3014-26

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 7, "TRAFFIC," ARTICLE I, "ON-STREET REGULATIONS," SUBSECTION 32, "HANDICAPPED PARKING," OF THE MUNICIPAL CODE OF THE TOWNSHIP OF WEST ORANGE

WHEREAS, The Mayor and Council of the Township of West Orange (the "Township"), have an interest in the efficient administration of government services; and

WHEREAS, pursuant to N.J.S.A. 40:48-1, the governing body of a municipality may make, amend, repeal, and enforce such other ordinances, regulations, rules and by-laws not contrary to the laws of this State or Federal Government, as it may deem necessary and proper for the good of government, order and protection of person and property, and for the preservation of the public health, safety and welfare of the municipality and its inhabitants, and as may be necessary to carry into effect the powers and duties conferred and imposed by this subtitle, or by any law; and

WHEREAS, N.J.S.A. 39:4-197.6 authorizes the restricted parking zones for use by residents with disabilities; and

WHEREAS, the Township desires to amend Chapter 7, "Traffic," Section 32, "Handicapped Parking," of the Township Municipal Code to establish administrative procedures governing the application, registration, recertification, monitoring, and continued eligibility of residential restricted parking zones for persons with disabilities, in order to ensure that such restricted parking zones remain available to residents who continue to qualify for and require them; and

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Township Council of the Township of West Orange, in the County of Essex, State of New Jersey, being the governing body thereof, that Section 32, "Handicapped Parking," of Chapter 7 "Traffic," shall be amended as follows.

Section 1. RECITALS. The foregoing whereas clauses are incorporated herein by reference and made a part hereof.

Section 2. Chapter 7, "Traffic," Section 32, "Handicapped Parking," is hereby amended to incorporate the following changes:

Note: Additions are shown in **bold and underline** and deletions are shown as ~~strikethrough~~.

§ 7-32.3. Application for a Restricted Parking Space; Renewal Application for a Restricted Parking Space; Denial of Application for a Restricted Parking Space.

a. Application for the establishment of and renewal of restricted parking spaces shall be made in writing to the Chief of Police, or his/her designee, upon such forms as may be provided.

b. An applicant for a restricted parking space(s) or renewal of a restricted parking space under § 7-32 shall show to the Chief of Police, or his/her designee, satisfactory evidence that such person fulfills all the conditions required for the provision of such parking space. It shall be unlawful for any person to represent that such person is entitled to a parking space when such person is not so entitled.

c. Parking spaces will only be issued to passenger vehicles with valid disability parking credentials, including but not limited to, photocopies of the applicant's (1) New Jersey Driver's License, (2) Vehicle Registration, (3) Insurance ID Card, and (4) NJDMV Disabled Persons ID.

d. An applicant may only apply for a restricted parking space for the zone in which such person resides.

e. If a renewal application is not submitted within ninety (90) days of expiration it shall be revoked by ordinance. Renewal applications will be made available to residents for each renewal period pursuant to 7-32.4(a).

f. Any party denied a restricted parking space shall have the opportunity to resubmit an application at any time with the Chief of Police, or his/her designee, and request reconsideration of such decision.

§ 7-32.4. Expiration and Validity of Restricted Parking Spaces; Surrender of Parking Spaces.

a. Restricted parking spaces issued pursuant to § 7-32 shall be recertified every three (3) years.

b. Whenever the conditions under which any restricted parking spaces were issued under 7-32.3 no longer exist, any person holding such parking space shall surrender the same to the Chief of Police, or his/her designee. It shall be unlawful to fail to surrender a restricted parking space to which such person is no longer entitled to such parking space. Failure to timely recertify shall constitute grounds for removal of the restricted parking space.

§ 7-32.5. Violations and Penalties.

Any person who violates any provision of § 7-32 shall, upon conviction thereof, be punished by a fine of $50 for each such violation, and each day in which such violation continues shall constitute a separate violation or offense.

§ 7-32.6~~3~~. Handicapped Parking in Municipal Parking Lots and Board of Education Property. [Ord. No. 1687-00 § 2]

In accordance with the provisions of N.J.S.A. 39:4-197 the following off-street parking yards and Board of Education property are designated as Handicapped Parking areas. Such spaces are for use by persons who have been issued special identification cards, plates or placards issued by the New Jersey Motor Vehicle Commission, or a temporary placard issued by the Chief of Police. No other person shall be permitted to park in these spaces.

Parking Lots	Parking Space
1	No. 42 and No. 51

2	No. 48 and No. 49	
4	No. 14 and No. 15	
5	No. 1 and No. 12	
6 **[Added 4-8-2025 by Ord. No. 2909-25]**	First 2 stalls on the east side of the Lindsay Avenue entrance. Time limit: 1 hour	
6 **[Added 4-8-2025 by Ord. No. 2909-25]**	First 2 stalls on the west side of the Lindsay Avenue entrance, facing south. Time limit: none	
8	No. 1 and No. 21	
51 Seward Street (Lot #11) **[Added Ord. No. 2826-23]**	No. 1 and No. 2	
	Block	Lot
Colgate Park	125.06	106

§ 7-32.74. Handicapped Parking on Private Property Open to the Public and to Which the Public Is Invited (Retail Business).

In accordance with the provisions of N.J.S.A. 40:48-2.46, the following off-street parking yards are designated as handicapped parking areas. Such spaces are for use by persons who have been issued special identification cards, plates or placards by the Motor Vehicle Commission, or a temporary placard issued by the Chief of Police. No other person shall be permitted to park in these spaces.

Property	Block	Lot
Essex Green Shopping Plaza	155.21	40
217 Main Street	116.02	1.01
101 Old Short Hills Road	164	1.03
West Orange Plaza Shopping Center	152.24	1445

§ 7-32.85. Handicapped Parking on All Other Private Property.

In accordance with the provisions of N.J.S.A. 39:5A-1, the following off-street parking locations are designated as handicapped parking. Such spaces are for use by persons who have been issued special identification cards, plates or placards by the Motor Vehicle Commission, or a temporary placard issued by the Chief of Police. No other person shall be permitted to park in these spaces.

Property	No. of Spaces	Location
(RESERVED)		

§ 7-32.96. Signs, Pavement, Markings, Installation and Maintenance.

The owners of the premises referred to in Subsections 7-32.2 and 7-32.3 shall provide and install signs and pavement markings for each parking space reserved for the use of handicapped persons, which signs and markings shall be in accordance with the manual on Uniform Traffic Control Devices. The cost of procurement and installation of the signs and pavement markings shall be the responsibility of the owner of the property. The owner shall subsequent to initial procurement and installation, maintain such signs and pavement markings in good condition at no cost or expense to the Township. The owner shall be responsible for the repair and restoration or replacement of same.

Section 3. If any provision of this Ordinance or application thereof, under any circumstances, is held invalid, the invalidity shall not affect any other provisions or applications of this Ordinance that can be given effect without the invalid provision(s) or application(s) and to this end the provisions of this Ordinance are severable. All other Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed.

Section 4. This Ordinance shall take effect upon final passage and publication in accordance with law.

NOTICE

NOTICE IS HEREBY GIVEN, that the above Ordinance was introduced and passed on first reading at the regular meeting of the Township Council of the Township of West Orange, County of Essex, State of New Jersey held in the Municipal Building on the 23rd day of November, 2026, and the same came up for final passage at the regular meeting of the Township Council held on the 7th day of December, 2026, at which time, after persons interested were given the opportunity to be heard concerning said Ordinance, the same was passed and will be in full force and effect in the Township of West Orange after approval by the Mayor or in accordance with law.

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SUSAN McCARTNEY, MAYOR

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SUSAN SCARPA, COUNCIL PRESIDENT

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KAREN J. CARNEVALE, R.M.C.
MUNICIPAL CLERK

Introduced: November 23, 2026

Adopted: December 7, 2026