

**AN ORDINANCE AMENDING CHAPTER 7, SECTION 50.3 OF THE REVISED
GENERAL ORDINANCES OF THE TOWNSHIP OF WEST ORANGE
(Permit Parking in Hazel Avenue Parking Lot)**

BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF WEST ORANGE, NEW JERSEY that Chapter 7 of the Revised General Ordinances of the Township of West Orange be and are hereby amended as follows:

I. PURPOSE

The purpose of this ordinance is to revise the Township's parking ordinance to limit the off hour parking for the Hazel Avenue Parking Lot to vehicles with purchased parking permits.

II. CHAPTER 7, SECTION 50.3 SHALL BE AND HEREBY IS AMENDED AND SUPPLEMENTED TO INCORPORATE THE FOLLOWING:

7-50.3 Parking Meters in Parking Yards

- a. *Maintenance of Parking Yards and Meters.* The Director of Public Works shall have the authority to enter into contract(s), following approval by the Township Council, for the protection and maintenance of municipal parking yards, and for the purchase and maintenance of parking meters contained therein, and to pay for such parts, protection, and maintenance from the revenues generated from the parking meters and sales of parking permits.
- b. *Designation of Parking Space.* The Director of Public Works shall cause the marking of the pavement within the parking yards to designate specific parking spaces. Vehicles shall be parked within the limits of a single parking space.
- c. *Legend on Parking Meter.* Every parking meter shall contain a legend indicating the number and type of coin(s) that must be deposited. The legend shall also indicate the period(s) of time that each coin, if more than one, shall entitle the vehicle to be parked in the space adjacent to the meter. Parking yards shall contain sufficient signage to advise the public of the parking regulations.
- d. *Fees and Time Limits.* The following schedule of time limits and coinage required shall be posted as the legend, and shall be established as the parking fees charged by the Township for parking within a metered space in a parking yard;
 1. Twenty-five (\$.25) cents per hour (8:00 a.m. to 10:00 p.m.)
 2. Two (\$2.00) dollars all day parking (8:00 a.m. to 6:00 p.m. only)
- e. *Use of Coin Revenue.* All revenue collected pursuant to this section will provide for proper regulation, control and maintenance of the parking yards, and also for the cost of purchasing, supervising, protecting, inspecting, installing, maintaining, controlling and use of parking meters.
- f. *Parking Permits, Time Limited.*
 1. Notwithstanding the fees provided for in subsection 7-50.3d, the Chief of Police or designee, as authorized by the Township Council, shall have the authority to issue

- permits for use in municipal parking yards. Fees for these permits shall be established by resolution of the Township Council. There shall be four (4) types of permits that shall be valid for 24-hour parking, see subsection 7-50.3f,3. These permits shall be in the form of a sticker that shall be affixed to the left rear window or rear windshield-left side, of the vehicle for which the permit was issued and shall bear the month, year, and parking yards for which it was issued.
2. Parking permits shall only be issued to vehicles with valid registrations and current insurance. Parking permits shall be issued to passenger vehicles, and commercial vehicles registered under eight thousand (8,000) lbs. Applicants must produce a valid registration and proof of current insurance prior to the permit being issued. Permits shall become null and void if the vehicle becomes unregistered or uninsured during the period that a permit is valid. Permits are nontransferable and are automatically void upon any transfer of ownership of the vehicle, nor shall any refund be provided if a vehicle is sold or transferred prior to the expiration date of the permit. Permits are not valid for on-street parking. Permits shall be issued on a first come, first served basis, with an initial limit of two (2) per household, except as indicated in subsection 7-50.3f,2(a). Additional permits may be issued to each household after a period of twenty-four (24) hours following the opening of sales for the particular month/quarter/half year/year they are being sold. Full payment must accompany all applications along with any other required proof(s). Failure to provide the required proof(s) shall render the application null and void.
 - (a) Permit applicants who are age sixty-five (65) or older, or who have a disability limiting their ability to ambulate (as verified by certification by a physician licensed to practice medicine in the State of New Jersey) are exempt from the first come, first served requirement and shall be given preference for automatic renewal of their permit.
 - (b) Permits eligible for automatic renewal shall be applied for and paid in full no later than the 1st day of the first month for which it is valid.
 - (c) Permits not automatically renewed shall be reallocated to the open pool of available permits for general use.
 - (d) Only annual and semi-annual permits are eligible for automatic renewal under the above provisions, subsections 7-50.3f,2(a) and 7-50.3f,2(b).
 - (e) Applicants for automatic renewal privileges must be bona fide residents of the Township of West Orange.
 3. The following fee schedule is established for permits in municipal parking yards:
 - (a) Monthly permit, fifteen (\$15.00) dollars per month, per space.
 - (b) Quarterly permit, forty (\$40.00) dollars per quarter, per space. Quarterly shall mean January through March, April through June, July through September, October through December.

- (c) Semi-annual permit, seventy (\$70.00) dollars per six (6) months, per space. Semi-annual shall mean January through June and July through December.
- (d) Annual permit, one hundred forty (\$140.00) dollars per calendar year, per space. Annual shall mean from January through December of the prevailing year.

- 4. In lieu of the charges provided for in subsection 7-50.3d, and the parking permit requirements of subsection 7-50.3f, the Township Council designates the following municipal parking yards or portions of municipal parking yards as Non-Metered and Non-Permit Time Limited Parking, with the time limits, hours, days and spaces designated. No person shall park, or cause a vehicle to be parked for longer than the time limit posted.

<i>Parking Yard #</i>	<i>Time Limit</i>	<i>Hours</i>	<i>Days</i>	<i>Space</i>
13	1 hour	7:00 a.m. to 9:00 p.m.	Monday through Saturday	All
15	1 hour	8:00 a.m. to 10:00 p.m.	All	Non- employee spaces

Yard #13 (463-481 Pleasant Valley Way)

Yard #15 (Cherry Street at Franklin Avenue)

- g. *Use of Parking Space.* Every vehicle parked in any municipal parking yard shall be parked wholly within the parking space marked upon the pavement adjacent to the meter regulating the space. A vehicle shall not continue to occupy the space after or while the parking meter shows a violation, except however, in those instances where the vehicle has conspicuously affixed to it, the permit provided for in subsection 7-50.3f.
 - 1. Vehicles parked in any municipal parking yard or space must be in operating condition. Wrecked vehicles are prohibited, regardless of whether the vehicle has a valid permit. For purposes of this section, wrecked vehicle shall include any vehicle with damage that renders it incapable of being lawfully operated or parked on any public roadway.
 - 2. Vehicles cannot be used solely as storage repositories, regardless of whether the vehicle has a valid permit.
- h. *Prohibited Parking.* It shall be unlawful for any person to cause, allow, permit or suffer any vehicle registered to his/her name or occupied by him/her to be parked in any municipal parking yard, lot, or facility except in the manner provided in subsections 7-50.3d. and 7-50.3f., and with the following additions:
 - 1. No vehicle shall occupy any space designated for permit parking, at any time, without a parking permit, valid for the lot in which the vehicle is parked.
 - 2. Parking Yard #7 on Mount Pleasant Avenue is intended solely for the use of library patrons and employees. Parking is permitted in this parking yard only during library hours.
 - 3. No person shall park in any municipal parking yard, lot, or facility that has been designated and reserved by the Business Administrator, with or without meters, for

the exclusive use of authorized Township employees and authorized Township personnel. All such areas shall be marked and posted by the Business Administrator, who shall cause to be issued to all Township employees and authorized Township personnel, an official sticker insignia that shall be affixed to the left rear window of any vehicle authorized in these reserved areas. It shall be unlawful and a violation of the provisions of this subsection for any unauthorized use of designated municipal parking yards, lots, or facilities.

4. For municipal Parking Yard #13:

- (a) Public parking is prohibited between the hours of 9:00 p.m. and 7:00 a.m. each day and all day Sunday.
- (b) Vehicles registered greater than eight thousand (8,000) GVW are prohibited from parking in Yard #13.

Parking Yard #13 includes the portions of lots 12 and 14 of Block 176.05, commonly known as 463-481 Pleasant Valley Way, depicted on the plan entitled "Pleasantdale Presbyterian Church Parking Lot Improvement" prepared by the Engineering Division of the Township of West Orange, April 1999.

- 5. Parking Yard #15 on Cherry Street is intended solely for the use of the employees of the West Orange Recreation Department, visitors to the Recreation Department offices at 60 1/2 Cherry Street, patrons of the Ginny Duenkel Municipal Pool, and visitors of Colgate Field. Six (6) parking stalls are restricted for use by Recreation Department employees. The remaining four (4) stalls are for use by the other persons authorized above and are subject to a one (1) hour time limit.
- 6. With the exception of Parking Yard #5 on Hazel Avenue and Parking Yard #13, parking in any lot between the hours of 2:00 a.m. and 5:00 a.m. is prohibited unless the vehicle bears a permit as provided in subsection 7-50.3f.
- 7. For municipal Parking Yard #5 on Hazel Avenue, parking is prohibited between the hours of 6:00 p.m. and 6:00 a.m. unless the vehicle bears a permit as provided in subsection 7-50.3f.
- i. *Reserved.*
- j. *Reserved.*
- k. *Duty of Police to Tag Vehicle.* It is the duty of Police Officers, or delegated person(s) to attach a summons to any vehicle that is parked in violation of this section in compliance with the current law on summons service.
- l. *Removing and Impounding Unlawfully Parked Vehicles.* Any vehicle unlawfully parked within any municipal parking yard, lot, or facility, metered or non-metered, for a period in excess of twenty-four (24) hours, may be impounded by the Police Department. The vehicle owner or agent shall be responsible for all reasonable towing and storage charges.
- m. *Loading Zones.* No person shall park a vehicle at any time in a designated loading zone in a municipal parking yard, lot, or facility unless actively engaged in the loading or unloading of persons or materials. No person shall load or unload freight for commercial purposes in any municipal parking yard, lot, or facility except in the designated loading zones.
- n. *Impeding Traffic.* No person shall stop, stand, or park a vehicle, or impede the flow of traffic in the aisles of municipal parking yards, lots, or facilities.

- o. *Overtime Parking.* No person utilizing a parking, stall in a municipal parking yard, lot, or facility shall park in that stall for a period in excess of the time for which money had initially been deposited in the meter, or in excess of the time limit established by subsection 7-50.3d. and 7-50.3f. No person shall be permitted to extend the time on a meter by depositing additional coins or by moving the vehicle to a different parking stall in the same parking yard, lot, or facility.

III. REPEAL OF CONFLICTING ORDINANCES

Any Ordinances of the Township which are in conflict with this Ordinance are hereby repealed to the extent of such conflict.

IV. SEVERABILITY

If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereof shall not affect the remaining parts of this Ordinance.

V. EFFECTIVE DATE

This Ordinance shall take effect upon final passage and publication in accordance with the law.

AN ORDINANCE AMENDING CHAPTER 7, SECTION 50.3 OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WEST ORANGE (Permit Parking in Hazel Avenue Parking Lot)

BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF WEST ORANGE, NEW JERSEY that Chapter 7 of the Revised General Ordinances of the Township of West Orange be and are hereby amended as follows:

I. PURPOSE

The purpose of this ordinance is to revise the Township's parking ordinance to limit the off hour parking for the Hazel Avenue Parking Lot to vehicles with purchased parking permits.

II. CHAPTER 10, SECTION 15.1 SHALL BE AND HEREBY IS AMENDED AND SUPPLEMENTED TO INCORPORATE THE FOLLOWING:

7-50.3 Parking Meters in Parking Yards

- a. *Maintenance of Parking Yards and Meters.* The Director of Public Works shall have the authority to enter into contract(s), following approval by the Township Council, for the protection and maintenance of municipal parking yards, and for the purchase and maintenance of parking meters contained therein, and to pay for such parts, protection, and maintenance from the revenues generated from the parking meters and sales of parking permits.

- b. *Designation of Parking Space.* The Director of Public Works shall cause the marking of the pavement within the parking yards to designate specific parking spaces. Vehicles shall be parked within the limits of a single parking space.
- c. *Legend on Parking Meter.* Every parking meter shall contain a legend indicating the number and type of coin(s) that must be deposited. The legend shall also indicate the period(s) of time that each coin, if more than one, shall entitle the vehicle to be parked in the space adjacent to the meter. Parking yards shall contain sufficient signage to advise the public of the parking regulations.
- d. *Fees and Time Limits.* The following schedule of time limits and coinage required shall be posted as the legend, and shall be established as the parking fees charged by the Township for parking within a metered space in a parking yard;
 - 1. Twenty-five (\$.25) cents per hour (8:00 a.m. to 10:00 p.m.)
 - 2. Two (\$2.00) dollars all day parking (8:00 a.m. to 6:00 p.m. only)
- e. *Use of Coin Revenue.* All revenue collected pursuant to this section will provide for proper regulation, control and maintenance of the parking yards, and also for the cost of purchasing, supervising, protecting, inspecting, installing, maintaining, controlling and use of parking meters.
- f. *Parking Permits, Time Limited.*
 - 1. Notwithstanding the fees provided for in subsection 7-50.3d, the Chief of Police or designee, as authorized by the Township Council, shall have the authority to issue permits for use in municipal parking yards. Fees for these permits shall be established by resolution of the Township Council. There shall be four (4) types of permits that shall be valid for 24-hour parking, see subsection 7-50.3f,3. These permits shall be in the form of a sticker that shall be affixed to the left rear window or rear windshield-left side, of the vehicle for which the permit was issued and shall bear the month, year, and parking yards for which it was issued.
 - 2. Parking permits shall only be issued to vehicles with valid registrations and current insurance. Parking permits shall be issued to passenger vehicles, and commercial vehicles registered under eight thousand (8,000) lbs. Applicants must produce a valid registration and proof of current insurance prior to the permit being issued. Permits shall become null and void if the vehicle becomes unregistered or uninsured during the period that a permit is valid. Permits are nontransferable and are automatically void upon any transfer of ownership of the vehicle, nor shall any refund be provided if a vehicle is sold or transferred prior to the expiration date of the permit. Permits are not valid for on-street parking. Permits shall be issued on a first come, first served basis, with an initial limit of two (2) per household, except as indicated in subsection 7-50.3f,2(a). Additional permits may be issued to each household after a period of twenty-four (24) hours following the opening of sales for the particular month/quarter/half year/year they are being sold. Full payment must accompany all applications along with any other required proof(s). Failure to provide the required proof(s) shall render the application null and void.
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- (b) Permits eligible for automatic renewal shall be applied for and paid in full no later than the 1st day of the first month for which it is valid.
- (c) Permits not automatically renewed shall be reallocated to the open pool of available permits for general use.
- (d) Only annual and semi-annual permits are eligible for automatic renewal under the above provisions, subsections 7-50.3f,2(a) and 7-50.3f,2(b).
- (e) Applicants for automatic renewal privileges must be bona fide residents of the Township of West Orange.

3. The following fee schedule is established for permits in municipal parking yards:

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- (c) Semi-annual permit, seventy (\$70.00) dollars per six (6) months, per space. Semi-annual shall mean January through June and July through December.
- (d) Annual permit, one hundred forty (\$140.00) dollars per calendar year, per space. Annual shall mean from January through December of the prevailing year.

4. In lieu of the charges provided for in subsection 7-50.3d, and the parking permit requirements of subsection 7-50.3f, the Township Council designates the following municipal parking yards or portions of municipal parking yards as Non-Metered and Non-Permit Time Limited Parking, with the time limits, hours, days and spaces designated. No person shall park, or cause a vehicle to be parked for longer than the time limit posted.

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Yard #13 (463-481 Pleasant Valley Way)

Yard #15 (Cherry Street at Franklin Avenue)

- g. *Use of Parking Space.* Every vehicle parked in any municipal parking yard shall be parked wholly within the parking space marked upon the pavement adjacent to the meter regulating the space. A vehicle shall not continue to occupy the space after or while the

parking meter shows a violation, except however, in those instances where the vehicle has conspicuously affixed to it, the permit provided for in subsection 7-50.3f.

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 2. Vehicles cannot be used solely as storage repositories, regardless of whether the vehicle has a valid permit.
- h. *Prohibited Parking.* It shall be unlawful for any person to cause, allow, permit or suffer any vehicle registered to his/her name or occupied by him/her to be parked in any municipal parking yard, lot, or facility except in the manner provided in subsections 7-50.3d. and 7-50.3f., and with the following additions:
1. No vehicle shall occupy any space designated for permit parking, at any time, without a parking permit, valid for the lot in which the vehicle is parked.
 2. Parking Yard #7 on Mount Pleasant Avenue is intended solely for the use of library patrons and employees. Parking is permitted in this parking yard only during library hours.
 3. No person shall park in any municipal parking yard, lot, or facility that has been designated and reserved by the Business Administrator, with or without meters, for the exclusive use of authorized Township employees and authorized Township personnel. All such areas shall be marked and posted by the Business Administrator, who shall cause to be issued to all Township employees and authorized Township personnel, an official sticker insignia that shall be affixed to the left rear window of any vehicle authorized in these reserved areas. It shall be unlawful and a violation of the provisions of this subsection for any unauthorized use of designated municipal parking yards, lots, or facilities.
 4. For municipal Parking Yard #13:
 - (a) Public parking is prohibited between the hours of 9:00 p.m. and 7:00 a.m. each day and all day Sunday.
 - (b) Vehicles registered greater than eight thousand (8,000) GVW are prohibited from parking in Yard #13.

Parking Yard #13 includes the portions of lots 12 and 14 of Block 176.05, commonly known as 463-481 Pleasant Valley Way, depicted on the plan entitled "Pleasantdale Presbyterian Church Parking Lot Improvement" prepared by the Engineering Division of the Township of West Orange, April 1999.

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6. With the exception of Parking Yard #5 on Hazel Avenue and Parking Yard #13, parking in any lot between the hours of 2:00 a.m. and 5:00 a.m. is prohibited unless the vehicle bears a permit as provided in subsection 7-50.3f.

7. For municipal Parking Yard #5 on Hazel Avenue, parking is prohibited between the hours of 6:00 p.m. and 6:00 a.m. unless the vehicle bears a permit as provided in subsection 7-50.3f.
- i. *Reserved.*
 - j. *Reserved.*
 - k. *Duty of Police to Tag Vehicle.* It is the duty of Police Officers, or delegated person(s) to attach a summons to any vehicle that is parked in violation of this section in compliance with the current law on summons service.
 - l. *Removing and Impounding Unlawfully Parked Vehicles.* Any vehicle unlawfully parked within any municipal parking yard, lot, or facility, metered or non-metered, for a period in excess of twenty-four (24) hours, may be impounded by the Police Department. The vehicle owner or agent shall be responsible for all reasonable towing and storage charges.
 - m. *Loading Zones.* No person shall park a vehicle at any time in a designated loading zone in a municipal parking yard, lot, or facility unless actively engaged in the loading or unloading of persons or materials. No person shall load or unload freight for commercial purposes in any municipal parking yard, lot, or facility except in the designated loading zones.
 - n. *Impeding Traffic.* No person shall stop, stand, or park a vehicle, or impede the flow of traffic in the aisles of municipal parking yards, lots, or facilities.
 - o. *Overtime Parking.* No person utilizing a parking, stall in a municipal parking yard, lot, or facility shall park in that stall for a period in excess of the time for which money had initially been deposited in the meter, or in excess of the time limit established by subsection 7-50.3d. and 7-50.3f. No person shall be permitted to extend the time on a meter by depositing additional coins or by moving the vehicle to a different parking stall in the same parking yard, lot, or facility.

III. REPEAL OF CONFLICTING ORDINANCES

Any Ordinances of the Township which are in conflict with this Ordinance are hereby repealed to the extent of such conflict.

IV. SEVERABILITY

If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereof shall not affect the remaining parts of this Ordinance.

V. EFFECTIVE DATE

This Ordinance shall take effect upon final passage and publication in accordance with the law.

Victor Cirilo,
Council President

Karen J. Carnevale, R.M.C.
Parisi, Mayor
Municipal Clerk

Honorable Robert D.

Mayor

Introduced: December 6, 2016

Adopted: December 20, 2016

Approved as to form on the basis of the facts provided:

Richard D. Trenk
Township Attorney

Legislative History

This ordinance is drafted to revise the Township's parking ordinance to specifically limit the off hour parking for the Hazel Avenue Parking Lot, a municipal parking yard, to vehicles with purchased parking permits.

4833-6663-3277, v. 1