

AN ORDINANCE AMENDING CHAPTER 7, SECTION 50.1 OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WEST ORANGE, ENTITLED PARKING METERS, "DEFINITIONS"

I. PURPOSE

WHEREAS, the Township of West Orange ("Township") intends to modernize its Ordinances with respect to the regulation and enforcement of the parking of vehicles in designated pay-meter areas, specifically as enforcement relates to the presence and increasing use of "central pay stations" which may regulate one (1) or more spaces, in lieu of traditional parking meters;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST ORANGE, in the County of Essex and State of New Jersey, that Chapter 7, Section 50.1 of the Revised General Ordinances of the Township of West Orange shall be amended as follows:

II. CHAPTER 7, SECTION 50.1 SHALL BE AND HEREBY IS AMENDED AND SUPERSEDED TO READ AS FOLLOWS:

7-50.1 Definitions.

As used in this section:

Coin shall mean a coin of the United States of America.

Parking shall mean the standing or waiting on a street, road or highway of a vehicle not actively engaged in receiving or discharging passengers or merchandise, unless in obedience to traffic regulations or traffic signs or signals.

Parking meters shall mean and include any mechanical or electronic device, **including central pay stations which may regulate one (1) or more spaces**, not inconsistent with this chapter, placed or erected for the regulation of parking by authority of this chapter.

Parking yards, parking lots, and parking facilities shall mean and include any municipally owned or leased lands set aside for the parking of vehicles pursuant to this chapter.
(Ord. No. 1951-04 § 7-50.1)

BE IT FURTHER ORDAINED, that the remainder of Chapter 7 shall remain unchanged;

BE IT FURTHER ORDAINED, that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall

apply only to the section, paragraph, subsection, clause or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective.

BE IT FURTHER ORDAINED, that any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon passage and publication in accordance with law.

Karen J. Carnevale,
Municipal Clerk

Susan McCartney,
Council President

Honorable Robert Parisi
Mayor

Introduction: June 10, 2014

Adoption: June 24, 2014

LEGISLATIVE HISTORY

This legislation is intended to codify the use of “central pay stations” (which may also be known as “kiosks”) for the purpose of parking meter enforcement. Currently, the Township’s parking ordinances define “parking meter” only as “any mechanical or electronic device . . . placed or erected for the regulation of parking by authority of this chapter.” See Township Code § 7-50.1 This proposed Ordinance amends the definition to expressly include “central pay stations,” to make clear that such stations can regulate more than one (1) parking space at a time in lieu of traditional parking meters. The Township already has one (1) central pay station of this type in place, and although traditional parking meters may continue to be used for the foreseeable future, central pay stations are likely increase in use in the coming years and decades. Accordingly, this legislation modernizes the definition of the term “parking meter” to ensure that their use can be properly enforced.

This change is effectuated by ordinance in accordance with N.J.S.A. 39:4-197, which permits a municipality’s governing body to regulate, by ordinance, “the parking of vehicles on streets and portions thereof.” See N.J.S.A. 39:4-197(1)f.