

**BYLAWS
OF THE
HISTORIC PRESERVATION COMMISSION
OF THE
CITY OF JERSEY CITY**

As Amended and Adopted by the Commission

May 19, 2003

Amended April 27, 2020

BY-LAWS OF THE JERSEY CITY HISTORIC PRESERVATION COMMISSION

CONTENTS

ARTICLE I	NAME
ARTICLE II	PURPOSE
ARTICLE III	MEMBERS
ARTICLE IV	OFFICES
ARTICLE V	MEETINGS
ARTICLE VI	EXECUTIVE BOARD
ARTICLE VII	COMMITTEES
ARTICLE VIII	PARLIAMENT AUTHORITY
ARTICLE IX	AMENDMENT OF BYLAWS
ARTICLE X	SEPARABILITY

ARTICLE I

NAME

The name of this Public Body shall be the Jersey City Historic Preservation Commission.

ARTICLE II

As a matter of public policy the City Council aims to preserve, enhance and perpetuate those aspects of the city having historical, cultural, architectural and archaeological merit. Such preservation promotes and protects the health, safety, prosperity, education, comfort, and general welfare of the people living in and visiting Jersey City. More specifically, the Zoning Ordinance and Master Plan shall have as its purpose the promoting of health, safety, and general welfare of the community by protecting and preserving places, vistas and areas of historical, cultural, architectural and archaeological importance and significance by regulating and restricting: the height, number of stories and size of buildings and other structures; the percentage of lot that may be occupied, the size of the yards, courts and other open spaces; the density of population, and the location and use of the buildings, structures and land for trade, industry, residence or other purpose. In the case of the designated places and areas of historical, cultural, architectural and archaeological importance and significance, to regulate and restrict the construction, alteration, reconstruction or razing of buildings and other structures/objects. (N.J.S.A. 40:55D-107 through N.J.S.A. 40:55D-112). Further, it is the goal of the council to strengthen civic pride through neighborhood conservation; to ensure the harmonious, orderly and efficient growth and development of the City; to promote the economic prosperity and welfare of the community; to encourage the cultural diversity of the city; to provide a review process for the appropriate preservation and development of importance historical, cultural, architectural and archaeological resources; to maintain a generally harmonious outward appearance of both historic and modern structures through compatibility of scale, form, color, proportion, texture, and material; and to establish criteria and procedures for data investigation and identification of resources of historical, cultural, architectural and archaeological importance. The Council recognizes that the preservation of the past shall not jeopardize or be at the expense of the elderly, long-term residents or low and moderate income households of Jersey City; nor cause them to be displaced or suffer economic hardships.

ARTICLE III

MEMBERS

SECTION 1. Pursuant to Article 40:55D-107 of the New Jersey Municipal Land Use Law, the City of Jersey City's Municipal Council shall create a Historic Preservation commission which shall consist of nine (9) regular members. Of the regular members a total of at least one less than a majority shall be of Classes A and B.

SECTION 2. Qualifications of Members: At least four (4) of the regular members shall be of and designated as Class A and B. The remaining regular members may be of and shall be designated as Class C. The two (2) alternates must meet the qualifications of Class C and shall be designated Alternate No.1 and Alternate No. " The Classes are defined as:

Class A: a person who is knowledgeable in building design and construction or architectural history and who may reside outside the municipality; and

Class B: a person who is knowledgeable or with a demonstrated interest in, local history and who may reside outside the municipality;

Class C: any citizen of the municipality who shall hold no other municipal Office, position or employment except for membership on the Planning Board or Board of Adjustment.

SECTION 3. Alternate Members: shall meet the qualifications of Class C members. The Mayor shall appoint all members of the Commission and shall designate at the time of appointment the regular members by class and the alternate member as Alternate No 1 and Alternate No.2

- SECTION 4. All members and alternates of the Commission shall have a demonstrated interest, competence or knowledge in historic preservation.
- SECTION 5. Regular Appointments shall run for a term period of four (4) years
- SECTION 6. Alternate membership appointments shall be as follows:
- a. Alternate No. 1 shall be appointed for a term of one (1) year.
 - b. Alternate No. 2 shall be appointed for a term of two (2) years.
- SECTION 7. Initial terms shall commence on April 1, 1987; successive terms shall commence on April 1 of each respective year.
- SECTION 8. A vacancy occurring otherwise than by expiration of term shall be filled for the unexpired term only. All vacancies shall be filled within 60 days. If the vacancies are not filled within 60 days the term and its appointment shall automatically renew.

ARTICLE IV

OFFICERS

SECTION 1. The Historic Preservation Commission shall elect a Chairperson and Vice-Chairperson from its members and select a secretary who may or may not be a member of the Historic Preservation Commission or a municipal employee. These officers shall perform the duties prescribed by these bylaws and by the parliamentary authority adopted by the Commission.

SECTION 2. At the regular meeting held on the third Monday in February, a Nominating Committee of four (4) members shall be elected by the Commission. It shall be the duty of this committee to nominate candidates for the offices to be filled at the annual meeting in April. The Nominating Committee shall report at the regular meeting in March.

SECTION 3. The officers shall be elected by voice ballot to serve for one (1) year, and their term of office shall begin at the close of the annual meeting at which they are elected

SECTION 4. No member shall hold more than one (1) office at a time, and no member shall be eligible to serve more than two (2) consecutive terms in the same office.

ARTICLE V

MEETINGS

- SECTION 1. The regular meetings of the Commission shall be held on the second or third Monday of each month unless otherwise determined and noted on the official calendar. All meetings shall take place at ~~6:00 pm in City Hall, 280 Grove Street, in the City Council Chambers~~ **6:30 PM in the Holloway Building, 4 Jackson Square, in the first floor Board Room**, unless otherwise determined or noted on the official calendar.
- SECTION 2. The regular meeting on the third Monday in April shall be known as The annual meeting and shall be for the purpose of electing officers from its membership, receiving reports of officers and committees, and for any other business that may arise.
- SECTION 3. A regular meeting of the Commission may be adjourned to another date if approved by a majority of the Commission membership at the proceeding regular meeting. At such time that a regular meeting of the Commission is adjourned, a meeting time and place shall also be announced, in accordance with the Open Public Meetings Act, by the Commission. An adjourned meeting shall take place at ~~City Hall, 280 Grove Street the City Council Chambers at 6:00 pm~~ **6:30 PM in the Holloway Building, 4 Jackson Square, in the first floor Board Room** unless otherwise determined or noted on the official calendar.
- SECTION 4. Special meetings may be called by the Commission. The purpose of the meeting shall be stated. Except in cases of emergency, at least seventy-two (72) hours notice shall be given.
- SECTION 5. All meetings of the Commission shall comply with the Open Public Meetings Act in which 48 hours prior to such meeting, the Commission shall give public notice of the time, date, place and subject of the meeting by way of newspaper of general circulation and posting by the City Clerk on the bulletin board outside the City Clerk's Office at City Hall.

- SECTION 6.
- A. Public hearings shall be advertised in local newspaper of general circulation by the Historic Preservation Specialist at least 48 hours before the meeting is convened in accordance with the Open Public Meetings Act.
 - B. At public hearings, witnesses shall be sworn and documentation submitted, and while the strict rules of evidence shall not apply, findings must be supported by a preponderance of the relevant and credible evidence submitted, *The Jersey City Land Development Ordinance*, the *Jersey City Historic Preservation Commission Regulations for Alterations and Additions to Buildings & New Construction in Historic Districts*, and the *Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring & Reconstructing Historic Buildings*.

SECTION 7. The order of business for meetings of the Commission shall be as follows:

1. Call to Order
2. Pledge of Allegiance
3. Sunshine Announcement
4. Roll Call
5. Adoption of Minutes
6. Correspondence
7. Announcements
8. Open Public Comment
9. Committee Reports
10. Old Business
11. New Business
12. Executive Session
13. Adjournment

SECTION 8. The full membership of the Commission shall each receive a written copy of a meetings agenda at least seventy-two (72) hours before the meeting convenes.

SECTION 9. Five (5) members of the Commission shall constitute a quorum.

SECTION 10. Special meetings in addition to any regularly scheduled meetings shall be

called by the Chairperson and/or shall be called by the request of the majority of members of the Commission.

SECTION 11.

The Commission shall hold a public comment period(s) during each regularly scheduled meeting regarding general matters of Historic Preservation and a public comment period(s) for each individual application heard before the Commission. During either public comment period, each individual may speak for no more than five (5) minutes, however the Chairman of the Commission reserves the right to shorten the time in which an individual may speak during a public comment period to no less than three (3) minutes per individual, as the Commission deems it necessary.

ARTICLE VI

EXECUTIVE BOARD

- SECTION 1. The officers of the Commission shall constitute the Executive Board.
- SECTION 2. The Executive Board shall have general supervision of the affairs of the Commission between its regular meetings, fix the hour and place of special meetings or hearings, and shall perform other such duties as are specified in these bylaws.
- SECTION 3. Unless otherwise ordered by the Board, regular meetings of the Executive Board may be held on the first Monday of each month at 6:30 pm in the Office of the Division of City Planning, 1 Jackson Square, Second Floor or, if necessary, at another time and place deemed convenient by the Board.

ARTICLE VII

COMMITTEES

- SECTION 1. The Commission shall meet as a Committee of the whole.
- SECTION 2. For the purpose of carrying out special assignments and projects, there may be special committees of the Commission.
- SECTION 3. Special Committees and Special Committee Chairpersons shall be constituted and appointed by the Commission Chairperson with the approval of the Commission. Committee Chairpersons, who shall be Commission members, shall meet regularly with their respective Committees, submit reports and take action by a simple majority vote of the full committee membership. Membership of Special Committees may also be comprised of non-Commission members.

ARTICLE VIII

PARLIAMENTARY AUTHORITY

The rules contained in the current edition of *Robert's Rules of Order* shall govern the Commission in all cases in which applicable and in which they are not inconsistent with these bylaws and any special rules of order the Commission may adopt.

ARTICLE IX

AMENDMENT OF BYLAWS

These bylaws may be amended at any regular meeting of the Commission by a two-thirds vote, provided that the amendment had been submitted in writing at the previous regular meeting.

ARTICLE X

SEPARABILITY

In the event that any portion of these bylaws are found to be invalid for any reason by any court of competent jurisdiction, such judgment shall be limited in its effect only to the portion of these bylaws actually adjudged invalid and shall not be deemed to affect the operation of any other portion hereof.

