

ORDINANCE NO. 3779

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF FRANKLIN, COUNTY OF SOMERSET, STATE OF NEW JERSEY, MORE PARTICULARLY CHAPTER 226, TRAFFIC AND VEHICLES, SECTION 226-33 – RESIDENT PERMIT PARKING PROGRAM – ADD DEKALB STREET.

SUMMARY

This ordinance amends Code Chapter 226, Traffic and Vehicles, section 226-33 – Resident Permit Parking Program with the addition of DeKalb Street on the west side from 8 pm to 8 am, everyday, from Franklin Blvd. to Rogers Avenue.

**BE IT ORDAINED** by the Township Council of the Township of Franklin, County of Somerset, State of New Jersey that the Code of the Township of Franklin is hereby amended as follows:

SECTION I

Chapter 226, Traffic and Vehicles is amended with the addition of the following new section:

**§ 226-33. Resident Permit Parking Program**

A. Rules and Regulations

1. Resident Parking Permit Restrictions shall be authorized on streets where there has been demonstrated an ongoing, excessive and daily problem which creates a hardship and public safety issues for residents of a municipal street. Ongoing, excessive and daily shall be defined to mean that a problem is occurring every day not just weekly, monthly or periodically. The purpose of a permit parking program is to:
  - a) To address a critical parking problem that creates a public safety hazard.
  - b) To establish a residential parking program in those areas of the Township in order to facilitate and make more convenient parking within the Township for persons who reside in those residential areas.
  - c) To protect residential areas from excessive noise, trash and refuse caused by the entry of vehicles from outside that residential neighborhood.
  - d) To protect residents from unreasonable burdens in gaining access to their residence.

The establishment of a Resident Permit Parking Zone shall be upon the advise of the Chief of Police or his designee who shall be responsible for investigating whether or not the area warrants the requested restrictions.

2. A resident parking permit of a design specified by the Township will be issued to residents of Franklin who own or lease a motor vehicle.
3. Application for parking permits shall be made on a form by the Township. Proof of residency of the owner or lessee of a vehicle must be presented when applying for a permit. The following is proof of residency, a copy of a valid New Jersey Drivers License reflecting an address on a street upon which the permit parking restrictions are imposed in the Township of Franklin, and a copy of a valid New Jersey Motor Vehicle Registration for which the permit is sought showing an

address on a street upon which the permit parking restrictions are imposed. In the case of a vehicle claimed to be leased and used by a Franklin resident, a copy of the automobile lease shall be presented to the Township in lieu of the New Jersey Motor Vehicle Registration. Completed applications shall be submitted to the Franklin Township Police Department Traffic Safety Bureau. Applications submitted without a copy of a driver's license and vehicle registration or lease shall be not processed.

4. Permit Applications shall be available at the Franklin Township Police Department at any time during the current year. Renewals may be completed beginning November 1<sup>st</sup>.
5. The resident's sticker is to be placed on the rear window on the driver's side in the lower left corner of the vehicle it is issued to.
6. There shall be no cost for the permits.
7. There shall be no visitor permits issued.
8. The sale of a permit is prohibited. Permits are only valid for the vehicle they are issued to and the street/location they are issued for.

B. Abuse of Permit

Resident Permits are subject to revocation for the following:

1. If any such permit is used on any vehicle that it is not registered to under this ordinance.
2. Willfully providing any false or inaccurate information for the purpose of obtaining a permit hereunder.

C. Term of Permits

Resident permits shall expire annually on December 31<sup>st</sup>. Any vehicle bearing an expired resident permit and parked on a street posted as Permit Only shall be subject to the same penalty as a vehicle parked on the street without a resident permit as set forth in paragraph E.

D. Exemptions

The prohibition set forth in Paragraph G shall not apply to the following:

1. Contractor/Service and Delivery Vehicles – Contractor, service and delivery vehicles bearing the name and address of a commercial business may park adjacent to the residential premises where they are working without permit during the times they are rendering service.
2. Emergency and Utility Vehicles – Emergency vehicles, municipal vehicles, as, electric, telecommunications and other similar vehicles may park within the town during times they are rendering service or repairs within the Township.
3. Health Care Providers – May park their vehicles within the Township during the times they are rendering assistance or healthcare service to residents of the Township. Health Care Provider is defined as a nurse, home health aid, physical therapist or any other medical professional.

4. Handicapped Parking – Any motor vehicle identified and registered for a handicapped driver by the New Jersey Motor Vehicle Commission and displaying the required handicapped plates or placards.

E. Violations and Penalties

1. Any vehicle parked on a street posted Permit Parking Only without a valid resident permit shall be subject to a parking fine in the amount of \$25.00.
2. Any violation of paragraph B above shall be result in the offending person being subject to a fine in an amount up to \$250.00 for a first offense and \$500.00 for each subsequent offense thereafter.
3. The Franklin Township Police Department may remove and impound any vehicles, which are parked in violation of this article. The cost of said removal shall be borne by the vehicle owner or lessee.

F. Enforcement

The Franklin Township Police Department shall have the authority to issue summonses for violations of this ordinance.

Enforcement of this ordinance shall be under the jurisdiction of either the Franklin Township Police Department and/or Chief of Police of the Franklin Township Police Department.

G. Resident Permit Parking Only At Certain Times on Certain Streets

No person shall park or cause to be parked any vehicle on streets or parts of streets as described within the following sections unless an appropriate and current parking permit issued by the Township of Franklin is displayed on said vehicle for those streets or parts of streets as described or listed with the following sections.

<u>Name of Street</u>	<u>Side</u>	<u>Hours</u>	<u>Days</u>	<u>Location</u>
Landers Street	West	8 pm to 8 am	All	Franklin Blvd. to Rogers Avenue
Clifton Street	East	8 pm to 8 am	All	Franklin Blvd. to Rogers Avenue
<i>Dekalb Street</i>	<i>West</i>	<i>8 pm to 8 am</i>	<i>All</i>	<i>Franklin Blvd. to Rogers Avenue</i>

**SECTION II**

Each clause, section or subsection of this ordinance shall be deemed a separate provision to the intent that if any such clause, section or subsection should be declared invalid, the remainder of the ordinance shall not be affected.

**SECTION III**

All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed as the extent of such inconsistency.

**SECTION IV**

This ordinance shall take effect immediately upon adoption and publication according to law.

**ORDINANCE NO. 3779**

This is a true copy of an ordinance adopted by the Township Council, Township of Franklin, Somerset County, New Jersey.

Introduced: July 8, 2008  
Public Hearing: August 12, 2008  
Adoption: August 12, 2008  
Published: August 18, 2008  
Effective Date: September 1, 2008

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Ann Marie McCarthy, Township Clerk