

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 7 OF THE BOROUGH CODE, "VEHICLES AND TRAFFIC", TO EXTEND RESTRICTIONS FOR COMMERCIAL VEHICLES PARKING AT RAILROAD STATION PARKING LOT

WHEREAS, Chapter 7, "Vehicles and Traffic" sets forth the regulations within the Borough of Spring Lake regarding parking and traffic within the Borough; and

WHEREAS, Section 7-32 provides and authorizes locations in the Borough for the orderly and safe parking of certain commercial and oversized vehicles; and

WHEREAS, the Mayor and Council, have determined that it is in the best interests of the residents of the Borough to amend and revise these sections accordingly; and

NOW, THEREFORE, BE IT HEREBY ORDAINED, by the Mayor and Borough Council of the Borough of Spring Lake, in the County of Monmouth and State of New Jersey, that Chapter 7, "Vehicles and Traffic", § 32-1, et seq. is amended and supplemented with deletions reflected in ~~strikethrough~~ and additions reflected in **bold underline** as follows:

§ 7-32.1. Purpose.

This § ~~7-32~~ is adopted for the purpose of providing a suitable location in the Borough for the parking of certain commercial and oversized vehicles by Borough residents and promoting the orderly and safe parking of those motor vehicles on Lot 8, Block 49 **and Lot 2, Block 61**, owned by the Borough.

7-32.2. Applicability of provisions.

The provisions, rules and regulations of this § ~~7-32~~ apply to the ~~property~~ **properties** identified as Block 49, Lot 8 **and Block 61, Lot 2** on the Tax Maps of the Borough of Spring Lake, being the ~~southerly~~ railroad parking area **areas** situated between ~~Mercer and Sussex~~ **and Warren** Avenues adjacent to the New Jersey Department of Transportation Railroad line, hereafter referred to as the "~~South~~ Railroad Parking Lot."

§ 7-32.3. Definitions.

As used in this § 7-32, the following terms shall have the following meanings:

COMMERCIAL AND OVERSIZED VEHICLE

Any commercially registered vehicle or any vehicle having a gross vehicle weight rating (GVWR) in excess of 12,000 pounds but excluding Recreational Vehicles as defined herein.

GROSS VEHICLE WEIGHT RATING or GVWR

The value specified by a manufacturer as the loaded weight of a single or a combination (articulated) vehicle. The GVWR of a combination (articulated) vehicle, commonly referred to as the "gross combination weight rating" or "GCWR," is the GVWR of the power unit plus the GVWR of the towed unit or units. In the absence of a value specified for the towed unit or units by the manufacturer, the GVWR of a combination (articulated) vehicle is the GVWR of the power unit plus the total weight of the towed unit, including the loads on them.

PASSENGER VEHICLE

Any motorized vehicle registered in the State of New Jersey principally designed for the transport of persons and excluding commercial and oversized vehicles and recreational vehicles as defined herein.

RECREATIONAL VEHICLE or RV

All motor homes, campers, travel trailers, tent trailers, "pop-up" trailers, boats, boat trailers, utility trailers, snowmobile trailers or any similar vehicle primarily used for noncommercial recreational purposes.

§ 7-32.4. South Railroad Parking Lot parking regulation.

- a. Parking in the South Railroad Parking Lot shall be permitted only as set forth herein.

- b. "Permit Only Parking" in designated areas and spaces.
 1. The Borough shall designate a specific area or areas in the South Railroad Parking Lot as "Permit Parking Only," which areas shall be marked by signs indicating that parking will be by permit only and that vehicles must bear the required permit; such signs may state "Parking For Vehicles With Permits Only."

 2. The parking, including overnight parking, of commercial and oversized vehicles, as defined herein, is permitted only in specifically designated "Permit Parking Only" areas within designated spaces, subject to the further regulations set forth herein.

 3. The parking of recreational vehicles is prohibited in the South Railroad Parking Lot.

 4. Commercial and oversized vehicles which meet any of the following criteria shall not be eligible for issuance of a permit and the parking of such vehicles in the South Railroad Parking Lot is prohibited:

- (a) Vehicles having more than two axles.
- (b) Vehicles more than 84 inches in width or 30 feet in length, inclusive of any trailer attached thereto.
- (c) Vehicles having more than two wheels on any single axle.
- (d) Vehicles used in the transport of chemicals, petroleum products, or hazardous waste.
- (e) Vehicles loaded with any materials which are not fully enclosed within the body of the vehicle or any compartment forming a part thereof.

5. The parking of unattached trailers of any kind is prohibited. The parking of boat, snowmobile, ATV or other recreational trailers is prohibited. The parking of trailers directly associated with the use of the permitted commercial or oversized vehicle is permitted only while attached to the permitted vehicle, subject to all other regulations herein.

c. Permit required.

- 1. No vehicle shall be parked in any designated "Permit Only Parking" area unless it displays a current and valid permit decal issued by the Borough of Spring Lake as herein provided.
- 2. A vehicle displaying a valid permit decal shall be permitted to park in a designated space for a maximum of 72 consecutive hours after which it must be removed from the designated area for a period not less than four hours.
- 3. All vehicles must be parked with the front of the vehicle facing the control sign which designates the parking space therefor and shall have the permit decal permanently affixed to the rear bumper of the vehicle, plainly visible from the parking lot.

d. Non-permit parking only areas of South Railroad Parking Lot. Parking in all areas in the South-Railroad Parking Lot not designated as "Permit Parking Only" shall be permitted as follows:

- 1. The parking of commercial and oversized vehicles and recreational vehicles is prohibited.
- 2. Passenger vehicles are permitted to park only in designated parking spaces.
- ~~3. Overnight parking is prohibited.~~

§ 7-32.5. Permits.

The application and issuance of permits shall be in accordance with the following provisions:

- a. Parking permits shall be issued by the Borough Clerk during the regular hours which his or her office is open. Each applicant must provide the Borough Clerk with a copy of a current and valid New Jersey driver's license showing the name and address of the applicant as a resident of the Borough of Spring Lake, along with the current and valid New Jersey motor vehicle registration certificate for the vehicle sought to be permitted, demonstrating that the vehicle is qualified for such permit and that the vehicle is registered in the name of and at the same address as the applicant who is a resident of the Borough of Spring Lake.
- b. The Borough Clerk shall issue no more permits than the number of designated permit only parking spaces provided. Permits shall be issued to residents of the Borough of Spring Lake on a first-come-first-served basis until the maximum number shall have been issued, after which no further permits shall be issued. The Borough Clerk shall maintain a waiting list of residents who request but are not issued permits to be utilized in reissuing permits upon the revocation, forfeiture, surrender or nonrenewal of any existing permit.
- c. The Borough Clerk shall not issue more than one permit to any one resident, household, or address.
- d. Permits shall be valid from January 1 through 12:00 midnight on December 31 of the year in which issued.
- e. Fees.
1. There shall be a fee collected by the Borough Clerk in the amount of \$10 for each permit and annual renewal thereof.
 2. Replacement fee for lost permit. Upon application for a replacement permit and the filing of a proper certification, the Borough Clerk may issue a replacement permit, for which an additional fee of \$10 shall be imposed.
- f. Said permits shall have written thereon "Spring Lake Borough Parking Permit," together with the number of the permit, the date of expiration of the permit and the license plate number of the vehicle registered. The Borough Clerk shall also issue a parking permit decal which is to be affixed to the permitted vehicle.
- g. The Borough Clerk shall make and keep a record of all permits issued, including therein the number of the permit, the date of issuance, the name and address of the person to whom issued, the license plate number(s) and the make, model and color of the motor vehicle(s) for which each permit is issued.
- h. The applicant shall be responsible to apply for renewal of any validly issued permit prior to the expiration of said permit, and in connection therewith shall provide the same information, documentation and fees as required for initial issuance.
- i. In the event that a validly issued permit is not renewed, or is otherwise revoked, forfeited or surrendered, the Borough Clerk shall utilize the waiting list to notify the first and successive eligible applicants until such permit is reissued.

§ 7-32.6. Additional regulations by resolution of Council.

Further rules and regulations pertaining to such parking areas and to parking of motor vehicles therein may be made from time to time by resolution of the Borough Council.

§ 7-32.7. Disabled or disassembled vehicles.

No person shall park or place any disabled vehicle in any such parking area, nor undertake repairs or allow such vehicle to be in a state of disassembly in such parking area without the express permission of the Borough Police, which permission shall be limited in duration to the reasonable amount of time to have the disabled vehicle removed or repaired. In no instance shall such permission exceed 24 hours.

§ 7-32.8. Violations and penalties.

a. In the case of a violation of any provision of this § 7-32, the person so parking and the owner of the vehicle shall be liable to a fine of not more than \$500 or 90 days in the county jail, or both, and each day the violation continues shall be a separate and distinct violation.

b. Any vehicle parked in a parking area in violation of this § 7-32 may be removed from the parking area upon order of any police officer, and the owner thereof shall pay the reasonable cost of such removal and storage which may result from such removal before being allowed to regain possession of the vehicle, and such costs of removal and storage shall be in addition to any penalty or fine hereinbefore provided.

§ 7-32.9. Nonapplicability.

This § 7-32 shall not apply to any municipal vehicles registered to the Borough of Spring Lake or to any vehicles engaged in police work or emergency services.

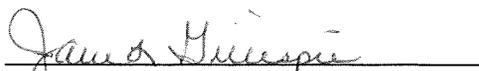
INTRODUCED: August 23, 2011

ADOPTED: September 13, 2011

APPROVED:


JENNIFER NAUGHTON, Mayor

Attest:


JANE L. GILLESPIE, Borough Clerk