

**BOROUGH OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
ORDINANCE NO. 2018-04**

**AN ORDINANCE OF THE BOROUGH OF LEBANON, COUNTY OF HUNTERDON
TO CODIFY THE TRAFFIC AND PARKING ORDINANCES OF THE BOROUGH**

WHEREAS, the governing body is in the process codifying all Lebanon Borough Ordinances and prior to completion, there is a need to codify certain existing traffic and parking regulations in order to protect the public health and welfare; and

WHEREAS, a comprehensive review of all public roads, streets and rights of way in the Borough of Lebanon was conducted by the Borough Engineer's office utilizing among other criteria, governing laws and standards, Title 39 of the Revised Statutes of the State of New Jersey, and the Manual on Uniform Traffic Control Devices; and

WHEREAS, the Borough Engineer has determined that parking on certain public streets and roads has, or may, create hazardous conditions and has made recommendations for modifying existing traffic and parking regulations; and

WHEREAS, the Governing Body, in consultation with the Borough Engineer, has determined that codifying, modifying and restating existing traffic and parking regulations and enacting new regulations would greatly enhance and protect the public health and safety.

NOW THEREFORE BE IT ORDAINED by the Council of the Borough of Lebanon, with the approval of the Mayor, that the Traffic and Parking Ordinances of the Borough of Lebanon are codified and replaced as follows:

Chapter 9 – Traffic and Parking

9-1 General

9-1.1 Definitions

Whenever any words or phrases are used in this Chapter, the meanings respectively ascribed to them in Subtitle 1 of Title 39 Motor Vehicles & Traffic Regulations of the Revised Statutes of New Jersey shall apply to such words and phrases.

9-1.2 Non-Exclusivity

The provisions of this Chapter imposing a time limit on parking or regulating the types or location of parking, shall not relieve any person of the duty to observe other more restrictive provisions prohibiting or limiting the stopping, standing or parking of vehicles as set forth in Title 39 – Motor Vehicles & Traffic Regulations of the New Jersey Statutes, any other New Jersey Statute, or as hereinafter provided.

9-2 Streets and Roads

9-2.1 Snow

A. Whenever snow has fallen and the accumulation is such that it covers a public street or road, an emergency shall exist and no vehicle shall be parked on any street or road in the Borough of Lebanon, This parking prohibition shall remain in effect after the snow has ceased and until the streets and roads have been plowed sufficiently and treated (sand, grit, etc.), to the extent that parking will not interfere with the normal flow of traffic.

B. Municipal Parking Lots. Whenever snow has fallen and the accumulation is such that it covers any municipal parking lot, an emergency shall exist and no vehicle shall be parked in any municipal parking lot in the Borough of Lebanon, except that these provisions shall not apply to any first responders and their personal vehicles, as well as their fire-fighting equipment, ambulance or other emergency equipment actively engaged in dealing with an emergency in the Borough.

9-2.2 Emergency or temporary no parking:

Upon the declaration of an emergency or temporary parking restrictions there shall be no parking on streets so designated. Adequate “EMERGENCY NO PARKING” or “NO PARKING TEMPORARY POLICE ORDER” signs shall be posted. The Mayor, Council President, and Chairman of the Streets and Road Committee, are authorized to declare such emergency or temporary restriction where there is not adequate time for the full Council to act. Accidents, fires, weather, road work or similar occurrences may constitute such an emergency, and public celebrations, community or school events or similar occurrences may constitute the need for a temporary parking restriction. Notification that the “EMERGENCY NO PARKING” or “NO PARKING TEMPORARY POLICE ORDER” signs are being or will be posted shall be given to the operator or owners of any vehicle (if they can be reasonable located) which has been parked prior to the posting of the sign.

9-2.3 Overnight parking:

Except as otherwise may be provided by separate Ordinance, there shall be no overnight parking on any public street or road in the Borough of Lebanon between the hours of 12:00 midnight and 6:00 A.M. commencing on December 1 of each year and ending April 1 of the following year. Appropriate notification signage shall be erected on each entrance street and road into the Borough.

9-2.4 Towing:

Any unoccupied vehicle parked or standing in violation of this Article may be deemed a nuisance and a menace to the safe and proper regulation of traffic and any police officer may provide for the removal of such vehicle. The vehicle owner in violation of this Chapter, in addition to any fines and costs, shall pay the reasonable costs of the removal and storage which may result from such removal before regaining possession of the vehicle. The provisions of the preceding sections shall not apply to any fire-fighting equipment, ambulance, or other emergency equipment actively engaged in dealing with an emergency in the Borough, nor the vehicle of a first responder utilizing their own vehicle to respond to an emergency.

9-3 Prohibited Parking

9-3.1 Parking Prohibited At All Times

No person shall park a vehicle on either side of any of the following streets or parts of streets:

Cherry Street
Knox Lane
Central Ave
Railroad Ave
Cokesbury Road
Sutton Place
Clark Road
Blossom Hill Road
Voegten Lane
Youngs Road

Parking shall be permitted on any public street, road or right of way where it is not specifically prohibited in whole or part, such as, Nitzer Avenue and Lynwood.

9-4 Limited Parking

9-4.1 No person shall park a vehicle in the location or designated side or designated section of the following streets:

High Street – No Parking West side

Brunswick Avenue – No Parking North side

Myrtle Avenue – Either side from Main Street to Brunswick Avenue

Edgerton Drive – South side from Cherry Street to Youngs Road

Edgerton Drive – North side from Youngs Road to Edgerton

Edgerton Drive – Parking Prohibited outside of designated parking spaces

Parking shall be permitted on any public street, road or right of way where it is not specifically prohibited in whole or part, such as, Nitzer Avenue and Lynwood.

9-4.2 Holjes-Shepard Park

Parking after closing hours in the Holjes-Shepard Public Park, is prohibited, except that parking shall be permitted in the designated gravel parking area of the Holjes-Shepard Park from December 1 to April 1, and at any time of the year in other areas by authorized Borough vehicles, or such other vehicles approved in advance by the governing body,. Overnight parking shall be limited to parking for no longer than a 12 hour period, after which the motor vehicle must be removed from the parking area for a minimum of 8 hours.

9-4.3 Cul-De-Sacs

It has been determined that the Nitzer Avenue and Chestnut Place cul-de-sacs are of sufficient size and limited traffic to allow overnight winter parking. Accordingly, vehicles may be parked in these cul-de-sacs between the hours of 12:00 a.m. and 6:00 a.m. from December 1st through April 1st. However, said vehicles must be removed upon the road becoming snow covered.

9-4.4 Commercial

No vehicle shall be parked within five (5) feet of either side of any driveway opening onto Main Street from Maple Avenue to Youngs Drive. The property at 69 Main Street is located at the “T” intersection with Cokesbury Road with commercial activity permitted on such lot, and accordingly, there shall be no parking in front of 69 Main Street and such “no parking area” shall be signed and painted in compliance with applicable traffic standards.

9-4.5 No parking – Fire Zone:

A. There is hereby created, a “no parking – fire zone” on a portion of the North side of Main Street in which area no vehicle (with the exception of emergency vehicles) shall park, stop or stand and which area is described as follows: Along the north side of Main Street beginning at utility police #475 which appropriately marks the beginning of the road frontage of Block 6, Lot 1 on Main Street and continuing in a westerly direction along the entire frontage of the said property to and ending at utility police #476 which marks the approximate westernmost end of the frontage of the said Lot 1.

B. There shall be “no parking” in those areas in and around the headquarters of the Lebanon Borough Volunteer Fire Company located on Main Street, and in the neighboring Municipal lot, as designated and marked/painted to designate the restricted, no parking areas. First responders in the course of their duties shall be exempted from this regulation if no other parking is immediately available.

C. Regulatory signs at the beginning and end of the no parking – fire access zone shall be erected and maintained in accordance with N.J.S.A. 39:4-198, or as specified by the current Manual on Uniform Traffic Control Devices.

9-4.6 No parking – Boats, Trailers, Recreational Vehicles, Tractor/Trailers

No person shall park, stand, wait or leave, upon any public road, street or right of way in the Borough of Lebanon, any boat, trailer (whether or not attached to a licensed motor vehicle), recreational vehicle (including motor homes, campers), tractors and/or tractor/trailer or tandem trucks or construction equipment with or without trailers and towing motor vehicles, or trucks over 4 tons, (except for the pickup and delivery of materials). There shall be exempt from the provisions of this Ordinance, any landscaping truck or trailer, temporarily parked only during the period of time when the landscaper is providing specific services to a property, and during which time period the operator is immediately available to move the truck/trailer for emergency vehicles.

9-5 Violations and Penalties:

A person who is convicted of violating any of the provisions of this Chapter shall be liable to a fine and costs as set forth in the General Penalty Ordinance No. 2010-04 of the Borough of Lebanon.

9-6 Severability:

In event that any clause, section, paragraph, or sentence of this Ordinance is deemed to be invalid or unenforceable for any reason; it shall be deemed severable, and the Borough Council hereby declares its intent that the balance of the Ordinance shall not be affected by the said invalidity, and the remainder shall remain in full force and effect.

9-7 Effective Date:

This Ordinance shall take effect upon publication according to law, and upon the expiration of the period for appeal, all existing traffic and parking Ordinance related to the regulations set forth herein, shall be rescinded and of no further force and effect.

Vote after public hearing and upon final adoption:

Burton 1
Berger 1
Junge 1
Piagentini 1
Schneider 1
Baldinger 1

Ordinance approved by the Governing
Body and presented to the Mayor on
_____, 2018

Veto in Whole or Part:

Approved:

{or}

Michael Reino, Mayor
Date:

Michael Reino, Mayor

Date:

Returned to Borough Clerk with statement attached on _____, 2018

NOTICE

TAKE NOTICE that the above ordinance was introduced at a regular meeting of the Borough Council of the Borough of Lebanon on July 18, 2018 and will be considered for final passage after public hearing at a regular meeting of the Borough Council of the Borough of Lebanon to be held on August 22, 2018 at 7:30 p.m. in the Municipal Building, located at 6 High Street, Lebanon, New Jersey

Karen M. Romano, Administrator/Borough Clerk

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NOTICE is hereby given that the above Ordinance was introduced and passed on first reading at a meeting of the Borough Council of the Borough of Lebanon, in the County of Hunterdon, State of New Jersey, held in the Municipal Building on the 18th day of July 2018, and the same came up for final passage at a meeting of the said Borough Council on the 22nd day of August, 2018 at which time, after persons interested were given an opportunity to be heard concerning said ordinance, the same was passed and will be in full force in the Borough according to law by order of the Borough Council of the Borough of Lebanon, County of Hunterdon and State of New Jersey.

Karen M. Romano, RMC

Borough Administrator/ Clerk

INTRODUCED: July 18, 2018

ADOPTED: August 22, 2018