

ORDINANCE NO. 2024-03

ORDINANCE ADOPTING AMENDMENTS TO CHAPTER 170, "STREETS AND SIDEWALKS," ARTICLE I, "SNOW AND ICE REMOVAL", SECTION 170-4.5. "PARKING RESTRICTIONS; PROHIBITED CONDUCT" OF THE MUNICIPAL CODE OF THE BOROUGH OF KENILWORTH

WHEREAS, the Borough of Kenilworth (the "Borough") seeks to amend the Borough's existing ordinance to accommodate safe and effective snow removal; and

WHEREAS, the Mayor and Council find that there is a substantial interest in furthering the public health, safety and welfare by protecting the residential character of areas designated for residential use by establishing and enforcing minimum standards; and

WHEREAS, pursuant to N.J.S.A. 40:48-1, the governing body of a municipality may make, amend, repeal, and enforce such other ordinances, regulations, rules and by-laws not contrary to the laws of this State or Federal Government, as it may deem necessary and proper for the good of government, order and protection of person and property, and for the preservation of the public health, safety and welfare of the municipality and its inhabitants, and as may be necessary to carry into effect the powers and duties conferred and imposed by this subtitle, or by any law; and

WHEREAS, The Borough has determined that it is in the best interest of public welfare to revise its Code relative to parking during snowstorms.

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Kenilworth in the County of Union, State of New Jersey as follows:

SECTION 1. The foregoing whereas clause is incorporated herein by reference and made a part hereof.

SECTION 2. Chapter 170 "Streets and Sidewalks," Article I "Snow and Ice Removal", Section 170-4.5. "Parking restrictions; prohibited conduct" shall be amended as follows.

Note: Additions are shown in **bold and underlined** and deletions are shown as ~~striketrough~~.

§170-4.5.

A. When snow, sleet or freezing rain covers the streets of the Borough, prohibited parking shall then be enforced on municipal streets as follows:

[Amended 2-11-2015 by Ord. No. 2015-01; at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]

(1) ~~(1) — On days of the month that are even numbered, a vehicle shall not be parked on the even numbered side of the street.~~ **Parking on the side of the streets that contain odd numbered properties shall be prohibited from the commencement of any snow or ice storm until the weather event has ended and snow plowing has cleared to the curb.**

(2) ~~(2) — On days of the month that are odd numbered, a vehicle shall not be parked on the odd numbered side of the street.~~ **Within 2 hours of the end of the weather event and the completion of plowing on the sides of all streets that contain odd numbered properties to the curb, all vehicles parked on the streets shall move to the side of the streets containing properties designated by odd numbers, unless otherwise prohibited, in order to allow plowing on the even side.**

~~(3) — Between the hours of 9:00 p.m. to 12:00 midnight, the restriction on alternate side of the street parking shall be suspended.~~

(3) Unless otherwise posted, there shall be no parking in municipal parking lots **when snow covered** ~~between 8:00 a.m. and 10:00 a.m.~~ with the exception of the municipal lot at South 23rd Street and the Boulevard and the municipal lot on South 24th Street which shall be restricted to municipal employees and officials without regard to handicap parking locations.

(4) No owner or operator of any vehicle shall park in such manner prohibiting or hindering snowplowing or de-icing operations. A vehicle shall be less than

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four inches from the edge and/or curb of the street.

**(5) street cleaning operations shall be suspended while any road is snow covered and all parking restrictions associated with the same, shall be suspended.**

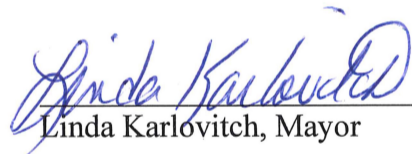
**(6) Roads subject to full time parking restrictions shall be exempt for the snow covered roadway restrictions set forth herein.**

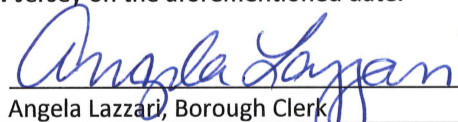
- B. A vehicle shall be less than four inches from the edge and/or curb of the street
- C. No person shall use any method to reserve a parking area to maintain a parking spot. The Borough of Kenilworth reserves the right to collect and dispose of the means to reserve any parking space in violation of this provision without maintaining any liability for the item removed from the public street.
- D. No owner, tenant or occupant or any premises abutting any street, nor any person working for or on behalf of any owner, tenant or occupant, shall throw, place or deposit any snow or ice upon the public street. The intent of this provision is to prohibit all persons from throwing, placing or depositing snow or ice from the private driveway, parking area, or on the sidewalk in front of the property, upon the municipal street or sidewalks of the Borough of Kenilworth.

**SECTION 3.** If any section, paragraph, subdivision, sentence, clause, or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, sentence, clause, or provision so adjudged and the remainder of this Ordinance shall remain valid and effective.

**SECTION 4.** Any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

**SECTION 5.** This Ordinance shall take effect upon final passage and publication in accordance with the laws of the State of New Jersey, following the required twenty-day period after adoption, as set forth in N.J.S.A. 40:69A-181(b).

  
 Linda Karlovitch, Mayor

INTRODUCTION						COUNCILPERSON	FINAL ADOPTION					
Moved	Sec.	Aye	Nay	Abs.	NP		Moved	Sec.	Aye	Nay	Abs.	NP
		X				PATRICK BOYLE			X			
		X				JOSEPH FINISTRELLA		X	X			
		X				TONI GIORDANO PICERNO						X
	X	X				WILLIAM MAURO	X		X			
X		X				SAVINO SCORESE			X			
		X				JOHN ZIMMERMAN			X			
Introduced: February 7, 2024						I hereby certify the above ordinance was adopted by the Borough Council of the Borough of Kenilworth, County of Union, State of New Jersey on the aforementioned date.						
Final Adoption: February 21, 2024												 Angela Lazzari, Borough Clerk