

Borough of Matawan

Notice of Pending Ordinance

The ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the governing body of the Borough of Matawan, in the County of Monmouth, State of New Jersey, on April 21, 2015. It will be further considered for final passage, after public hearing thereon, at a meeting of the governing body to be held at the regular meeting of the governing body in the Borough on May 19, 2015 at 7:00 o'clock pm. During the week prior to and up to and including the date of such meeting, copies of the full ordinance will be available at no cost and during regular business hours at the Clerk's office for the members of the general public who shall request the same.

Karen Wynne, RMC
Municipal Clerk

ORDINANCE 15-04 AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF MATAWAN CHAPTER VII – TRAFFIC, SECTION 7-41 PARKING AT THE RAILROAD STATION

WHEREAS, the Traffic Safety Unit of the Matawan Police Department has recommended the adoption of this within Ordinance to establish governing regulation for parking at the Borough of Matawan Railroad Station Permit Parking Lot.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Borough of Matawan that it herewith amends and supplements Chapter VII – Traffic Regulations, Section 7-241– Parking at the Railroad Station Permit Parking Lot as follows:

7-41 PARKING AT THE RAILROAD STATION

There are municipal parking lots known as Railroad Station Permit Parking Lot #1 and Railroad Station Daily Parking Lot #2.

7-41.1 Parking at the Railroad Station Permit Parking Lot

The Railroad Station Permit Parking Lot is the triangular area between Main Street and Atlantic Avenue, including "Station Plaza" as more particularly described in a plat on file in the Municipal Office.

a. *Use.* It shall be unlawful to:

1. Park any vehicle in the Railroad Station Permit Parking Lot without a valid municipal parking permit identification hanger being displayed. The permit hanger shall be displayed by hanging from the interior rear view mirror or in plain view on the front dashboard. Cars shall be parked facing forward in a marked stall.
2. Park any vehicle in areas other than those designated with lines or stalls for parking purposes.

3. Allow any vehicle to stand attended or unattended, in any area of the parking lots for the purpose of picking up or discharging passengers, except in designated areas.
4. Parking permits shall not be required after 10:00 AM during the week. No permits shall be required on Saturdays, Sundays or observed legal holidays.
5. Only those vehicles conforming to the handicapped parking statute shall utilize spaces designated for handicapped parking.
6. Provisions for controlling the flow of traffic such as turns prohibited, one way traffic, etc. shall be provided for in a separate traffic ordinance(s).

b. *Permits, Registration and Requirements.* Application forms for parking permit identification hangars shall be obtained from the Administration Office at Borough Hall, 201 Broad Street, Matawan, NJ.

1. Each permit holder shall register every car which may be parked in Permit Parking Lot (Lot #1). All such vehicles will be issued annual or quarterly hangars. In an emergency, when a vehicle that is not registered with the Administration Office must be used, the Municipal Office and the Parking Enforcement Officer, or the Police Department shall be advised by the permit holder of the make, license and plate number of the unregistered car. Thereupon, the Borough shall authorize temporary parking.
2. A permit holder shall have the privilege of applying for a new permit but the Borough shall be under no obligation to automatically renew a permit once issued.
3. Satisfactory proof of ownership, valid NJ registration and motor vehicle insurance must be submitted for each vehicle to be registered at the time of application.

c. *Fees and Effective Dates.* The fee for a parking permit shall be established annually by New Jersey Transit and will be implemented by the Borough of Matawan. The fees established shall be for an annual or quarterly permit or as determined by New Jersey Transit. The parking fee shall be as indicated on the renewal forms. All annual permits will be for a calendar year from January 1 thru December 31. Quarterly permits will be for the quarters of January, February and March; April, May, June; July, August, September; and October, November and December.

d. *Termination and Refunds.* Any permit holder surrendering a Borough issued parking permit prior to its expiration must notify the Borough of Matawan in writing as soon as possible. Refunds shall be calculated from, and the parking permit shall be terminated on, the beginning of the next full quarter. If an annual permit is terminated the remaining full quarters shall be refunded. Quarterly permits are not pro-rated and only full quarters will be refunded.

e. *Enforcement.* The summonses issued under this subsection shall be in the form of the uniform traffic ticket, e-ticket or such other summonses as may be designed by the Director of the Division of Motor Vehicles of the State of New Jersey.

f. *Removal of Vehicles.* In addition to the issuance of summonses as provided herein for the violation of this subsection, the rules and regulations set forth by Borough resolution and applicable motor vehicle statutes, the Borough Police Department shall have the authority to have automobiles parking in violation of this subsection towed from the off-street parking facilities operated by the Borough, with the costs of towing and

storage thereafter to be the sole responsibility of the owner of the vehicle. The cost for towing and storage shall be in accord with the rates as established by the Borough of Matawan and provided for in the applicable towing ordinance. Removal of any vehicle shall be at the discretion of the Police Department in the interest of public safety.

g. *Parking Enforcement Officer.* In addition to the Borough Police Department, the Mayor and Borough Council may appoint such person(s) for the purpose of serving as Parking Enforcement Officer(s) in the Borough whose power and authority shall be confined exclusively to off-street parking premises owned or operated by the Borough of Matawan with full power and authority to issue summonses for violations of this subsection. Such appointments shall conform to the requirements, terms and conditions of NJSA 40:47-19.

h. *Administration.* The Borough Administrator or his designee shall be the official responsible for the administration of the municipal parking lots. The parking lots shall be administered in accordance with this subsection and rules and regulations passed by resolution from time to time by the governing body of the Borough of Matawan.

i. *Rules, Regulations and Penalties.* The governing body of the Borough of Matawan may, by resolution, adopt rules and regulations for the operation of the municipal parking lots. A fine for violation of this subsection shall be not more than two hundred fifty (\$250.00) dollars and the impounding of a vehicle as provided for in paragraph f. of this subsection.

7.41.2 Parking at the Railroad Station Daily Parking Lot

The Railroad Station Daily Parking Lot #2 is located generally in an area surrounding the Victorian style former Railroad Station as more particularly delineated in a plat on file in the Municipal Office.

a. The Daily Parking Lot (Lot #2) is located on the south side of the railroad tracks between Main Street and Atlantic Ave. There is a daily parking fee per day which is determined by NJ Transit. When parking a vehicle, the driver shall take notice of the parking stall number and deposit required amount in the parking machines (3) located at the far corner of the lot closest to the ticket office before crossing over Atlantic Avenue. The lot operates on a "**first come - first served**" basis. The lot is usually filled to capacity by 6:00 a.m. to 6:30 a.m., Monday through Friday. Overnight parking is permitted in the daily lot. The driver shall deposit the required amount for each day he/she plans to leave his/her vehicle in the lot (5 day limit). A fee is not required after 10:00 a.m. and before 5:00 a.m. the next regular business day, or on weekends and observed holidays.

BE IT FURTHER ORDAINED any Ordinances or portions thereof which are inconsistent with the provisions of this Ordinance are hereby repealed.

BE IT FURTHER ORDAINED if any provisions of this Ordinance, or the application of such provision to any person or circumstance is declared invalid, such invalidity shall not affect the other provisions or applications of this Ordinance, which can be given effect, and to this end, the provisions of this Ordinance are declared to be severable.

BE IT FURTHER ORDAINED this ordinance shall take effect immediately upon following the passage, adoption and publication pursuant to law.

BE IT FURTHER ORDAINED that a true certified copy of this Ordinance shall be forwarded to the following Borough of Matawan Departments: Administration, Police, Public Works, Clerk as well as New Jersey Transit.