

1st reading (3)  
10-15-14

Sponsored by: [Signature]  
Seconded by: [Signature]

CITY OF HOBOKEN  
ORDINANCE NO. Z-316 Z-316

**AN ORDINANCE TO AMEND CHAPTER 190 ENTITLED "VEHICLES AND TRAFFIC" TO ADD PARKING AND LOADING REGULATIONS**

**WHEREAS**, Chapter 190 of the General Code of the City of Hoboken establishes the rules and regulations associated with parking within City borders; and,

**WHEREAS**, the municipality has found that specific sections of Chapter 190 currently require amendments to incorporate on-street parking and loading zone changes as approved within the amended final site plan of 1400 Hudson Street (Block 269.03, Lot 1); and,

**WHEREAS**, the City Council wishes to more closely align the City's actual parking and loading practices with industry best practices.

**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 CHAPTER 190**

**§ 190-11. Loading zones designated.**

The locations described are hereby designated as Loading Zones. No person shall park a vehicle in said location during the times indicated other than for the loading or unloading of goods and materials for a time limit of 20 minutes.

<b>Name of Street</b>	<b>Times</b>	<b>Sides</b>	<b>Location</b>
<u>Fifteenth Street</u>	<u>8:30 a.m. to 5:30 p.m.</u> <u>Monday through Saturday</u>	<u>South</u>	<u>Beginning at a point 135 feet west of the westerly curbline of Hudson Street and extending 60 feet westerly therefrom</u>
<u>Hudson Street</u>	<u>8:30 a.m. to 5:30 p.m.</u> <u>Monday through Saturday</u>	<u>West</u>	<u>Beginning at a point 155 feet north of the northerly curbline of Fourteenth Street and extending 40 feet northerly therefrom</u>

<u>Washington Street</u>	<u>8:30 a.m. to 5:30 p.m.</u> <u>Monday through Saturday</u>	<u>East</u>	<u>Beginning at a point 135 feet south of the southerly curbline of Fifteenth Street and continuing 65' southerly therefrom</u>
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**§ 190-27. Angle parking locations.**

In accordance with the provisions of this § 190-27, the herein described locations shall be designed as angle parking:

**B. Reverse Angle Parking**

<b>Name of Street</b>	<b>Sides</b>	<b>Angle</b>	<b>Location</b>
<u>Fifteenth Street</u>	<u>South</u>	<u>60A</u>	<u>From Washington Street to Hudson Street</u>
<u>Washington Street</u>	<u>East</u>	<u>60A</u>	<u>Fourteenth Street to Fifteenth Street</u>

**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.

**SECTION SIX: STATE REVIEW**

This ordinance, immediately upon adoption, shall be forwarded by the Clerk to NJDOT for review and approval.

**Date of Introduction: October 15, 2014**

Introduction:

Councilperson	Yea	Nay	Abstain	No Vote
Ravi Bhalla	✓			
Theresa Castellano	✓			
Jen Giattino	✓			
James Doyle	/			
Elizabeth Mason	/			
David Mello	/			
Tim Occhipinti	/			
Michael Russo	/			
Peter Cunningham	/			

Final Reading:

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

Approved as to Legal Form:

\_\_\_\_\_  
Mellissa Longo, Corporation Counsel

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

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

Adopted by the Hoboken City Council  
By a Vote of \_\_\_\_ Yeas to \_\_\_\_ Nays  
On the \_\_\_\_ day of \_\_\_\_\_, 2014

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James Farina, City Clerk

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**-or-**

Approved by the Mayor  
On the \_\_\_\_ day of \_\_\_\_\_, 2014

---

Dawn Zimmer, Mayor

1st reading  
11-5-14  
①

Introduced By: [Signature]  
Seconded By: [Signature]

CITY OF HOBOKEN  
ORDINANCE NO: \_\_\_\_\_ 2-317

**ORDINANCE OF THE CITY OF HOBOKEN ADOPTING THE “HOBOKEN YARD REDEVELOPMENT PLAN,” DATED OCTOBER, 2014**

**WHEREAS**, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (“Redevelopment Law”), on February 7, 2007, the City Council adopted a Resolution designating certain properties known and designated on the Tax Map of the City of Hoboken as Block 229, Lots 1 and 2 and Block 139, Lots 1.1, 1.2, 1.3, 2, 3 and 4 (collectively referred to hereinafter as the “Hoboken Yard Redevelopment Area” or “Site”), which is generally located in the southeastern portion of the City of Hoboken, as an area in need of redevelopment; and

**WHEREAS**, after extensive consultation with multiple parties, the final draft of the Hoboken Yard Redevelopment Plan has been prepared by the firm of Wallace Roberts & Todd, LLC (“WRT”), dated October, 2014 (the “Hoboken Yard Redevelopment Plan, dated 2014”), a copy of which is on file in the municipal offices of the ; and

**WHEREAS**, the City obtained the services of Robert B. Pauls LLC to prepare an Economic Analysis of the 2012 draft of the Hoboken Yard Redevelopment Plan, prepared by WRT (“2012 Draft Plan”) [“Pauls Report”] to evaluate the economic feasibility of the 2012 Draft Plan, a copy of which is on file at the municipal offices of the City of Hoboken and is incorporated herein as if fully set forth at length; and

**WHEREAS**, the City also obtained the services of Freeman Frazier & Associates, Inc. to update the Economic Analysis prepared by Robert B. Pauls, LLC to evaluate the economic

feasibility of the Hoboken Yard Redevelopment Plan dated October 2014 (“Freeman Frazier Report”), a copy of which is on file at the municipal offices of the City of Hoboken and is incorporated herein as if fully set forth at length; and

**WHEREAS**, both the Pauls Report and the Freeman Frazier Report have concluded that the 2012 Draft Plan and the 2014 Hoboken Yard Redevelopment Plan, respectively, exceeds the minimum pro forma rates of return in the New York – New Jersey Market; and

**WHEREAS**, at a public meeting of the Hoboken City Council held on November 5,, 2014, the City Council adopted a Resolution referring the Hoboken Yard Redevelopment Plan, dated 2014 to the Hoboken Planning Board for its review and recommendation pursuant to law; and

**WHEREAS**, on \_\_\_\_\_, 2014, the Hoboken Planning Board transmitted a report to the Hoboken City Council finding that the Hoboken Yard Redevelopment Plan, dated 2014 is consistent with the City of Hoboken Master Plan and recommending the adoption of the Hoboken Yard Redevelopment Plan, dated 2014 (the “Report and Recommendation of the Planning Board”); and

**WHEREAS**, the Hoboken City Council has reviewed the Report and Recommendation of the Planning Board;

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF HOBOKEN, HUDSON COUNTY, NEW JERSEY, AS FOLLOWS:**

- 1 The Hoboken Yard Redevelopment Plan, dated October 2014, incorporated herein by reference, as if set forth at length, a copy of which is on file in the municipal offices of the City of Hoboken, meets the criteria, guidelines and conditions set forth at N.J.S.A. 40A:12A-7; and is otherwise in conformance with the provisions of the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (“The Hoboken Yard Redevelopment Plan” ).
2. The Hoboken Yard Redevelopment Plan is consistent with the City of Hoboken’s

Master Plan.

3. The Hoboken Yard Redevelopment Plan shall supersede all prior zoning for the area.
4. The zoning district map is hereby amended to identify the area in which the zoning has been superseded by the Hoboken Yard Redevelopment Plan.
5. The Hoboken Yard Redevelopment Plan is hereby adopted.
6. If any section or provision of the Hoboken Yard Redevelopment Plan or this Ordinance shall be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of this Ordinance as a whole or any other part thereof.
7. All ordinances or parts of ordinances heretofore adopted that are inconsistent with the terms and provisions of this Ordinance are hereby repealed to the extent of such inconsistency.
8. This Ordinance shall become final upon adoption and publication in the manner prescribed by law.

1st reading  
11-5-14

(3)

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

Sponsored By: Pete H. ...  
Seconded By: David Mello  
Z-319

**AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 115 OF THE CODE OF THE CITY OF HOBOKEN**  
**To codify isolation and quarantine procedures on behalf of the Health Officer**

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

**Section 1:** The following amendments are made to Chapter 115 of the City Code (additions noted in underline, deletions noted in ~~strikethrough~~):

- Appendix A (*attached hereto*) is hereinafter incorporated into and made a part of Chapter 115 of the City Code of the City of Hoboken.
- Section 115-5  
The Health Officer is hereby empowered to promulgated orders at his discretion, to ensure that all provisions of this chapter and all sections of the New Jersey State Sanitary Code which apply to said licensee are met. Such orders shall be effective immediately. Any person to whom such order is directed shall comply therewith immediately.

The Health Officer has ordered compliance with the attached Appendix A\* to Chapter 115, which is hereby incorporated by reference and made part of this Code Chapter, and shall be fully enforceable as if included herein.

\*Appendix A is a replication of the model code for local health agencies, as prescribed by N.J.A.C. 8:57-1.11(a)3.

**Section 2:** This ordinance shall be part of the General 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.

**Date of Introduction: November 5, 2014**

Introduction:

Councilperson	Yea	Nay	Abstain	No Vote
Ravi Bhalla	✓			
Theresa Castellano	✓			
James Doyle	✓			
President Jen Giattino	✓			
Elizabeth Mason	✓			
David Mello	✓			
Tim Occhipinti	✓			
Michael Russo	✓			

Peter Cunningham				
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Final Reading:

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

Approved as to Legal Form:

\_\_\_\_\_  
Mellissa Longo, Corporation Counsel

Adopted by the Hoboken City Council  
By a Vote of \_\_\_ Yeas to \_\_\_ Nays  
On the \_\_\_ day of \_\_\_\_, 2014

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

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

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

**-or-**

Approved by the Mayor  
On the \_\_\_ day of \_\_\_\_, 2014

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

**Hoboken City Code - Chapter 115**  
**Appendix A**  
**Isolation and Quarantine Procedures**

**1.1 Applicability**

The provisions of these regulations are applicable in any situation where the local Health Office has jurisdiction, when said Health Officer orders their necessity.

**1.2 Definitions**

"Board" means the Board of Health of the City of Hoboken.

"Department" means the New Jersey Department of Health and Senior Services.

"Isolation" means the physical separation and confinement of an individual or groups of individuals who are infected or reasonably believed to be Infected, based on signs, symptoms or laboratory analysis, with a contagious or possibly contagious disease from non-isolated individuals, to prevent or limit the transmission of the disease to non-isolated individuals.

"Health Officer" means the designated Health Officer of the City of Hoboken.

"Quarantinable disease" means any communicable disease which presents a risk of serious harm to public health and which may require isolation or quarantine to prevent its spread. The Department's lists of reportable communicable diseases are set forth at N.J.A.C. 8:57-1.5.

"Quarantine" means the physical separation and confinement of an individual or groups of individuals, who are or may have been exposed to a communicable or possibly communicable disease and who do not show signs or symptoms of a communicable disease, from unexposed individuals, to prevent or limit the transmission of the disease to unexposed Individuals.

**1.3 General provisions**

(a) Prior to instituting mandatory isolation or quarantine pursuant to this rule, the board or health officer may request that an individual or group of individuals voluntarily confine themselves to a private home or other facility.

(b) The board and/or health officer are authorized to impose and enforce quarantine and isolation restrictions, but shall rarely impose quarantine and isolation restrictions.

- (1) If a quarantinable disease occurs in New Jersey, the board or health officer may isolate or quarantine individuals with a suspected or active quarantinable disease and their contacts as the particular situation arises.
  - (2) The board or health officer shall complete any quarantine or isolation if same is in accordance with this regulation and N.J.A.C. 8:57-1.11.
  - (3) Upon the declaration of a public health emergency, the board or health officer shall comply with the isolation and quarantine procedures established in the Emergency Health Powers Act, N.J.S.A. 26:13-1 et seq.
- (c) The board and/or health officer shall notify, consult, and work cooperatively with the New Jersey Department of Agriculture on issues relating to isolation and quarantine of potentially infected livestock under the authority of the New Jersey Department of Agriculture pursuant to the provisions of Title 4 of the Revised Statutes and the New Jersey Department of Environmental Protection pursuant to the provisions of Title 23 of the Revised Statutes, where illness could potentially impact human health.

#### **1.4 Conditions and Principles**

- (a) The board and/or health officer shall adhere to all of the following conditions and principles when isolating and/or quarantining individuals or a group of individuals:
- (1) The isolation and quarantine shall be by the least restrictive means necessary to prevent the spread of a communicable or possibly communicable disease to others and may include, but is not limited to, confinement of private homes, other private premises, or public premises.
  - (2) Isolated individuals shall be confined separately from quarantined individuals.
  - (3) The health status of isolated or quarantined individuals shall be monitored regularly to determine if the individuals shall be monitored regularly to determine if the individuals require further or continued isolation or quarantine.
  - (4) If a quarantined individual subsequently becomes infected or is reasonably believed to have become infected with a communicable or possibly communicable disease, the individuals shall be promptly removed to isolation.
  - (5) Isolated and quarantined individuals shall be immediately released when the board determines that the individuals pose no substantial risk of transmitting a communicable or possibly communicable disease.
  - (6) The board or health officer shall address the needs of isolated or quarantined individuals in a systematic and competent fashion, including, but not limited to, providing adequate food, clothing, shelter, means of communicating with those in and outside of isolation or quarantine, medication, and competent medical care.
  - (7) The premises used for isolation and/or quarantine shall be maintained in a safe and hygienic manner and shall be designed to minimize the likelihood of further transmission of infection or other harm to isolated or quarantined individuals.
  - (8) To the extent possible, the board or health officer shall consider cultural and religious beliefs in addressing the needs of individuals in isolation and

quarantine.

### **1.5 Isolation or quarantine premises**

- (a) The board or health officer shall prominently identify sites of isolation or quarantine with isolation or quarantine signs posted on all sides of the building wherever access is possible.
- (b) An individual subject to isolation or quarantine shall obey the rules and orders of the board or health officer and shall not go beyond the isolation or quarantine premises without appropriate authorization and only while using appropriate infection control precautions to protect unexposed individuals.
- (c) The department or board or health officer may authorize physicians, health care workers, or others access to individuals in isolation or quarantine as necessary to meet the needs of isolated or quarantined individuals.
- (d) No individual, other than an individual authorized by the department or the board or the health officer, shall enter isolation or quarantine premises.
  - (1) If the department or the board or the health officer has requested the assistance of law enforcement in enforcing the isolation or quarantine, the department or board or health officer shall provide law enforcement personnel with a list of individuals authorized to enter the isolation or quarantine premises.
- (e) Any individual entering isolation or quarantine premises with or without authorization of the department or board or health officer may be isolated or quarantined pursuant to this rule and N.J.A.C. 8:57-1.11.

### **1.6 Isolation and Quarantine**

- (a) The board and/or health officer may:
  - (1) Isolate individuals who are presumably or actually infected with a quarantinable disease;
  - (2) Quarantine individuals who have been exposed to a quarantinable disease;
  - (3) Establish and maintain places of isolation and quarantine; and,
  - (4) Adopt emergency rules and issue emergency orders as necessary to establish, maintain, and enforce the process as authorized by New Jersey law.
    - i. If the order applies to a group or groups of individuals and it is impracticable to provide individual copies; the board may post the order in a conspicuous place in the isolation or quarantine premises.

### **1.7 Appeal of an Order imposing isolation or quarantine**

- (a) The subject of a board or health officer order imposing isolation or quarantine may appeal a written order by submitting a written appeal within ten days of receipt of the written order.
  - (1) The subject shall address the appeal to the Health Officer of the City of Hoboken,

94 Washington Street, Hoboken, New Jersey 07030.

- (2) Unless stayed by order of the board or health officer or court with jurisdiction, the written order for quarantine or isolation shall remain in force and effect until the appeal is finally determined and disposed of upon its merits.
- (b) The appeal proceeding shall be conducted in accordance with this rule.
- (1) The board or health officer shall hold the proceeding as soon as practicable, and in no case later than ten days from the date of receipt of the appeal.
  - (2) The board or health officer may hold the hearing by telephonic or other electronic means if necessary to prevent additional exposure to the person with the communicable or possibly communicable disease.
  - (3) In extraordinary circumstances and for good cause shown, the board or health officer may continue the proceeding date for up to ten days, giving due regard to the rights of the affected individuals, the protection of the public's health, and the availability of necessary witnesses and evidence.
  - (4) At the appeal proceeding, the subject of the appeal shall have the right to introduce evidence on all issues relevant to the order.
  - (5) The board, by majority vote, or the health officer, may modify, withdraw, or order compliance with the order under appeal.
- (c) The aggrieved party to the final decision of the board or health officer may petition for judicial review of that action by filing an action in the appropriate court with jurisdiction.
- (1) Petitions for judicial review shall be filed within 30 days after the decision becomes final.
- (d) The board and health officer acknowledge that in certain circumstances the subject or subjects of an order may desire immediate judicial review of an order in lieu of proceedings with the board/officer appeal process.
- (1) The board or health officer may consent to immediate jurisdiction of a court with competent jurisdiction, when requested by the subject or subjects, or whenever justice so requires.
  - (2) Unless stayed by an order of the board or health officer or court with jurisdiction, the written order for quarantine or isolation shall remain in force and effect until the judicial review is finally determined and disposed of upon its merits.

### **1.8 Rights of Individuals and groups subject to isolation or quarantine**

- (a) Any individual or group of individuals subject to isolation or quarantine shall have the following rights:
- (1) The right to be represented by legal counsel;
  - (2) The right to be provided with prior notice of the date, time and location of any hearing;
  - (3) The right to participate in any hearing, which could be by telephonic or electronic means;

- (4) The right to respond and present evidence and argument on the individual's own behalf in any hearing;
- (5) The right to cross-examine witnesses who testify against the individual; and
- (6) The right to view and copy all records in the possession of the board which relate to the subject of the written order.

## **1.9 Consolidation of Claims**

- (a) In any proceeding brought pursuant to this rule, to promote the fair and efficient operation of justice and having given due regard to the rights of the affected individuals, the protection of the public's health, and the availability of necessary witnesses and evidence, the board or health officer or court with jurisdiction may order the consolidation of individual claims into group claims, if all of the following conditions exists:
  - (1) The number of individuals involved or to be affected is large enough that consolidation would be the best use of resources;
  - (2) There are questions of law or fact common to all the individual claims or rights to be determined;
  - (3) The group claims or rights to be determined are typical of the affected individuals' claims or rights; and,
  - (4) The entire group will be adequately represented in the consolidation for isolation or quarantine
- (b) The board or health officer may impose temporary isolation or quarantine of an individual or group of individuals through a verbal order, without notice, only if delay in imposing the isolation or quarantine would significantly jeopardize the board or health officer's ability to prevent or limit the transmission of a communicable or possibly communicable disease to others.
  - (1) If the board or health officer imposes temporary isolation or quarantine of an individual or groups of individuals through a verbal order, the board shall issue a written order as soon as is reasonably possible and in all cases within 24 hours of issuance of the verbal order if continued isolation or quarantine is necessary to prevent or limit the transmission of a communicable or possibly communicable disease.
- (c) The board or health officer may isolate or quarantine an individual or group of individuals through a written order issued pursuant to this rule.
  - (1) The written order shall include the following:
    - i. The identity of the individual, individuals, or groups of individuals subject to isolation or quarantine;
    - ii. The premises subject to isolation or quarantine;
    - iii. The date and time at which isolation or quarantine commences;
    - iv. The suspected communicable disease;
    - v. A description of the less restrictive alternatives that the board or health officer attempted without success, or the less restrictive alternatives

considered and rejected, and the reasons the board rejected such alternatives;

- vi. A statement of compliance with the conditions and principles for isolation and quarantine specified in section 1.4;
  - vii. The legal authority under which the board requested the order;
  - viii. The medical basis upon which isolation or quarantine is justified;
  - ix. A statement advising the individual, individuals or group of individuals of the right to appeal the written order pursuant to section 1.7 and the rights of individuals and groups of individuals subject to quarantine and isolation as listed in section 1.8; and
  - x. A copy of this rule.
- (2) The board shall provide a copy of the written order to the individual to be isolated or quarantined within 24 hours of issuance of the order in accordance with any applicable isolation or quarantine.

#### **1.10 Implementation and enforcement of isolation and quarantine**

- (a) The department has primary jurisdiction to isolate or quarantine individuals or groups of individuals if the communicable disease has affected more than one county or has multicounty, statewide, interstate or public health emergency implications.
  - (1) If the department imposes isolation or quarantine, the board or health officer may not alter, amend, modify, or rescind the department order.
- (b) If the department imposes isolation or quarantine the local board or health officer in the affected area shall assist in the implementation of the isolation or quarantine order.
- (c) Any individual who violates a lawful board, health officer or department order for isolation or quarantine, whether written or verbal, shall be subject to penalty pursuant to N.J.S.A. 26:4-129.
- (d) The board or health officer may file a civil action in accordance with New Jersey law in a court of competent jurisdiction to enforce a board of health officer order for isolation or quarantine.

11-5-14  
⑤  
Z-320  
first reading

SPONSOR: [Signature]  
SECOND: [Signature]

**CITY OF HOBOKEN  
HUDSON COUNTY, NEW JERSEY  
ORDINANCE NO.: \_\_\_\_**

**AN ORDINANCE PROHIBITING AUTOMATED RED LIGHT CAMERAS  
WITHIN THE CITY OF HOBOKEN**

**WHEREAS**, in 2007, the Council of the City of Hoboken adopted Ordinance DR-332, which authorized an automated red light and stop sign photographic system within the City of Hoboken; and,

**WHEREAS**, that Ordinance is now codified at Section 145-25 of the Code of the City of Hoboken; and,

**WHEREAS**, although the City of Hoboken has not yet implemented such a program, it has been implemented in other municipalities, including, but not limited to, Jersey City; and,

**WHEREAS**, in the municipalities where such a program has been implemented, it has proven highly controversial and substantial questions have been raised whether it is merely a revenue generating device rather than a method of improving public safety; and,

**WHEREAS**, there have also been substantial questions raised as to whether red light cameras are accurate, which is especially problematic because drivers are not made aware they may have allegedly committed a red light violation until they receive a ticket in the mail, making it difficult to mount an effective defense, contrary to principles of due process; and,

**WHEREAS**, for example, just last year red light camera programs were suspended in municipalities throughout New Jersey because of concerns that yellow light timing issues were resulting in the unfair and illegal issuance of violations; and,

**WHEREAS**, although these concerns are now being raised at the state-wide level, this Council believes it too should address this issue and to assure the public that a red light camera program will never be implemented within the City of Hoboken.

**NOW, THEREFORE BE IT ORDAINED** by the Mayor and Council of the City of Hoboken, County of Hudson and State of New Jersey, as follows:

**SECTION ONE:**

The existing Section 145-25 of the Code of the City of Hoboken, is hereby deleted in its entirety. It is hereby replaced as follows:

**Section 145-25: Image Based Automated Traffic Light and Stop Sign enforcement technology prohibited.**

The City of Hoboken shall not, for traffic enforcement purposes, implement or utilize any image based automated traffic light and/or stop sign enforcement technology on any public street within the boundaries of the City of Hoboken, even if/when the City becomes authorized to do so under any permissive state law, rule, code, regulation or pilot program.

**SECTION TWO: REPEAL OF INCONSISTENT PROVISIONS**

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

The Ordinance shall take effect twenty (20) days after the first publication hereof after final adoption, in the manner 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: November 5, 2014**

Introduction:

Councilperson	Yea	Nay	Abstain	No Vote
Ravi Bhalla	/			
Theresa Castellano	/			
Jen Giattino	/			
James Doyle	✓			
Elizabeth Mason	/			
David Mello	/			
Tim Occhipinti	/			
Michael Russo	✓			
Peter Cunningham	✓			

Final Reading:

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

Approved as to Legal Form:

\_\_\_\_\_  
Mellissa Longo, Corporation Counsel

Adopted by the Hoboken City Council  
By a Vote of \_\_\_\_ Yeas to \_\_\_\_ Nays  
On the \_\_\_\_ day of \_\_\_\_, 2014

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

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

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

**-or-**

Approved by the Mayor  
On the \_\_ day of \_\_\_\_, 2014

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

1st reading  
11-17-19 ccw

①

Sponsored by: Ray S. Brown  
Seconded by: Peter H. Wright

CITY OF HOBOKEN  
ORDINANCE NO. \_\_\_\_\_ Z-321

**AN ORDINANCE TO AMEND CHAPTER 68 ENTITLED "ALCOHOLIC BEVERAGES" TO REVISE THE 500 FOOT RULE IN THE SOUTHERN WATERFRONT DISTRICT**

WHEREAS, the City Council wishes to add the option for one additional liquor license in the Southern Waterfront District.

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 CHAPTER 68**

Section 68-7 Five Hundred Foot Rule  
...  
E. This section shall not apply to the Southern Redevelopment Area as defined in Ordinance R-116, passed at the third and final reading on March 15, 1995. However, in said area, the number of retail consumption licenses shall be limited to seven ~~six~~.

**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.

**SECTION SIX: STATE REVIEW**

This ordinance, immediately upon adoption, shall be forwarded by the Director of the State Alcohol Beverage Control Division for review and approval.

**Date of Introduction: November 17, 2014**

Introduction:

Councilperson	Yea	Nay	Abstain	No Vote
Ravi Bhalla	/			
Theresa Castellano	/			
Jen Giattino	/			
James Doyle	/			
Elizabeth Mason	/			
David Mello	/			
Tim Occhipinti	/			
Michael Russo				/
Peter Cunningham	/			

Final Reading:

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

Approved as to Legal Form:

\_\_\_\_\_  
Mellissa Longo, Corporation Counsel

Adopted by the Hoboken City Council  
By a Vote of \_\_\_\_ Yeas to \_\_\_\_ Nays  
On the \_\_\_\_ day of \_\_\_\_\_, 2014

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

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

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

**-or-**

Approved by the Mayor  
On the \_\_\_\_ day of \_\_\_\_\_, 2014

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

(2) 11-17-14  
 1st reading  
 Sponsored by: Pat H. [Signature]  
 Seconded by: [Signature]

CITY OF HOBOKEN  
 ORDINANCE NO. \_\_\_\_\_ 7-322

**AN ORDINANCE TO AMEND CHAPTER 190 ENTITLED "VEHICLES AND TRAFFIC" TO REVISE THE BIKE LANE REGULATIONS**

**WHEREAS**, Chapter 190 of the General Code of the City of Hoboken establishes the rules and regulations associated with traffic, vehicles, parking and bike lanes within City borders; and,

**WHEREAS**, the municipality has found that specific sections of Chapter 190 currently require revisions to address bike lane issues and bike regulations within the City; and,

**WHEREAS**, the City Council wishes to more closely align the City's actual bike lanes and bike regulations with industry best practices.

**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 CHAPTER 190**

Article XXXIII. Bicycle Lanes

§ 190-47. Streets designated.

E. The following roadways are hereby designated as bicycle lanes and/or routes:

Street	Begin	End	Class
Adams Street	JFK Stadium	Fifteenth Street	II
Adams Street	Newark Street	Eighth Street	II
Clinton Street	Newark Street	Sixteenth Street	II
Hudson Street	Eleventh Street	Tenth Street	II
<u>Adams Street</u>	<u>Newark Street</u>	<u>Ninth Street</u>	<u>II</u>
<u>Adams Street</u>	<u>Eleventh Street</u>	<u>Sixteenth Street</u>	<u>II</u>
<u>Clinton Street</u>	<u>Newark Street</u>	<u>Thirteenth Street</u>	<u>II</u>
<u>Clinton Street</u>	<u>Fourteenth Street</u>	<u>Sixteenth Street</u>	<u>II</u>
<u>Fifteenth Street</u>	<u>Madison Street</u>	<u>Hudson Street</u>	<u>II</u>

Street	Begin	End	Class
<u>First Street</u>	<u>Hudson Street</u>	<u>Sinatra Drive</u>	<u>II</u>
<u>Grand Street</u>	<u>Sixteenth Street</u>	<u>Eleventh Street</u>	<u>II</u>
<u>Grand Street</u>	<u>Ninth Street</u>	<u>Newark Street</u>	<u>II</u>
<u>Hudson Street</u>	<u>Eleventh Street</u>	<u>Eighth Street</u>	<u>II</u>
<u>Madison Street</u>	<u>Observer Highway</u>	<u>Eleventh Street</u>	<u>II</u>
<u>Observer Highway*</u>	<u>Henderson Street</u>	<u>Hudson Street</u>	<u>I</u>
<u>River Street</u>	<u>Hudson Place</u>	<u>Newark Street</u>	<u>II</u>

\*Takes effect immediately upon substantial completion of the Observer Highway Complete Streets Redesign.

§ 190-50 Bicycle rules and regulations.

A. Obedience to traffic control devices.

- (1) Any person operating a bicycle shall obey the instructions of official traffic control signs, and other control devices applicable to vehicles, unless otherwise directed by a police officer.
- (2) Whenever authorized signs are erected indicating that a turning movement is restricted no person operating a bicycle shall disobey the direction of any such sign, except where that person dismounts from the bicycle to make the turn, in which event such person shall then obey the regulations applicable to pedestrians.
- (3) No person shall ride or operate a bicycle in any direction except that permitted of vehicular traffic traveling on the same side of the roadway.
- (4) Any person operating a bicycle shall stop for pedestrians in crosswalks.

B. Riding on roadways and bicycle paths generally.

- (1) Every person operating a bicycle upon a roadway shall ride as near to the right hand side of the roadway as practicable, exercising due care when passing a standing vehicle or a vehicle proceeding in the same direction, unless an exclusive bicycle lane is provided.
- (2) Persons riding bicycles upon a roadway shall not ride more than two abreast except on paths or parts of roadways set aside for the exclusive use of bicycles.
- (3) Whenever a bicycle lane has been established on a roadway, any person operating a bicycle upon the roadway at a speed less than the normal speed of traffic moving in the same direction shall ride within the bicycle lane, except that such person may move out of the lane under any of the following situations:
  - (a) Whenever overtaking or passing another bicycle, vehicle or pedestrian within the lane or about to enter the lane if such overtaking and passing cannot be done safely within the lane.
  - (b) When preparing for a turn at an intersection or into a private road or driveway.

(c) When reasonably necessary to leave the bicycle lane to avoid debris or other hazardous conditions.

C. Manner of riding bicycle.

(1) A person propelling a bicycle shall not ride other than astride a permanent and regular seat attached thereto.

(2) No bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped.

D. Speed restrictions. No person shall operate a bicycle at a speed greater than is reasonable and prudent under the condition then existing.

E. Yielding right-of-way from bicycle path or sidewalks. Every person riding a bicycle on a bike path or sidewalk that is about to enter or cross a roadway shall yield the right-of-way to all traffic on such roadway.

F. Leaving bicycle lanes. No person operating a bicycle shall leave a bicycle lane until the movement can be made with reasonable safety and then only after giving an appropriate signal.

G. Motor vehicles in bicycle lanes. Whenever a bicycle lane has been established on a roadway any person operating a motor vehicle on such a roadway shall not drive or park in the bicycle lane except for the purposes of performing a parking maneuver where parking is permitted, to enter or leave the roadway, or to maneuver around a parked vehicle impeding traffic flow.

H. Bicycles emerging from alleys or driveways; yielding right-of-way. The operator of a bicycle emerging from an alley, driveway, or building, shall, upon approaching a sidewalk area extending across any alleyway or driveway, yield the right-of-way to all pedestrians approaching on the sidewalk or sidewalk area. Upon entering the roadway the operator shall yield the right-of-way to all vehicles approaching on the roadway.

I. Clinging to vehicles prohibited. No person riding upon any bicycle shall attach the same or himself to any streetcar or vehicle upon a roadway.

J. Riding on sidewalks.

(1) No person shall ride a bicycle upon a sidewalk at a speed greater than the walking speed of pedestrians.

(2) Persons riding a bicycle upon a sidewalk shall yield the right-of-way to any pedestrian and shall give an audible signal before overtaking and passing any pedestrian.

(3) Persons riding a bicycle upon a sidewalk shall keep as close to the curb as is practicable to allow pedestrians to walk along sidewalks without impedence.

K. Carrying articles. No person operating a bicycle shall carry any package, bundle, or article which prevents the rider from keeping at least one hand upon the handlebars.

L. Parking. No person shall park a bicycle upon a street other than upon the roadway against the curb or in a designated bicycle parking area or upon the sidewalk in a rack to support the bicycle, or against a building or at the curb in such manner as to afford the least obstruction to pedestrian traffic.

M. Lamps and equipment on bicycles.

(1) Bicycles in use at nighttime shall be equipped with a lamp on the front which shall emit a white light visible from a distance of at least 500 feet to the front and with a red reflector on the rear of a type which shall be visible from 50 feet to 300 feet to the rear. A lamp emitting a red light visible from a distance of 500 feet to the rear may be used in addition to the red reflector.

(2) A bicycle shall not be equipped with, nor shall any person use, any siren or whistle upon a bicycle.

(3) Bicycles shall be equipped with a brake which will enable the operator to make the braked wheel skid on dry, level, clean pavement.

(4) Bicycles may be equipped with a bell to serve as audible signal for the purposes of overtaking and passing any pedestrian or other bicycles.

## **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.

**SECTION SIX: STATE REVIEW**

This ordinance, immediately upon adoption, shall be forwarded by the Clerk to NJDOT for review and approval.

Date of Introduction: November 17, 2014

Introduction:

Councilperson	Yea	Nay	Abstain	No Vote
Ravi Bhalla	/			
Theresa Castellano	/			
Jen Giattino	/			
James Doyle	/			
Elizabeth Mason	/			
David Mello	/			
Tim Occhipinti	/			
Michael Russo				)
Peter Cunningham	✓			

Final Reading:

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

Approved as to Legal Form:

\_\_\_\_\_  
Mellissa Longo, Corporation Counsel

Adopted by the Hoboken City Council  
By a Vote of \_\_\_\_ Yeas to \_\_\_\_ Nays  
On the \_\_\_\_ day of \_\_\_\_\_, 2014

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

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

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

**-or-**

Approved by the Mayor  
On the \_\_\_\_ day of \_\_\_\_\_, 2014

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

1st reading  
11-17-19

(2)

Sponsored by: John J. ...  
Seconded by: David ...

CITY OF HOBOKEN  
ORDINANCE NO. 2-323

**AN ORDINANCE TO AMEND CHAPTER 190 ENTITLED "VEHICLES AND TRAFFIC" TO AMEND TRAFFIC CIRCULATION REGULATIONS RELATING TO ONE-WAY STREETS ON CLINTON STREET**

**WHEREAS**, Chapter 190 of the General Code of the City of Hoboken establishes the rules and regulations associated with traffic circulation within City borders; and,

**WHEREAS**, the municipality has found that specific sections of Chapter 190 currently require amendments in order to best effectuate safe and orderly traffic circulation in the City; and,

**WHEREAS**, Chapter 190 currently requires amendments to incorporate circulation changes on Clinton Street resulting from the completion of the 14<sup>th</sup> Street Viaduct reconstruction project.

**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 CHAPTER 190**

**§ 190-6. No Stopping or Standing**

B. Stopping or standing prohibited at any time. In accordance with the provisions of this subsection, no person shall stop or stand a vehicle at any time upon any of the following described streets or parts of streets:

Name of Street	Side	Limits
<u>Clinton Street</u>	<u>Both</u>	<u>Beginning at the northerly curbline of Fourteenth Street and extending 40 feet northerly therefrom</u>

**§ 190-7. One-way streets designated.**

In accordance with the provisions of this § 190-7, the herein described streets or parts thereof are hereby designated as one-way streets in the direction indicated. All other streets not listed herein shall be considered two-way streets.

Name of Street	Direction of Travel	Limits
<u>Clinton Street</u>	<u>North/South</u>	<u>Fourteenth Street to Fifteenth Street</u>
<u>Clinton Street</u>	<u>North/South</u>	<u>Thirteenth Street to Fourteenth Street</u>
<u>Clinton Street</u>	<u>North</u>	<u>Newark Street to Sixteenth Street</u>
<u>Clinton Street</u>	<u>North</u>	<u>Newark Street to Thirteen Street</u>
<u>Clinton Street</u>	<u>North</u>	<u>Fifteenth Street to Sixteenth Street</u>

**§ 190-9. Stop streets designated.**

Pursuant to the provisions of N.J.S.A. 39:4-140, the intersections described are hereby designated as a Stop Intersection. Stop sign shall be installed as provided therein.

**Intersection**

**Stop Sign Location**

Clinton Street and Thirteenth Street

Clinton (northbound, southbound and westbound approaches)

Fourteenth Street and Clinton Street

Fourteenth Street

**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.

**SECTION SIX: STATE REVIEW**

This ordinance immediately upon adoption shall be forwarded by the Clerk to NJDOT for review and approval.

**Date of Introduction: November 17, 2014**

Introduction:

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

Final Reading:

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

Approved as to Legal Form:

\_\_\_\_\_  
Mellissa Longo, Corporation Counsel

Adopted by the Hoboken City Council  
By a Vote of \_\_\_\_ Yeas to \_\_\_\_ Nays  
On the \_\_\_\_ day of \_\_\_\_, 2014

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

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

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

**-or-**

Approved by the Mayor  
On the \_\_ day of \_\_\_\_, 2014

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