

City of Somers Point

Ordinance No. 22 of 2023

An Ordinance Enacted Under Authority of N.J.S.A. 39: 4-197.6. and N.J.S.A. 39: 4-197.7, granting the Authority to establish a Restricted Parking Zone in Front of a Residence Occupied by a Handicapped Person Under Certain Conditions; Amending and Supplementing Section 250-50 of the Somers Point City Code; Repealing All Ordinances Heretofore Adopted, the Provisions of Which are Inconsistent Herewith

WHEREAS, N.J.S.A. 39:4-197.6. authorizes a Municipality, by ordinance, to establish a restricted parking zone in front of a residence occupied by a handicapped person if a windshield placard or wheelchair symbol license plates have been issued by the Division of Motor Vehicles for a vehicle owned by the handicapped person, or by another occupant of the residence who is a member of the immediate family of the handicapped person; and

WHEREAS, N.J.S.A. 39:4-197.7 authorizes a Municipality, by ordinance, to provide for the issuance of permits which identify a specific motor vehicle and the location wherein it is to be parked, such permits to be issued only to persons who can prove ownership and operation of the motor vehicle and residency at the location specified thereon; and

WHEREAS, Section 250-48 of the Somers Point Municipal Code “Purpose” identifies certain requirements for the establishment and use of handicapped parking spaces and which limits the use of same; and

WHEREAS, Section 250-57 of the Somers Point Municipal Code “Restricted parking zones authorized; conditions” sets forth the requirements which are to be adhered to by the permit holder including payment of the Permit fee, and placement of the Permit within the vehicle; and

WHEREAS, A request has been submitted to the Mayor and City Clerk by:

George Cornman stating the need for a Handicapped Parking Space in front of his residence at 210 Pennsylvania Avenue, Somers Point, NJ; and

WHEREAS, the request did include the required verified New Jersey Driver’s License and the Permanent Disability Identification Card issued by the New Jersey Motor Vehicle Commission; and

WHEREAS, the request has been reviewed by the Somers Point Police Department Chief of Police and deemed appropriate and reasonable; and

WHEREAS, the Somers Point City Engineer has reviewed the request and determined the proper placement of the Handicapped Parking space signage.

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NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Somers Point, County of Atlantic, and State of New Jersey as follows:

SECTION 1. The Somers Point Municipal Code Chapter 250 Vehicles and Traffic, Article III Section 250-50 Designation of spaces, and Article V Section 250-54 Designations of locations are hereby amended to designate the following location as a Permit Only Handicapped Parking spaces and shall be so marked by sign indicating “Handicapped Parking by Permit Only”, in conformance with the Manual on Uniform Traffic Control Devices for Streets and Highways:

Name of Street

Location

Pennsylvania Avenue	South Side directly in front of 210 Pennsylvania Avenue (sign to be placed 115 west feet of the westerly curb line of Second Street) (Handicapped Parking by Permit Only)
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SECTION 2. Further Conditions.

1) The Traffic Division of the Police Department in conjunction with the City Engineer shall designate an area of 20 feet in length in front of the residence of the handicapped person, to be painted as a restricted parking zone.

2) A "Handicapped Parking by Permit Only" sign to be placed alongside the designated area.

3) A permit 5 1/2 inches by 8 1/2 inches in size, bearing an appropriate certification of authenticity shall be issued and shall be placed in the vehicle as required by Code Section 250-57 G.

4) The holder of a handicapped parking permit must notify the City Clerk immediately if such person changes his or her residence, changes his or her vehicle registration number, or if the special vehicle identification card and certificate issued by the Director of Motor Vehicles shall be modified, revoked or expired.

5) The permit shall be issued upon payment of the initial fee and shall be subject to payment of the annual renewal fee in compliance with Code Section 250-57 I.

SECTION 3: All other provisions of Chapter 250 shall remain in full force and effect and shall apply to this amendment upon the effective date of this Ordinance.

SECTION 4: All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies.

SECTION 5: Should any section, clause, sentence, phrase or provision or any item in any schedule of this ordinance be declared unconstitutional or invalid by a Court of competent jurisdiction, such decision shall not affect the remaining portions of this ordinance.

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SECTION 6: This Ordinance shall take effect upon its final passage, publication and adoption in the manner prescribed by law.