

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

File No. Ord. 21-054
Agenda No. 3.3 (1st Reading)
Agenda No. 4.3 (2nd Reading and Final Passage)



ORDINANCE AMENDING CHAPTER 254 (PROPERTY MAINTENANCE) AND CHAPTER 160 (FEES AND CHARGES) TO REQUIRE ROUTINE STRUCTURAL AND FAÇADE INSPECTIONS FOR CERTAIN BUILDINGS WITHIN THE CITY OF JERSEY CITY

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

Whereas, currently, in the State of New Jersey, there are no requirements in place mandating certain buildings undergo routine structural and façade inspections to maintain the safety of the building over an extended period of time; and

Whereas, Jersey City is home to many high-rise buildings and these residents have expressed concern over the lack of mandated inspections of these buildings after construction is complete; and

Whereas, as a result of tragic event in Florida involving the collapse of the Champlain Towers South Condominium Association, the City of Jersey City believes it is important to adopt regulations requiring certain buildings to conduct, through a licensed professional, an inspection of the building's structure every ten (10) years and the building's façade every five (5) years.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JERSEY CITY AS FOLLOWS:

A. Chapter 254 (Property Maintenance) is hereby amended as follows:

CHAPTER 254 – PROPERTY MAINTENANCE

ARTICLE IX – MAINTENANCE RESPONSIBILITIES OF OWNERS AND MANAGERS

§ 254-45. – General safety and sanitation.

A. – E. NO CHANGE

F. Structural Inspection Requirement. In order to maintain a building's structural integrity, the following requirements shall apply to all existing buildings or buildings constructed hereafter, which are concrete buildings more than six (6) stories in height:

1. A visual structural inspection shall be conducted every ten (10) years by a licensed architect or engineer. This inspection must include, but is not limited to, inspection of foundations, balconies, all structural members, and waterproofing. This inspection shall be in addition to any other building inspections required by law.
 - a. The initial inspections shall be completed by December 31, 2022. Thereafter, a structural inspection must be conducted every ten (10) years.

APPROVED AS TO LEGAL FORM

Business Administrator

Corporation Counsel

Ordinance Amending Chapter 254 (Property Maintenance) and Chapter 160 (Fees and Charges) to Require Routine Structural and Façade Inspections for Certain Buildings within the City of Jersey City

- b. The structural inspection shall include, in addition to an inspection, a complete review of the most recently prepared report.
 - c. The structural inspection shall be conducted in accordance with applicable rules promulgated by the Construction Code Official or the Construction Code Official's designee.
 - d. The property owner shall be responsible for the cost of such inspection, and for any necessary repairs or additional inspections.
2. Reporting Requirements. Structural inspections must be December 31 of each year in which an inspection is mandated. Within thirty (30) days of the inspection, Property Owners must submit a written Structural Inspection Report, prepared by a licensed architect or engineer, to the Division of the Construction Code Official. The Structural Inspection Report shall be on a form prescribed by the Division of the Construction Code Official and shall:
- a. Certify the results of such inspection:
 - b. Clearly document the condition of the building's structure, noting the conditions as safe or unsafe; and
 - c. Provide repair and maintenance recommendations if applicable, including information on which repairs are emergent and a timeline for which all repairs must be made.
3. Repairs. If the inspection indicates structural repairs are needed, the Property Owner shall be responsible for such repairs and shall immediately undertake such measures as may be required to secure public safety. All repairs must be made pursuant to the recommendations and timeline set forth in the Structural Inspection Report and in conjunction with the recommendations of the Construction Code Official.
- a. Following completion of the repairs, the licensed architect or engineer shall inspect the building and the Property Owner shall file an amended Structural Inspection Report, prepared by the licensed architect or engineer, setting forth the conditions of the building with the Division of the Construction Code Official within thirty (30) days of repairs being completed.
 - b. If repairs are not made in accordance with the recommendations and timeline set forth in the Structural Inspection Report and with the recommendations of the Construction Code Official, the Construction Code Official shall have the power to shut down any buildings that pose an imminent threat to the safety and welfare of the occupants or residents of Jersey City.
 - c. The structural inspection shall be conducted in accordance with applicable rules promulgated by the Director of the Construction Code Official or the Construction Code Official's designee.
4. Fees. The fee for the filing and review of the Structural Inspection Report shall be as provided in Chapter 160, Fees and Charges.
5. Penalties. Any person or corporation convicted of violating any of the provisions of this Chapter shall be subject to the penalties set forth in § 1-25.

G. Façade Inspection Requirement. In order to maintain a building's façade in a safe condition, the following requirements shall apply to all existing buildings or buildings constructed hereafter, which: (1) are more than six (6) stories in height, or (2) consist of a masonry façade and are four (4) stories or more in height:

1. A façade inspection shall be conducted every five (5) years by a licensed architect or engineer. This inspection must include, but is not limited to, inspection of all exterior walls and appurtenances. This inspection shall be in addition to any other building inspections required by law.
 - a. The initial inspection shall be completed by December 31, 2023. Thereafter, a façade inspection must be conducted every five (5) years.
 - b. The façade inspection shall include, in addition to an inspection, a complete review of the most recently prepared report.

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- c. The façade inspection shall be conducted in accordance with applicable rules promulgated by the Director of the Construction Code Official or the Construction Code Official’s designee.
- d. The property owner shall be responsible for the cost of such inspection, and for any necessary repairs or additional inspections.
2. Reporting Requirements. Façade inspections must be completed by December 31 of each year in which an inspection is mandated. Within thirty (30) days of the inspection, Property Owners must submit a written Façade Inspection Report, prepared by a licensed architect or engineer, to the Division of the Construction Code Official. The Façade Inspection Report shall be on a form prescribed by the Division of the Construction Code Official and shall:
 - a. Certify the results of such inspection;
 - b. Clearly document the condition of the building’s façade, noting the conditions as safe or unsafe; and
 - c. Provide repair and maintenance recommendations if applicable, including information on which repairs are emergent and a timeline for which all repairs must be made.
3. Repairs. If the inspection indicates repairs are needed to the building’s façade, the property owner be responsible for such repairs and shall immediately undertake such measures as may be required to secure public safety. All repairs must be made pursuant to the recommendations and timeline set forth in the Façade Inspection Report and in conjunction with the recommendations of the Construction Code Official.
 - a. Following completion of the repairs, the licensed architect or engineer shall inspect the building and the Property Owner shall file an amended Façade Inspection Report, prepared by the licensed architect or engineer, setting forth the conditions of the building with the Division of the Construction Code Official within thirty (30) days of repairs being completed.
 - b. If repairs are not made in accordance with the recommendations and timeline set forth in the Façade Inspection Report and with the recommendations of the Construction Code Official, the Construction Code Official shall have the power to shut down any buildings that pose an imminent threat to the safety and welfare of the occupants or residents of Jersey City.
4. Fees. The fee for the filing and review of the Façade Inspection Report shall be as provided in Chapter 160, Fees and Charges
5. Penalties. Any person or corporation convicted of violating any of the provisions of this Chapter shall be subject to the penalties set forth in § 1-25.

B. Chapter 160 (Fees and Charges) is hereby amended as follows:

CHAPTER 160 – FEES AND CHARGES

§ 160-1. - Fee schedule established.

A. – W. NO CHANGE

- I. X. Property Maintenance
 - (1) - (7) NO CHANGE.
 - (8) Inspections made under § 254-45:

<u>Structural Inspections:</u>	<u>\$100.00 per Structural Inspection Report</u>
<u>Façade Inspections:</u>	<u>\$100.00 per Façade Inspection Report</u>

C. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

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D. The City Clerk and the Corporation Counsel may change any chapter numbers, article numbers and section numbers if codification of this ordinance reveals a conflict between those numbers and the existing code, in order to avoid confusion and possible repeals of existing provisions.

E. This ordinance shall take effect at the time and in the manner provided by law.

F. This ordinance shall be a part of the Jersey City Code as though codified and incorporated in the official copies of the Jersey City Code.

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

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RECORD OF COUNCIL VOTE ON INTRODUCTION – Jul 14 2021						
RIDLEY	AYE	SALEH	AYE	LAVARRO	AYE	9-0
PRINZ-AREY	AYE	SOLOMON	AYE	RIVERA	AYE	
BOGGIANO	AYE	ROBINSON	AYE	WATTERMAN, PRES	AYE	

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING – Aug 18 2021						
RIDLEY	AYE	SALEH	AYE	LAVARRO	AYE	9-0
PRINZ-AREY	AYE	SOLOMON	AYE	RIVERA	AYE	
BOGGIANO	AYE	ROBINSON	AYE	WATTERMAN, PRES.	AYE	

SPEAKERS:

Yvonne Balcer
June Jones
Jeanne Daly

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY –						
RIDLEY		SALEH		LAVARRO		
PRINZ-AREY		SOLOMON		RIVERA		
BOGGIANO		ROBINSON		WATTERMAN, PRES.		

RECORD OF FINAL COUNCIL VOTE – Aug 18 2021						
RIDLEY	AYE	SALEH	AYE	LAVARRO	AYE	9-0
PRINZ-AREY	AYE	SOLOMON	AYE	RIVERA	AYE	
BOGGIANO	AYE	ROBINSON	AYE	WATTERMAN, PRES.	AYE	

Adopted on first reading of the Council of Jersey City, N.J. on **Jul 14 2021**

Adopted on second and final reading after hearing on **Aug 18 2021**

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on Aug 18 2021



City Clerk



Joyce E. Watterman, President of Council
Approved: Aug 18 2021



Steven M. Fulop, Mayor
Date to Mayor: Aug 19 2021
Approved: Aug 19 2021

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FACT SHEET -

This summary sheet is to be attached to the front of any ordinance that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the ordinance.

Project Manager

Ray Meyer, Construction Code Official	2015476898	Raymondm@jcnj.org
Division	Department of Housing, Economic Development, and Commerce	

Note: Project Manager must be available by phone during agenda meeting (Wednesday prior to council meeting @ 1:00 p.m.)

Purpose

An Ordinance mandating certain buildings undergo routine structural and façade inspections to maintain the safety of the building over an extended period of time.

Cost (Identify all sources and amounts)

0

Contract term (include all)

Approved by
John Mercer, Assistant Business Administrator
Peter Baker, Corporation Counsel
John Metro, Acting Business Administrator

Status:
Approved - Jul 09 2021
Approved - Jul 09 2021
Approved - Sep 15 2021