

BOROUGH OF BRADLEY BEACH, MONMOUTH COUNTY

ORDINANCE 2022-05

AN ORDINANCE AMENDING CHAPTER 9: "TRAFFIC" OF THE BOROUGH'S REVISED GENERAL ORDINANCES TO CLARIFY THE ANNUAL APPLICATION FEE FOR SPECIAL PARKING PERMITS WITHIN THE BOROUGH

Mayor Fox offered the following Ordinance and moved its introduction:

WHEREAS, the Borough of Bradley Beach (the "Borough") has encountered confusion with some applicants as to its ordinance-based fee for special parking permit applications; and

WHEREAS, for the sake of transparency with the public, the Borough finds it advisable to amend Chapter 9: "Traffic" of the Borough Code to clarify the precise nature of the Borough's fee for special parking permit applications;

NOW, THEREFORE BE IT ORDAINED by the Mayor and Council of the Borough of Bradley Beach, County of Monmouth, and State of New Jersey as follows:

SECTION 1. Section 9-3.9 entitled "Special Permit Parking" of Chapter 9: "Traffic" of the Revised General Ordinances of the Borough of Bradley Beach is hereby amended as follows (~~stricken~~ text deleted; underlined text added):

§ 9-3.9 *Special Permit Parking.* Except when necessary to avoid conflict with other traffic or in compliance with the directions of a traffic or police officer or traffic sign or signal, no operator of a vehicle shall stand or park a vehicle in any space on public or private property appropriately marked for vehicles for the physically handicapped pursuant to N.J.S.A. 39:4-197 et seq. or any other applicable law unless the vehicle is authorized by law to be parked therein and a handicapped person is either the driver or passenger in that vehicle. State, county or municipal law enforcement officers or parking enforcement authority officers shall enforce the parking restrictions on spaces appropriately marked for vehicles for the physically handicapped or special permit parking spaces on both public and private property. Any person violating this subsection by parking or standing a motor vehicle in an appropriately marked restricted parking space without a special vehicle identification card shall be subject to a mandatory court appearance and a minimum fine of \$250, with a maximum fine of \$1,250, and up to 90 days of community service on such terms and in such form as the court shall deem appropriate.

a. *Special parking permits.*

1. In January of each year, special parking permit applications will be made available by the Borough of Bradley Beach. All applications and payment must be received by the Borough by January 31 of each year. All permits expire the last day of December of each year.

2. All applications will be reviewed during the month of January by the Police Department and the applications deemed to be compliant will receive permits with the provisions in this section issued by the Chief of Police.
 3. Each individual must display the Bradley Beach special parking permit decal on the street side and on the rear window of the vehicle when it is parked in the designated space.
 4. The special parking permit issued by the Borough of Bradley Beach is nontransferable.
 5. The permit seeker must have a current handicapped placard, a disabled-person ID registration issued by the state of their permanent residence and a physician's note issued within the 90 days prior to the application in order to continue the use of a designated special parking space.
 6. Only one designated special parking space per household will be approved by the Borough of Bradley Beach.
 7. Unrestricted use of a driveway and/or garage at the residential site shall be cause for denial of continued use of a special parking space.
 8. Parking spaces shall be a minimum of 20 feet in length and a maximum of 23 feet.
 9. In order for a caregiver of the individual to obtain a permit, this caregiver must live in the residence with the handicapped individual.
 10. Only one car can be designated to park in the designated parking space.
 11. Holders of special parking permits may park only within the designated space while parked on the block on which they reside.
- b. There shall be ~~an annual fee~~ a non-refundable, annual application fee of \$50. Applications for renewals must be received by the close of business on January 31. For renewal applications, if payment is not received by the close of business on January 31, the designated permit parking space will be considered abandoned.

SECTION 2. If any article, section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect.

SECTION 3. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Borough, the provisions hereof shall be determined to govern. All other parts, portions and provisions of The Revised General Ordinances of the Borough of Bradley Beach are hereby ratified and confirmed, except where inconsistent with the terms hereof.

SECTION 4. This Ordinance shall take effect upon adoption and publication in accordance with the laws of the State of New Jersey.

SO ORDAINED as aforesaid.


ERICA KOSTYZ
Borough Clerk


LARRY FOX
Mayor

Introduced: May 10, 2022

Date of Hearing and Adoption: