

ORDINANCE NO. 22-2023

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER IN THE COUNTY OF MORRIS AND STATE OF NEW JERSEY AMENDING CHAPTER 193 OF THE TOWNSHIP CODE TO ALLOW ONLY AUTHORIZED VEHICLES IN CERTAIN MUNICIPAL CAMPUS PARKING LOT AREAS TO PROTECT THE PUBLIC HEALTH, SAFETY AND WELFARE

WHEREAS, certain driveways and parking areas located at the Township of Hanover Municipal Campus are used for ingress/egress by Township Police Department officers and employees, including police vehicles responding to emergency police calls; and

WHEREAS, members of the general public are using these areas as walking paths, causing increasing concern of risk of injury by responding police vehicles; and

WHEREAS, N.J.S.A. 40:48-2 authorizes municipalities to enact ordinances for the preservation of the public health, safety and welfare of the municipality and its inhabitants; and

WHEREAS, N.J.S.A. 40:41A-28 recognizes that “[m]unicipalities are and shall remain the broad repository of local police power in terms of the right and power to legislate for the general health, safety and welfare of their residents”; and

WHEREAS, Township Committee deems it in the best interest of the Township to amend the Township Code to restrict certain areas of the Municipal Campus parking lot to only authorized vehicles to protect the health, safety and welfare of the general public.

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Hanover in the County of Morris and State of New Jersey as follows:

SECTION 1. Chapter 193, Parking and Traffic in Semipublic Places, Article II (Reserved) is hereby amended to read as follows:

Article II Authorized Vehicle Only Areas at the Municipal Campus.

§ 193-7 Purpose.

The purpose of this article to protect the health, safety and welfare of members of the public who walk or drive on Municipal Campus property by limiting their access to Police Department vehicles responding to police calls.

§ 193-8 Definitions.

For the purposes of this article, the following definitions shall apply:

MOTOR VEHICLE

As defined in Title 39 of the Revised Statutes and shall include all motorized vehicles of any nature.

PEDESTRIAN

Any person on foot, except for Township employees.

§ 193-9 Areas restricted to authorized vehicles only; no pedestrians.

Areas designated by posted "Authorized Vehicles Only" signs are for use by authorized vehicles only. No vehicle other than an authorized vehicle, or pedestrian as defined in this article, shall enter these areas. A map showing the restricted areas is available for public inspection in the office of the Township Business Administrator and in the office of the Chief of Police.

§ 193-10 Areas designated as open to the general public for ingress/egress.

Areas not designated as restricted pursuant to § 193-9 are open to the general public for the purpose of ingress/egress to the Municipal Campus.

§ 193-11 Exemptions

The Township reserves the right to declare specific areas exempt from this article based on an emergent public safety or Police Department matter.

§ 193-12 Violations

Violations of this article shall be subject to fines and penalties pursuant to N.J.S.A. 40:49-5.

SECTION 3. All ordinances or parts of ordinances in conflict or inconsistent with the provisions of this ordinance are, to the extent of such inconsistency, hereby repealed.

SECTION 4. In case, for any reason, any section or provision of this Ordinance shall be held to be unconstitutional or invalid, the same shall not affect any other section or provision of this Ordinance, except so far as the section or provision so declared unconstitutional or invalid shall be severed from the remainder or any portion thereof.

SECTION 5. This ordinance shall take effect in accordance with the law.

ATTEST:

TOWNSHIP COMMITTEE
TOWNSHIP OF HANOVER
COUNTY OF MORRIS
STATE OF NEW JERSEY



Krista M. DiGiorgio, Township Clerk



Thomas "Ace" Gallagher, Mayor

DATE OF INTRODUCTION: June 8, 2023
DATE OF ADOPTION: July 13, 2023

CERTIFICATION

I, Krista M. DiGiorgio, Township Clerk of the Township of Hanover, in the County of Morris and State of New Jersey, do hereby certify the foregoing to be a true copy of an Ordinance adopted by the Township Committee of said Township on the 13th day of July, 2023, at a meeting duly convened, of said Body.



Krista M. DiGiorgio, Township Clerk