same are in conflict or inconsistent with any provision of this Ordinance shall remain in effect.

### **SECTION FOUR: SEVERABILITY**

The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not effect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remaining in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

### **SECTION FIVE: EFFECTIVE DATE**

This Ordinance shall take effect upon passage and publication as provided by law.

### **SECTION SIX: CODIFICATION**

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

The City Clerk and the Corporation Counsel are authorized and directed to change any Chapter, Article and/or Section number of the Code of the City of Hoboken in the event that the codification of this Ordinance reveals that there is a conflict between the numbers and the existing Code, and in order to avoid confusion and possible accidental repealers of existing provisions not intended to be repealed.

**Date of Introduction: April 18, 2012**

Approved as to Legal Form:

\_\_\_\_\_  
Mark A. Tabakin, Corporation Counsel

<b>RECORD OF COUNCIL VOTE ON 1<sup>ST</sup> READING</b>			
Council Person	Aye	Nay	N.V.
Castellano	✓		
Cunningham	✓		
Giattino	✓		
Marsh	✓		
Mason			✓
Mello	✓		
Occhipinti			✓
Russo	✓		
Pres. Bhalla	✓		

<b>RECORD OF COUNCIL VOTE ON FINAL VOTE (2<sup>ND</sup> READING)</b>			
Council Person	Aye	Nay	N.V.
Castellano			
Cunningham			
Giattino			
Marsh			
Mason			
Mello			
Occhipinti			
Russo			
Pres. Bhalla			

I hereby certify the above vote on this  
\_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
James Farina, City Clerk

Approved by the Mayor on the \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
Dawn Zimmer, Mayor

**-or-**

Vetoed by the Mayor for the following reasons:

\_\_\_\_\_  
\_\_\_\_\_

2

# CITY OF HOBOKEN

## Department of Community Development

**DAWN ZIMMER**  
Mayor



**BRANDY FORBES**  
Director

### ***MEMORANDUM***

DATE: April 12, 2012

TO: Hoboken City Council

CC: Dawn Zimmer, Mayor  
Mark Tabakin, Corporation Counsel

FROM: Brandy Forbes, Community Development Director *BF*

RE: Ordinance revising "Signs & Signage" chapter of the Zoning Code

As you may recall, a draft sign ordinance was presented to the City Council at the end of 2011 and was forwarded to and has already been reviewed by the Planning Board. The attached draft ordinance incorporates both the recommendations of the Planning Board, as well as some additional revisions proposed by members of the City Council Subcommittee (attached is a list of all changes since this was previously introduced). These changes are substantive in nature, so this ordinance as revised must be introduced and then forwarded to the Planning Board again.

In general, the proposed revisions to this code chapter are intended to be far more user-friendly and business-friendly than the existing chapter. The set up is progressive starting with signs that are permitted everywhere, then layering on zone-specific regulations for residential, commercial and industrial districts. Following that are design and maintenance specifications for historic areas, awnings, lighting and existing non-conforming signs.

This ordinance is significantly more comprehensive in terms of specific types of signs permitted and their use. This makes the ordinance more business-friendly while addressing pedestrian safety and traffic flow concerns. For instance, the existing code does not address A-frames or several other types of signs at all—they just aren't permitted in any circumstance. The new ordinance, however, spells out the permitted size, type and locations where A-frame signs may be used on the sidewalk, making them permitted yet regulated.

Once this ordinance is introduced by Council, it is immediately referred to the Planning Board for their review and recommendation. The Planning Board will have a 35 day window to review and make recommendations back to the City Council; however, we are at an advantage that the Planning Board has already provided recommendations and comments that are incorporated into this draft.

Please let me know if you have any questions regarding this revised ordinance. Thanks.

## Summary of Changes to Ordinance Z-160

In response to the comments and recommendation of the Planning Board at their meeting on March 6, 2012, and subsequent comments by City Council members, the following changes have been made to the draft "Sign Ordinance" that was introduced as Ordinance Z-160:

### 196-31.1

"Banner – See "Temporary Sign" below" was added to definitions

### 196-31.3A

The words "however, no single real estate company, office or agency shall display more than one (1) sign regardless of the number of listed units" were eliminated from "Signs Permitted in All Districts" number (8).

### 196-31.3B

Number (11); "Televisions used for promotional purposes projected onto the public right-of-way" was eliminated.

### 196-31.4(2)

The word "identification" was added to the first line to read, "Institutional identification signs.."; and "/or" was deleted from "and/or" before (iii)

### 196-31.4(4)(d)

"Sign" was changed to "Signs"

### 196-31.4

The following text was inserted as a new number (7); numbering adjusted for (8) and (9).

- (7) Free-standing directional signs for real estate open houses are permitted provided they comply with the following regulations:
  - (a) The number of signs does not exceed three (3).
  - (b) The size of the free-standing directional sign does not exceed five (5) square feet.
  - (c) Signs are placed and removed on the day of the open house. No sign shall remain on the right-of-way over night.
  - (d) Signs are located not more than five-hundred (500) feet from the subject location and must be located on the same block frontage.
  - (e) Signs do not block handicap accessibility or pedestrian egress.

### 196-31.5

The words "on Washington Street" were added to the introductory line of the section.

### 196-31.5(3)

The word "reserved" was changed to "governed; and the line, "and other not for profit organizations" was deleted.

### 196-31.5(4)(b)

The word "principal" was added before "entrance to the business"

196-31.5(6)

The word "banner" was eliminated from the title line;

In section (a) "banner" was changed to "temporary sign";

In section (b) "banner" was changed to "temporary sign"; and

In section (c) "banner" was changed to "sign", and "promote" was changed to "promotes"

196-31.7 A

A comma was added after the word case

196-31.8 A

The word "indirectly" was changed to "externally"

196-31.9 A

The words "The application shall not be deemed complete and no" in the second sentence were replaced by "No Historic Preservation"

196-31.10 E

"via certified mail" was added to the first sentence after "shall give written notice"; and "is sent," was added to the second sentence after the word "notice"

196-31.11

"or approved by an action of the Planning Board, Zoning Board of Adjustment or Zoning Officer" were added to the first line after the word "existence" and before the word "at"

3

1st reading  
4-18-12

Introduced by: [Signature]

Seconded by: [Signature]

**CITY OF HOBOKEN**  
**RESOLUTION NO. : \_\_\_\_\_**

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 136 (NUISANCES)  
SECTION 136.2 (PROHIBITED ACTS) OF THE CITY OF HOBOKEN MUNICIPAL CODE**

**WHEREAS**, language in the subject chapter/section has been found to be ambiguous, redundant, and in some cases overreaching, making administration of the chapter difficult; and

**WHEREAS**, the most recent updates to the section were made more than fifteen years ago, and the City Council wishes to update this section to keep pace with contemporary quality of life issues.

Now **THEREFORE**, be it ordained by the City Council of the City of Hoboken, County of Hudson, State of New Jersey, as follows:

**SECTION ONE: AMENDMENT**

Chapter 136 (Nuisances) is amended as follows; additions noted in underline ~~deletions noted in strikethrough.~~

**§ 136-1. Definitions.**

**AUTHORIZED AGENT**

~~A licensed Sanitary First Grade Inspector or public health investigator.~~

**ENFORCEMENT AGENCIES**

The Hoboken Health Department, including Health Officer, Registered Environmental Health Specialist and Public Health Nuisance Investigator; Environmental Services Division, including Sanitation Inspectors; Hoboken Housing Inspectors; Construction Code Inspectors; Taxi and Limousine Inspectors; Zoning Officer; Hoboken Police Department; and Hoboken Fire Prevention Inspectors.

*All other definitions in the section shall be unchanged.*

**§ 136-2. Prohibited acts.**

- A. The following matter, things, conditions, or acts are hereby declared to be a nuisance and injurious to the health and safety of the inhabitants of the City of Hoboken, and are therefore prohibited. ~~prohibited within the City of Hoboken and shall constitute nuisances for purposes of this chapter. This is not to be considered an exclusive list, and the Health Officer may, within his reasonable discretion, apply the provisions of this chapter to any place or matters that may be a detriment, annoyance or menace to the general public.~~

- (1) Depositing, accumulating or maintaining any matter or thing which serves as food for insects or rodents and to which they may have access or which serves or constitutes a breeding place or haborage for insects or rodents in or on any land, premises, building or other place. Any container maintained for the short-term collection of refuse, recycling, composting or rainwater must have a properly fitting lid, be access resistant to insects and rodents, and must be maintained in good working order at all times, and must be kept in a clean and sanitary way. The placing or depositing, or allowing to remain in or upon any street or public place, or in any open lot or public or private property any dead animal or any part of the same, or any offal or garbage, or refuse or abandoned or improperly stacked building materials, or any carrion or putrid meat, or manure or compost, all of which are potential breeding places and harborage for flies, mosquitos, insects, rodents or other vermin, or any foul or offensive or obnoxious substances whatsoever.
- (2) Burying, depositing, maintaining or permitting to be maintained or to accumulate upon any public or private property any wastewater, sewage, garbage, refuse, offal or excrement; any dead animals; or any foul, putrid or noxious substance. The throwing upon, or allowing to flow from any premises or device upon any street or public place, open lot or public or private property, or the allowing to collect upon the surface of any premises, any waste water, dirty water, slops, liquid filth, overflow from cesspool, or any offensive liquid whatsoever.
- (3) Allowing or suffering to allow any waste container in which garbage, offal, scraps, food waste, and any other putrescible material, or recyclable material is held in or upon any premises which is not watertight, tightly covered and so kept at all times. Containers designed for the specific purpose of composting are permitted provided they are of a closed type with an air-tight lid and catch basin for collection of compost tea. Any foul or leaky privy vault or cesspool, or other receptacles for filth; also any privy vault cesspool or catch basin which is beneath any dwelling or other building, or is attached to the foundation wall of any dwelling or other building.
- (4) Pollution or the existence of a condition or conditions which cause or threaten pollution of any water, including stormwater, in such a manner as to cause or threaten injury to any inhabitants of this municipality either in their health, comfort or property. Allowing or permitting any night soil, or refuse, garbage or any offensive or decomposing solid or fluid matter or substance to leak or ooze, or escape from any vehicle, cart or wagon, or vessel in which the same may be conveyed or carried.
- (5) The existence or presence of any open standing water or other liquid in which mosquito eggs, larvae or pupae may breed or exist. This regulation does not prohibit the use of covered, enclosed and properly maintained rain barrels. Allowing any building to be occupied as a tenement house, apartment house, dwelling house, rooming house, factory building or food establishment, without a plentiful supply of pure water suitable for domestic or personal requirements, by any person who is responsible for such provision, by reason of ownership, possession or agreement, or in which the water supply has been turned off for any reason except to repair faulty plumbing.

- (6) The escape of such quantities of smoke, fly ash, dust, fumes, vapors, mist or gas into the open air from any stack, vent, chimney or any entrance or from any non-accidental fire as to cause injury, respiratory distress, watering of eyes or other physical malady to persons or damage to property. The discarding of household or trade dirt or waste from any roof, window or porch of any building in the city.
- (7) The use of property, substances, or things within the city, emitting or causing any foul, offensive, noisome, nauseous, noxious or disagreeable odors, effluvia or stenches, repulsive to the physical senses which annoy, discomfort, injure or inconvenience the health of persons within the municipality. Failing to keep the flooring of the halls, stairs and lands and rooming houses cleaned and free from filth, ashes, garbage, rubbish, refuse, junk, soil, water, drainage water, slop, wood, paper, and other material of a putrefactive or combustible nature and free from fire and accident hazards.
- (8) Allowing any building to be occupied as a tenement house, apartment house, dwelling house, rooming house, factory building or food establishment, without a plentiful supply of potable water suitable for domestic or personal requirements, by any person who is responsible for such provision, by reason of ownership, possession or agreement, or in which the water supply has been turned off for any reason except to repair faulty plumbing. Failing to keep the porches, stairways, landings, steps, floors, cellars, fire escapes, courts, yards, alleys, areaways, passageways, and all surrounding exterior surfaces of any dwelling, rooming house, or place of business, free from any accumulation of filth, ashes, garbage, refuse, junk, paper, wood, solid matter, waste matter, drainage and other material of a combustible or putrefactive nature. Such places shall at all times be kept free from fire and accident hazards.
- (9) Failing to make and maintain any dwelling or dwelling unit, rooming house, property, or place of business reasonably vermin proof and rodent proof and exterminate the same. Failing to keep every dwelling and rooming house and every part thereof, including the roof, walls, floors, provided carpeting, ceilings, attics, cellars, halls, stairs, stairways, porches, plumbing, provided heating plants or units and provided fixtures and equipment for heating water, including chimneys and smoke pipes and rubbish containers in a state of sound repair and in a clean and sanitary condition.
- (10) Allowing or suffering to allow the occupancy of any structure, dwelling or place of business that does not meet the minimum health, safety and habitability standards set forth in the municipal code, including but not limited to Chapter 80 – Building or Dwelling; Dangerous or Unfit, Chapter 95 – Dwellings; Minimum Standards, Chapter 115 – Health / Sanitary Code, Chapter 116 – Heating of Buildings, and Chapter 120 – Maintenance of Hotels and Multiple Dwellings, and all applicable fire safety and construction codes as established by the State of New Jersey. Failing to keep the rain leaders, gutters, sewers and drains of dwellings, rooming houses or places of business in good working order and in a state of sound repair, and failing to keep contents thereof from flowing onto or into adjacent premises.
- (11) The placing of any household, commercial or industrial waste or refuse, or construction or demolition materials into city litter receptacles. Failing to make and

~~maintain any dwelling or dwelling unit, rooming house, property, or place of business reasonably vermin proof and rodent proof and exterminate the same.~~

- (12) ~~The dissipation into the air of dirt, debris, dust, or materials from any construction site or any public or private place where such materials are stored. Maintaining water in which mosquito larvae breed, or maintaining untreated water in cellars, yards, or other public or private places or in barrels, cans, bottles or other containers in which mosquito larvae may breed.~~
- (13) ~~Failing to keep the rain leaders, gutters, sewers and drains of any structure, dwelling or place of business in good working order and in a state of sound repair, and failing to keep contents thereof from flowing onto or into adjacent premises or property. Washing tank trucks or other business vehicles or the commercial washing of private passenger cars on public streets, or in empty lots or other places which are not properly surfaced, drained and sewer connected.~~
- (14) ~~Discarding or throwing of any food product or waste, upon any sidewalk, street or public thoroughfare or in any park or other public or private place. Placing of food for animal consumption, in any public place, is also prohibited. All sunken lots or marsh lands, or lots below grade, where stagnant water gathers or is collected.~~
- (15) Weeds and other growths of vegetation upon private or public property at any state of maturity which:
  - (a) Exceed six inches in height, except for healthy specimen trees, other than ~~weed trees~~, shrubs or plants grown in a tended and cultivated garden.
  - (b) Regardless of height, harbors, conceals or invites deposits or accumulations of refuse, trash or animal wastes.
  - (c) Harbors or may harbor rodents, insects or other vermin.
  - (d) Gives off unpleasant or noxious odors.
  - (e) Constitute a fire or traffic hazard.
  - (f) Weeds that have grown to tree height.
- (16) ~~Trees that are damaged or dead to the extent that a falling limb or tree part could fall or cause injury or property damage, ~~an insect or rodent harborage.~~~~
- (17) ~~The growth, existence or presence of ragweed on any plot of land, lot, street, highway, right-of-way or any other public or private place. Waters or wastes containing toxic or poisonous solids, particles, liquids or gases, in sufficient quantity, either singly or by interaction with other wastes to constitute a hazard to humans or animals or to cause corrosion, discoloration or deposition on structures, equipment, sidewalks and streets.~~
- (18) ~~The growth, existence or presence of poison ivy on any property, public or private. Any solid or viscous substances in such quantities or of such size capable of causing~~

~~obstruction to the flow in the storm water drainage system or other interference with the proper operation of the drainage system of the City of Hoboken.~~

- (19) ~~All wires, ropes, or lines over streets, alleys or public grounds which are not authorized or permitted by the city or which are strung so that the lowest portion is less than 15 feet above the surface of the ground.~~
- (20) ~~Idling of commercial vehicles for more than three (3) minutes in any district, or by any vehicle; commercial, public or private, for any amount of time in a posted school zone. All buildings, walls and other structures which have been damaged by fire, decay or otherwise and which are so situated as to endanger public safety or to be contrary to ordinance.~~
- (21) ~~Spitting upon any public sidewalk or crossing or upon the floor or any part of a building or public conveyance. All loud or unusual or unnecessary noises and annoying vibrations which offend the peace and quiet of persons of ordinary sensibilities. This shall include the continuous barking or crying of dogs, birds or other animals.~~
- (22) ~~The keeping of any animal or animals under unsanitary conditions. The escape of smoke, soot, cinders, vapors, sprays, fumes, gases, fly ash or dust within the city limits in such quantities as to endanger the health of persons or to threaten or cause injury to property, but excluding smoke emanating from residential fireplaces.~~
- (23) ~~The continuous barking or crying of dogs, birds or other animals. Any use of property, substances, or things within the city, emitting or causing any foul, offensive, noisome, nauseous, noxious or disagreeable odors, effluvia or stenches, repulsive to the physical senses of ordinary persons which annoy, discomfort, injure or inconvenience the health of persons within the City of Hoboken.~~
- (24) ~~No person shall keep or harbor any livestock or unlawful wildlife unless specifically licensed to do so from by the Health Officer or pursuant to law. The throwing of any food product, whether animal or human consumption, upon any sidewalk, street, park or other public or private place.~~
- (25) ~~Any other matter, thing, condition or act which is or may become injurious, detrimental, a menace or endanger the health of the inhabitants of this municipality. Loading and unloading docks, similar areas. The person owning, operating or in control of a loading or unloading dock shall maintain authorized private receptacles for collection of litter, and shall at all times maintain the dock area free of litter in such a manner that litter will be prevented from being carried or deposited by the elements upon any public place or private premises.~~
- (26) ~~Parking lots — litter receptacles required. Any public place or private premises containing any provision for parking vehicles shall be equipped with litter receptacles. Such premises shall include, but not be limited to such places as shopping centers, outdoor theaters, drive-in restaurants, gasoline service stations. Apartment developments, parking lots, and any other place where provision is made for vehicles to stop or park in a designated area for any purpose. Two containers shall be~~

~~implemented in an easily accessible location for up to 25 spaces and at least one container for each additional 50 spaces.~~

- ~~(27) The growth, existence or presence of ragweed or poison ivy or other noxious plants on any plot of land, lot, street, highway, right of way or any other public or private lot.~~
- ~~(28) Leaking sewer lines and other sewage existing in an unsanitary manner and which could cause disease transmission.~~
- ~~(29) No person shall keep or harbor any livestock or unlawful wildlife unless specifically licensed to do so from the Health Officer or pursuant to law.~~
- ~~(30) No person shall place household, commercial or industrial refuse, construction or demolition refuse or street dirt into city litter receptacles.~~
- ~~(31) Any dirt, debris, dust, or construction material piled or maintained in a public or private place, in a manner so as to allow the dissipation of particles into the air.~~
- ~~(32) Any matter, thing, condition or act which is or which may become injurious, a detriment, a menace, a nuisance or endanger the health or general well being of the inhabitants of this municipality or the general public.~~
- ~~(33) Any matter, thing, condition or act which is or may become an annoyance, or interfere with the comfort, repose, health or general well being of the inhabitants of this municipality or the general public.~~

B. It shall be unlawful for any person or persons to commit, maintain or allow any nuisance as declared and described in this section.

B.C. Each prohibited act shall constitute a separate violation.

**§ 136-3. Rules and orders; promulgation.**

*No change.*

**§ 136-4. Hearings.**

*No change.*

**§ 136-5. Inspections.**

*No change.*

**§ 136-6. Summary of abatement of nuisance by Health Officer.**

*No change.*

**§ 136-7. Enforcement.**

*No change.*

**§ 136-8. Violations and penalties.**

*No change.*

**§ 136-9. Repealer.**

No change.

**§ 136-10. Severability.**

No change.

**SECTION TWO: EFFECTIVE DATE**

This Ordinance shall take effect upon passage and publication as provided by law.

**SECTION THREE: CODIFICATION**

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

The City Clerk and the Corporation Counsel are authorized and directed to change any Chapter, Article and/or Section number of the Code of the City of Hoboken in the event that the codification of this Ordinance reveals that there is a conflict between the numbers and the existing Code, and in order to avoid confusion and possible accidental repealers of existing provisions not intended to be repealed.

**Date of Introduction:** \_\_\_\_\_

Approved as to Legal Form:

Approved

\_\_\_\_\_  
Mark A. Tabakin, Corporation Counsel

\_\_\_\_\_  
Arch Liston, Business Administrator

RECORD OF COUNCIL VOTE ON 1 <sup>ST</sup> READING			
Council Person	Aye	Nay	N.V.
Castellano	✓		
Cunningham	✓		
Giattino	✓		
Marsh	✓		
Mason	✓		✓
Mello	✓		
Occhipinti			✓
Russo	✓		
Pres. Bhalla	✓		

RECORD OF COUNCIL VOTE ON 2 <sup>ND</sup> READING			
Council Person	Aye	Nay	N.V.
Castellano			
Cunningham			
Giattino			
Marsh			
Mason			
Mello			
Occhipinti			
Russo			
Pres. Bhalla			

I hereby certify the above vote on this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_

James Farina, City Clerk

Approved by the Mayor on the \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
Dawn Zimmer, Mayor

**-or-**

Vetoed by the Mayor for the following reasons:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4-10-12  
1st reading

Sponsored by Peter Curig  
Responsible for Daniel...

CITY OF HOBOKEN, NEW JERSEY

ORDINANCE \_\_\_\_\_

**AN ORDINANCE AMENDING ORDINANCE Z-94 "AN ORDINANCE OF THE CITY OF HOBOKEN, IN THE COUNTY OF HUDSON, NEW JERSEY, PROVIDING FOR THE ACQUISITION VARIOUS PARCELS OF LAND AND OTHER RELATED EXPENSES IN AND FOR THE CITY OF HOBOKEN AND APPROPRIATING \$20,000,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$19,000,000 IN BONDS OR NOTES OF THE CITY OF HOBOKEN TO FINANCE THE SAME OF THE CITY OF HOBOKEN, COUNTY OF HUDSON, NEW JERSEY"**

**BE IT ORDAINED**, by the City Council of the City of Hoboken, County of Hudson, New Jersey ("City") (not less than two-thirds of all the members thereof affirmatively concurring), pursuant to the provisions of the Local Bond Law, Chapter 169 of the Laws of 1960 of the State of New Jersey, as amended and supplemented ("Local Bond Law"), as follows:

**Section 1.** Section 3(a) of Ordinance 11-891, duly adopted by the City Council on March 16, 2011 ("Ordinance"), is hereby amended in its entirety to provide as follows:

**Section 3.** (a) The improvements hereby authorized and the purposes for which said obligations are to be issued is the acquisition of land in the City, including, but not limited to land designated as Block 103, Lots 7-26; Blocks 107/108, All Lots Inclusive; Block 113, Lots 1-6 and 27-32; Block 9, Lots 1-4; Block 10, Lots 1-36; Block 11, Lots 1-9; Block 12, Lots 1-18; Block 14, Lot 1; Block 72, Lot 1; Block 73, Lots 1-34; Block 85, Lots 14, 15.1 and 15.2; Block 141, Lots 12-19; and Block 74, Lots 3-20; and including all rights or interests therein and all work and services necessary therefore or incidental thereto."

**Section 2.** The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the regulations promulgated by the Local Finance Board showing full detail the amended capital budget and capital improvement program as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, are on file with the City Clerk and available for public inspection.

**Section 3.** All other parts of the Bond Ordinance not amended hereby shall remain in full force and effect.

**Section 4.** All bonds or bond anticipation notes heretofore issued and now outstanding pursuant to the Ordinance, and any moneys expended or any expenses incurred pursuant to appropriations made by the Ordinance, if any, shall be accounted and deemed to have been issued, expended or incurred pursuant to this ordinance.

**Section 5.** In accordance with the Local Bond Law, this ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

**Statement to be Published with Ordinance After Introduction.**

**Notice of Pending Ordinance**

The ordinance published herewith was introduced and passed upon first reading at a meeting of the City Council of the City of Hoboken, in the County of Hudson, State of New Jersey, on April \_\_, 2012. It will be further considered for final passage, after public hearing thereon, at a meeting of the City Council to be held at City Hall, 94 Washington Street, Hoboken, New Jersey 07030 on May \_\_, 2012 at \_\_:\_\_ P.M. During the week prior to and up to and including the date of such meeting copies of the full ordinance will be available at no cost and during regular business hours, at the City Clerk's office for the members of the general public who shall request the same.

---

**JAMES J. FARINA, RMC, City Clerk**

**Statement to be published with Ordinance After Final Adoption.**

**Ordinance Statement**

The ordinance published herewith has been finally adopted on May \_\_, 2012 and the twenty (20) day period of limitation within which a suit, action or proceeding questioning the validity of such ordinance can be commenced, as provided in the Local Bond Law, has begun to run from the date of the first publication of this statement.

---

**JAMES J. FARINA, RMC, City Clerk**

**CITY OF HOBOKEN**  
**Department of Community Development**

**DAWN ZIMMER**  
Mayor



**BRANDY FORBES**  
Director

***MEMORANDUM***

DATE: April 12, 2012

TO: Hoboken City Council

CC: Dawn Zimmer, Mayor  
Stephen Marks, Assistant Business Administrator  
Mark Tabakin, Corporation Counsel  
Ed Buzak, Special Legal Counsel

FROM: Brandy Forbes, Community Development Director ✉

RE: Amendment to Correct Bond Ordinance for Park Acquisition

On March 16, 2011 the City Council adopted ordinance Z-94 providing for the acquisition of various parcels of land and other related expenses for park land. The basis of the parcels selected were the Open Space Plan adopted by the Hoboken Planning Board in conjunction with the 2010 Master Plan Re-examination (see attached map and listing). The possible public open space sites, excluding those in redevelopment areas, include the following items on the Open Space Plan map:

- M (PSE&G site near 1600 Park)
- R (Cognis-Henkel)
- SW6 (Southwest Six)
- V (600 Harrison)
- W (600-632 Jackson)
- Y (720 Grand)
- Z (605-633 Jackson)

As our attorney was reviewing the bond ordinance in anticipation for the potential acquisition of Block 12, it was determined that there are several significant errors and omissions of blocks and lots in the bond ordinance representing these properties. Without correcting these clerical errors, many of the

properties we are pursuing for acquisition cannot be acquired [i.e., some of the lots were missing for sites R (Cognis-Henkel), SW6 (Southwest Six), and Z (605 Jackson); site M (PSE&G) had been omitted completely]. Therefore, on the agenda for the April 18, 2012 City Council meeting you will see an amending resolution correcting these errors.

To make it easier to see the corrections, here they are in blackline format—revising the adopted ordinance to reflect the correct blocks and lots. You will find the clean version in your packets.

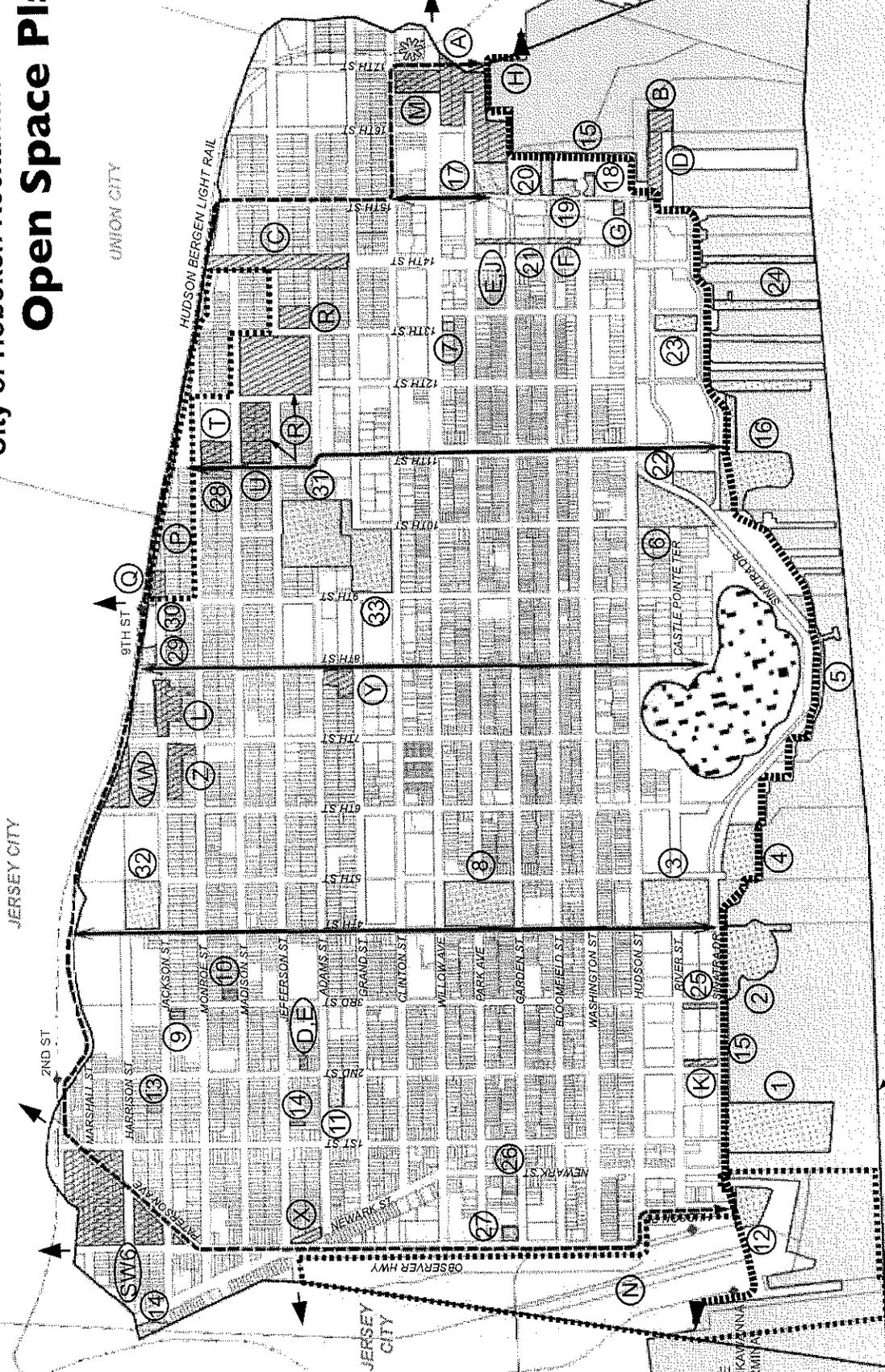
**Section 3.** (a) The improvements hereby authorized and the purposes for which said obligations ~~the bonds~~ are to be issued is the acquisition of land ~~located~~ in the City, including, but not limited to land designated as Block 103, Lots 7-26<sub>2</sub>; Blocks 107/108, ~~Lots 1-4~~ All Lots Inclusive<sub>2</sub>; Block 113, Lots 1-6 and 27-32<sub>2</sub>; Block 9, Lots 1-4<sub>2</sub>; Block 10, Lots 1-36 ~~1, 8 and 27~~<sub>2</sub>; Block 11, Lots 1-9 ~~1-5, 8 and 9~~<sub>2</sub>; Block 12, Lots 1-18 ~~1-8, 10 and 18~~<sub>2</sub>; ~~Block 12, Lot 9~~<sub>2</sub>; Block 14, Lot 1<sub>2</sub>; Block 72, Lot 1<sub>2</sub>; Block 73, Lots 1-34<sub>2</sub>; Block 85, Lots 14, 15.1 and 15.2<sub>2</sub>; Block 141, Lots 12-19<sub>2</sub>; and Block 74, Lots 3-20 ~~3-19~~<sub>2</sub>; and including all rights or interests therein and all work and services necessary therefore or incidental thereto.

# City of Hoboken Reexamination Report 2010 Open Space Plan

UNION CITY

WEEHAWKEN TWP

LINCOLN HARBOR



JERSEY CITY

HUDSON RIVER

CITY BOUNDARY

Prepared by EFB Associates, LLC / New Paltz, NY - January 2011

0 500 1,000 2,000 Feet

**Legend**

- Existing Parks and Recreation
- Planned/Possible New Parks and Recreation
- Other Planned/Possible (Redevelopment)
- Stevens Campus
- Waterfront Walkway
- Connection to adjacent municipalities
- "Green Circuit"
- "Urban Trail" Street
- Pedestrian Crossing of Light Rail
- Stevens Campus
- Waterfront Walkway

Numbers & letters are keyed to table

PLANNED AND POSSIBLE NEW PARKS AND RECREATION

MAP#	NAME	LOCATION	SIZE (A)	OWNER
<i>Note: the following sites are City or County owned or are privately owned sites that have agreed to public access easements or are to be deeded to the City or granted easements</i>				
A	1600 Park	Park Ave. to Willow Ave., 16th St. to city boundary	2.10	City
B	16th St. Pier	16th St. & Hudson River (stub perpendicular to deteriorated pier at 16th St.)	0.50	City
C	14th St. Viaduct	area beneath the Viaduct including the marginal roads running from Grand westward past Madison St.	0.87	Hudson County
D	Shipyards Tennis Cts	Hudson St., n/o 14th St.	1.81	Private (TBD)
E	Bijou alley	alley parallel to n/s/o 14th St. from Park Ave. to Garden St.	0.16	Private (easement)
F	Hoboken Cove alley	alley parallel to n/s/o 14th St. from Bloomfield to Washington St.	0.12	Private (easement)
G	Hoboken Cove	SW corner of 15th St & Hudson St. (plaza)	0.08	Private (easement)
H	Hoboken Cove	undeveloped area running parallel to Park Ave. along Weehawken Cove	1.75	Private (easement)
J	Garden St. Mews	Garden St. extension n/o/ 14th St.	0.25	City
K	SoWRDV, Block B	n/s/o 2nd St., River St.-Sinatra Dr. (off.bldg.)	0.30	Priv.bldg.; PA land
L	NWRDV, Monroe Center	Jackson Street between 7 <sup>th</sup> and 8 <sup>th</sup> Streets, paved multi-use public plaza	1.29	Private (TBD)
15	Waterfront Walkway	Erie-Lackawanna Terminal to Weehawken boundary (est. total 9900 linear ft. @ 30ft. ROW); about 1/3 incomplete	2.32	City and private owners
<i>Note: the following sites have been identified as possible public open space; NJT &amp; Western Edge Redevelopment Plans are yet to be written and/or adopted but will have an undetermined amount of public open space</i>				
M	PSE&G	mid-blk, Willow to Clinton, 17th -18th Sts.	0.46	PSE&G
N	NJT RDV	Erie-Lackawanna Terminal and train yards	TBD	NJT
P	Western Edge RDV	9th-12th Sts. w/s/o Monroe St.; Madison to Monroe, 12th-14th Sts.; Jefferson to Madison, 13th-14th Sts.	TBD	Private (various)
Q	West Edge RDV: 900 Monroe St.	n/s/o 9th St., Monroe St. to City boundary (acreage shown is commitment by developer through ZBA developer agt.)	0.35	Private
R	Cognis-Henkel	1113-1131 Madison St. (this was included in op. sp. ord.)	1.15	Private
		1201 Madison St./1200 Adams St. (double block) 1301-1311 Jefferson St. (this was included in op. sp. ord.)	4.27	Private
			0.69	Private

**CITY OF HOBOKEN REEXAMINATION REPORT 2010**

MAP#	NAME	LOCATION	SIZE (A)	OWNER
SW6	Southwest Six (SW 6)	w/s/o Marshall St., 1st. St. to boundary Harrison to Marshall, Observer to Paterson Paterson to 1st St., w/o Harrison Jackson to Harrison, Observer to Paterson 65-69 Paterson Ave. Observer to Paterson w/o Monroe	2.18 2.37 0.43 0.95 0.05 0.08	Private (various) Private (various) Private (various) Private (various) City Private (various)
T	NWRDV, Z3 sub-zone	n/s/o 11th St., Madison to Monroe St.	0.92	Private
U	NWRDV, Z3 sub-zone	n/s/o 11th St., Jefferson to Madison St. n/s/o 11th St., Jefferson to Madison St.	0.34 0.34	Private Private
V	600 Harrison St.	w/s/o Harrison St., 6th-7th St. (14,410sf for site + 262ft. Harrison St. frontage x 30ft. of street to be developed as public passageway/pedestrian st.)	0.51	Private
W	600-632 Jackson St.	w/s/o Jackson St., 6th-7th St.; thru to Harrison (262ft. Harr. St.x30ft. as above)	0.18	Private
X	triangle	street area bounded by Newark, Adams & Jefferson Sts.	0.28	Private
Y	720-732 Grand St.	s/s/o 8th St. from Grand to Adams St.	0.34	Private
Z	605-633 Jackson St.	e/s/o Jackson St., 6th to 7th St. ; s/s/o 7th, Jackson to Monroe St.	1.03	Private
<b>TOTAL</b>			<b>28.46</b>	<b>acres</b>

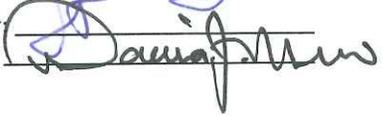
SOURCE MP (2004 Master Plan Table III-1 & Table III-2); MP Open Space Concept Map; memo dated 8/13/08 prep'd by CD Dir. Fred Bado  
ROSI (Rec.& Open Space Inventory, dated 1/11/04); NJACTB (assessor's website)/Sanborn Map Company (2/04)

NOTE open space will be created in the NJT & Western Edge Redevelopment plans but the amount has not been determined yet  
open space will be created in the Southwest Redevelopment Plan but a new investigation study has just begun  
the letters "I" and "O" were not used because they are easily confused with numbers

LEGEND SoWRDV South Waterfront Redev. Plan  
NWRDV Northwest Redev. Plan  
OHRDV Observer Highway Redev. Plan  
NJT New Jersey Transit

5

1st reading  
4-18-12

Sponsored by:   
Seconded by: 

CITY OF HOBOKEN  
ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE TO AMEND CHAPTER 68 ENTITLED  
"ALCOHOLIC BEVERAGES" TO CHANGE AND UPDATE THE  
HOURS OF OPERATION OF LICENSED ESTABLISHMENTS  
UNDER SECTION 68-4**

**WHEREAS**, the hours of operation of establishments serving and/or selling liquor within the City of Hoboken, found at Hoboken General Code Section 68-4, have not been recently revised; and,

**WHEREAS**, the Council finds that some holidays currently designated are not appropriate days for exemptions to the general hours of operation, and that some holidays which should be included as exemptions to the general hours of operations are not; and,

**WHEREAS**, the City Council wishes to more closely align the City's hours of operation for licensed establishments with the modern holidays recognized and celebrated by the City of Hoboken; and,

**NOW, THEREFORE**, the City Council of the City of Hoboken does hereby Ordain as follows (additions noted in underline, ~~deletions noted in strikethrough~~):

**SECTION ONE: AMENDMENTS TO HOBOKEN CODE SECTION 68-4**

A. No licensee shall serve, deliver or allow, permit or refer the sale, service or delivery of any alcoholic beverages or allow or permit the consumption of any alcoholic beverage on the licensed premises on:

- (1) New Year's Day, when it is a Sunday, between the hours of 5:00 a.m. and 11:00 a.m., and sales and service being permissible; however, on New Year's Day, when it is a weekday when it is any day other than a Sunday, at any time between the hours of 5:00 a.m. and 6:00 a.m.
- (2) Any day for which Hoboken City Hall is designated, in writing, as closed due to a Holiday, between the hours of 3:00 a.m. and 6:00 a.m.
- (3) ~~any other~~ Sundays, between the hours of 3:00 a.m. and 11:00 a.m.,
- (3) ~~Lincoln's Birthday, Washington's Birthday, Decoration Day, Fourth of July, Labor Day, Columbus Day, Veterans Day, Thanksgiving Day and Christmas Day, between the hours of 3:00 a.m. and 6:00 a.m.~~
- (4) any other Saturday, between the hours of 3:00 a.m. and 6:00 a.m.;
- (5) any other Friday, between the hours of 3:00 a.m. and 6:00 a.m.; and,
- (6) any other Monday, Tuesday, Wednesday, or Thursday between the hours of 2:00 a.m. and 6:00 a.m.

B. No licensee of an establishment that chooses to serve alcoholic beverages shall permit patrons to enter the premises after 2:00 a.m. in the morning on Friday, Saturday and/or Sunday. The provisions of this subsection shall not apply to those licensees that choose not to serve alcoholic beverages after

2:00 a.m. in the morning on Friday, Saturday and/or Sunday. Those licensees that choose to make this election must notify the City Clerk by August 1 of each year of their election. This election shall be effective for a one year period.

C. A licensee of an establishment that chooses to serve alcoholic beverages shall impose a closing time of 3:00 a.m. in the morning on Friday, Saturday and/or Sunday and 2:00 a.m. in the morning on all other days weeknights. The provisions of this subsection shall not apply to those licensees that choose not to serve alcoholic beverages after 2:00 a.m. in the morning on Friday, Saturday and/or Sunday. Those licensees that choose to make this election must notify the City Clerk by August 1 of each year of their election. This election shall be effective for a one year period.

**SECTION TWO: REPEAL OF INCONSISTENT PROVISIONS**

All ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only to the extent of such conflict or inconsistency, it being the legislative intent that all such ordinances or part of ordinances now existing or in effect unless the same are in conflict or inconsistent with any provision of this Ordinance shall remain in effect.

**SECTION THREE: SEVERABILITY**

The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remaining in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

**SECTION FOUR: EFFECTIVE DATE**

This Ordinance shall take effect immediately upon passage and publication as provided by law.

**SECTION FIVE: CODIFICATION**

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

The City Clerk and the Corporation Counsel are authorized and directed to change any Chapter, Article and/or Section number of the Code of the City of Hoboken in the event that the codification of this Ordinance reveals that there is a conflict between the numbers and the existing Code, and in order to avoid confusion and possible accidental repealers of existing provisions not intended to be repealed.

**Date of Introduction: April 18, 2012**

Introduction:

Councilperson	Yea	Nay	Abstain	No Vote
Theresa Castellano	✓			
Peter Cunningham	✓			
Jen Giattino	✓			
Carol Marsh	✓			
Elizabeth Mason				✓
David Mello	✓			
Tim Occhipinti				✓
Michael Russo	✓			

President Ravi Bhalla				
-----------------------	--	--	--	--

Final Reading:

Councilperson	Yea	Nay	Abstain	No Vote
Theresa Castellano				
Peter Cunningham				
Jen Giattino				
Carol Marsh				
Elizabeth Mason				
David Mello				
Tim Occhipinti				
Michael Russo				
President Ravi Bhalla				

Approved as to Legal Form:

\_\_\_\_\_  
Mark A. Tabakin, Corporation Counsel

Adopted by the Hoboken City Council  
By a Vote of \_\_\_ Yeas to \_\_\_ Nays  
On the \_\_\_ day of \_\_\_, 2012

\_\_\_\_\_  
James Farina, City Clerk

Vetoed by the Mayor for the following reasons: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**-or-**

Approved by the Mayor  
On the \_\_\_ day of \_\_\_, 2012

\_\_\_\_\_  
Dawn Zimmer, Mayor

(6) 1st reading - 4-18-12

Sponsored by:

Seconded by:

CITY OF HOBOKEN  
ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE TO AMEND CHAPTER 110 ENTITLED  
"GARBAGE RUBBISH AND LITTER" TO CLARIFY  
OBLIGATIONS UNDER SECTION 110-45 AND TO AMEND THE  
PENALTY AND VIOLATIONS SECTION OF THE CHAPTER**

**WHEREAS**, Chapter 110 of the General Code of the City of Hoboken establishes the rules and regulations associated with disposal and removal of garbage and refuse within City borders; and,

**WHEREAS**, the City Council believes a change in the penalties is necessary to effectuate higher rates of compliance with the ordinance; and,

**WHEREAS**, the City Council wishes to amend the language of the handbill section to more efficiently clarify the obligations of the general public with regards to the section.

**NOW, THEREFORE**, the City Council of the City of Hoboken does hereby Ordain as follows (additions noted in underline, additions after first reading noted in double underline, ~~deletions noted in strikethrough~~):

**SECTION ONE: AMENDMENTS TO HOBOKEN CODE SECTION 110-45**

Section 110-45: ~~Distribution of~~ Handbills and Circulars

No person shall throw, cast or distribute, or place, or cause to be thrown, cast or distributed, or placed any handbill, circular, card or other commercial advertising matter whatsoever, (1) in or upon any street or public place or (2) in or upon a front yard or (3) in or upon any vehicle or (4) in the vestibule or hall of any building or (5) in any place from which such matter may be blown by the wind onto a street or public place, or nor shall any person place or cause to be placed on any pole, vehicle or public sign any advertising matter unauthorized by the owner of the said pole, vehicle or public sign.

**SECTION TWO: AMENDMENTS TO HOBOKEN CODE SECTION 110-55**

Section 110-55: Violations and Penalties

A.

Any person found guilty of violating any of the provisions of this chapter shall be liable to a fine not to exceed \$1,000 or imprisonment for a period not to exceed 90 days, or both, but no fine imposed on any person for the violations of any of the provisions of this

chapter shall be less than ~~\$500~~ \$100.

B.

Each day that a violation of the provisions of this chapter is permitted to continue shall constitute a separate violation and be punishable as such.

C.

Any person who is convicted of violating Section **110-55** within one year of the date of a previous violation of Section **110-55** and who was fined for the previous violation, shall be sentenced to an additional fine as a repeat offender. The additional fine imposed by the court upon a person for a repeated offense shall not be less than \$100 nor shall it exceed the maximum fine fixed for a violation of the section, but shall be calculated separately from the fine imposed for the violation of the section, as provided for by N.J.S.A. 40:69A-29.

### **SECTION THREE: REPEAL OF INCONSISTENT PROVISIONS**

All ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only to the extent of such conflict or inconsistency, it being the legislative intent that all such ordinances or part of ordinances now existing or in effect unless the same are in conflict or inconsistent with any provision of this Ordinance shall remain in effect.

### **SECTION FOUR: SEVERABILITY**

The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not effect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remaining in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

### **SECTION FIVE: EFFECTIVE DATE**

This Ordinance shall take effect immediately upon passage and publication as provided by law.

### **SECTION SIX: CODIFICATION**

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

The City Clerk and the Corporation Counsel are authorized and directed to change any Chapter, Article and/or Section number of the Code of the City of Hoboken in the event that the codification of this Ordinance reveals that there is a conflict between the numbers

and the existing Code, and in order to avoid confusion and possible accidental repealers of existing provisions not intended to be repealed.

**Date of Introduction: April 18, 2012**

Introduction:

Councilperson	Yea	Nay	Abstain	No Vote
Theresa Castellano	✓			
Peter Cunningham	✓			
Jen Giattino	✓			
Carol Marsh	✓			
Elizabeth Mason				✓
David Mello	✓			
Tim Occhipinti				✓
Michael Russo	✓			✓
President Ravi Bhalla	✓			

Final Reading:

Councilperson	Yea	Nay	Abstain	No Vote
Theresa Castellano				
Peter Cunningham				
Jen Giattino				
Carol Marsh				
Elizabeth Mason				
David Mello				
Tim Occhipinti				
Michael Russo				
President Ravi Bhalla				

Approved as to Legal Form:

\_\_\_\_\_  
Mark A. Tabakin, Corporation Counsel

Adopted by the Hoboken City Council  
By a Vote of \_\_\_ Yeas to \_\_\_ Nays  
On the \_\_\_ day of \_\_\_\_, 2012

\_\_\_\_\_  
James Farina, City Clerk

Vetoed by the Mayor for the following reasons: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**-or-**

Approved by the Mayor  
On the \_\_\_ day of \_\_\_\_, 2012

\_\_\_\_\_  
Dawn Zimmer, Mayor