

BOROUGH OF WESTWOOD

NOTICE

NOTICE IS HEREBY GIVEN that the following Ordinance was introduced and passed on first reading on regular meeting of the Mayor and Council on the 23rd day of June, 2020, and that said Ordinance will be taken up for further consideration for final passage at a regular meeting of the Mayor and Council to be held on the 21st day of July, 2020 at 8:00 p.m. or as soon thereafter as said matter can be reached, at which time and place all persons who may be interested therein will be given an opportunity to be heard concerning same.

Karen Hughes, Borough Clerk
Borough of Westwood

Ordinance #20-11

An Ordinance Amending Chapter 375, Part 2, Article VIII Metered Time Limit Parking

BE IT ORDAINED by the Mayor and Council of the Borough of Westwood that Chapter 375 Vehicles and Traffic, be amended as follows (deleted sections are noted by strikethroughs, new sections are **bold and underlined**):

Section 1. Amend:

Article VIII
Metered Time Limit Parking

§ 375-33 Marking of metered spaces.

The Westwood Parking Authority is hereby directed and authorized to cause to be marked off individual parking spaces in the parking zones designated and described in §§ **375-42** through 375-46 of this article and in such other zones as may hereinafter be established. Said parking spaces are to be designated by lines painted or durably marked on the curbing or surface of the street. At each space so marked off, it shall be unlawful to park any vehicle in such a way that said vehicle shall not be entirely within the limits of the space so designated.

Section 2. Amend:

§ 375-34 Installation of parking meters; meter requirements.

In said parking meter zones, the Westwood Parking Authority shall cause parking meters to be installed upon the curb or sidewalk immediately adjacent to the parking spaces as provided in § **375-33** of this article, and the Parking Authority shall be responsible for the regulation, control, operation, maintenance and use of such parking meters. Each device shall be so set as to display a signal showing legal parking upon the deposit of the appropriate coin or coins, lawful money of the United States of America, **or use of an electronic mobile payment application (hereinafter referred to as "payment app") through a designated vendor authorized and approved by the Borough of Westwood.** for the period of time prescribed by this article. Each device shall be so arranged that, upon the expiration of the lawful time limit, it will indicate by a proper visible signal that the lawful parking period has expired, and, in such cases, the right of such vehicle to occupy such space shall cease, and the operator, owner or possessor or manager thereof shall be subject to the penalties hereinafter provided.

Section 3. Amend:

§ 375-35 **Operation of meters; overtime parking; prohibition of meter feeding; meter destruction.**

- A. Except in a period of emergency determined by an officer of the Police Department or Fire Department, or in compliance with the directions of a police officer or traffic control sign or signal, when any vehicle shall be parked in any parking space alongside of or next to which a parking meter is located, the operator of such vehicle shall, upon entering said parking meter space, immediately deposit or cause to be deposited in said parking meter such proper coin or coins of the United States, or use of payment app, as are required for such parking meter and as are designated by proper directions on the meter, and, when required by the directions on the meter, the operator of such vehicle, after the deposit of the proper coin or coins, or use of payment app, shall also set in operation the timing mechanism on such meter in accordance with the directions properly appearing thereon, and failure to deposit such coin or coins or use of payment app and to set the timing mechanism in operation when so required shall constitute a violation of this article.
- B. Upon the deposit of such coin, or use of payment app, and the setting of the timing mechanism in operation as required, the parking space may be lawfully occupied by such vehicle during the period of time which has been prescribed for the part of the street in which said parking space is located, provided that any person placing a vehicle in a parking meter space adjacent to a meter which indicates that unused time has been left in the meter by the previous occupant of the space shall not be required to deposit a coin or use the payment app so long as his occupancy of said space does not exceed the indicated unused parking time. If said vehicle shall remain parked in any such parking space beyond the parking time limit set for such parking space, notwithstanding that additional coins have been inserted, or additional payment made through the app, then, and in such event, such vehicle shall be considered as parking overtime and beyond the period of legal parking time, and such parking shall be deemed a violation of this article.
- C. Meter feeding shall be prohibited.
- D. An obstruction permit will be required where a parking meter on any Borough street or metered parking lot will be obstructed due to the placement of dumpsters, lifts, material or construction vehicles. This permit will only be issued in conjunction with a construction permit issued by the Construction Official. The application fee will be \$6 plus daily meter rate. The application can be obtained from the Parking Authority once a construction permit is issued.

Section 4. Amend:

§ 375-36 **Rates; time limitations.**

- A. Parking a vehicle in the designated space in a parking meter zone shall be lawful only for the period of time therein fixed and upon the depositing of a coin or coins or use of the parking app of the value stated herein for said time period as follows:
 - (1) (Reserved)
 - (2) Twenty-five ~~Ten~~ cents for each hour, up to two hours, maximum lawful time, with the exception of the Lot C, the Fairview Avenue parking lot, which is twenty-five cents for three hours, and employee parking as defined in §375-46.3.
 - (3) ~~Twenty five cents, for convenience, will also purchase two hours of parking in two hour zones, and three hours of parking in three hour zones. [Amended 8-21-2018 by Ord. No. 18-31]~~
- B. Said parking meters shall be operated in said parking meter zones every day, Monday through Saturday, except Sundays and public holidays, between the hours described below:
 - (1) Between 8:30 a.m. and 6:00 p.m. in the following areas:

Name of Street	Side	Location
Bergen Street	Both	Between Kinderkamack Road and Center

Commented [1]: Editor's Note: Former Subsection A(1), regarding parking fees every 15 minutes, amended 2-1-2005 by Ord. No. 05-05, was repealed 8-16-2016 by Ord. No. 16-20.

Name of Street	Side	Location
		Avenue
Broadway	Both	Between Irvington Street and Jefferson Avenue
Center Avenue	Both	Between Irvington Street and Bergen Street
Fairview Avenue	Both	Between Irvington Street and Bergen Avenue
Fourth Avenue	Both	Between Washington Avenue and Park Avenue
Jefferson Avenue	Both	Between Fairview Avenue and Broadway
Kinderkamack Road	West	Between Irvington Street and a point 235 feet south of Westwood Avenue
Madison Avenue		
Madison Avenue	Both West	Between Irvington Street and Washington Avenue
Municipal Lot A, as described in Chapter 237, Article I, § 237-1		
Municipal Lot B, as described in Chapter 237, Article I, § 237-1		
Municipal Lot C, as described in Chapter 237, Article I, § 237-1		
Municipal Lot F, as described in Chapter 237, Article I, § 237-1		
Park Avenue	North	Between Third Avenue and Fourth Avenue
Third Avenue	Both	Between Washington Avenue and Elm Street
Washington Avenue	North	Between Broadway and Irvington Street
Westwood Avenue	Both	Between Kinderkamack Road and Broadway
Westwood Avenue	North	From a point 1,160 feet west of the Hillsdale Borough line to a point 172 feet east of the easterly curblines of Kinderkamack Road

(2) Between 6:00 a.m. and 9:00 p.m. in the following areas:

- (a) Municipal Lot D, the Municipal Complex, Metered Lot 1, as described in Chapter 237, Article I, § 237-1.
- (b) Municipal Lot D, the Municipal Complex, Metered Lot 2, as described in Chapter 237, Article I, § 237-1.

Section 5. Amend:

§ 375-41 **Use of funds.**

The coins deposited in the parking meters shall be paid into the Treasury of the Westwood Parking Authority. Funds collected via the **electronic mobile payment application (hereinafter referred to as “payment app”) to the designated vendor authorized and approved by the Borough of Westwood shall**

be deposited as per the contract on file in the Borough Clerk's office.

Section 6. Amend:

§ 375-43 Nine-hour zones.

The zones described in this section shall all have up to a nine-hour time limit for parking. The following named and described areas, public parking lots or portions of public parking lots, streets or portions of streets, as may hereinafter be included this section by amendment hereto, lying within the corporate limits of the Borough of Westwood shall constitute nine-hour parking meter zones:

Street	Side	Location
Center Avenue	West	In Municipal lot B, as described in Chapter 237, Article I, § 237-1, the 14 spaces facing north along the north end of the lot identified by yellow head meters and designated as employee parking and requiring a valid and current hang tag

Section 7. Amend:

§ 375-44 Two-hour zones.

The zones described in this section shall all have up to a two-hour time limit for parking. The following named and described areas, public parking lots or portions of public parking lots, streets or portions of streets, as may hereinafter be included in this section by amendment hereto, lying within the corporate limits of the Borough of Westwood shall constitute two-hour parking meter zones:

Madison Avenue	Both West	From Irvington Street to Washington Avenue
----------------	------------------	--

Section 8. If any section, subsection, paragraph, sentence or any other part of this ordinance is adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance.

Section 9. All ordinances or parts of ordinances which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

Section 10. If any section, subsection, part, clause or phrase of this Ordinance shall be declared invalid by judgment of any court of competent jurisdiction, such section, subsection, part, clause or phrase shall be deemed to be severable from the remainder of this Ordinance.

Section 11. This Ordinance shall take effect immediately upon final passage and publication as required by law.

Adopted: _____

Approved:

Attest:

Ray Arroyo, Mayor

Karen Hughes, Borough Clerk

Commented [2]: Editor's Note: Former § 375-46, Three-hour zones, was repealed 8-16-2016 by Ord. No. 16-20. See now § 375-44.1.