

**TOWNSHIP OF HAMILTON
Ordinance # 1772-2014**

**AN ORDINANCE ESTABLISHING
UPDATES TO THE EXISTING HANDICAPPED PARKING
REGULATIONS IN THE TOWNSHIP OF HAMILTON**

WHEREAS, the Municipal Court has requested that the Township Committee update it's Handicapped Parking Ordinance so it can be better enforced; and

WHEREAS, the Township Committee of the Township of Hamilton has determined that the it's Handicapped Parking Ordinance in in need of updating; and

NOW THEREFORE BE IT HEREBY RESOLVED by the Township Committee of the Township of Hamilton, County of Atlantic, State of New Jersey, that the following is hereby adopted:

SECTION #1 Delete the existing Chapter 186 in its entirety and replace it with a new Chapter 186 to read as follows:

Chapter 186

HANDICAPPED PARKING

Chapter 186. HANDICAPPED PARKING

§ 186-1. Purpose.

The purpose of this article is to establish certain areas that are private property, that are open to the public or in which the public is invited that shall prohibit parking in these areas designated as "handicapped parking spaces" for use by persons who have been issued special identification cards by the Division of Motor Vehicles. No other person shall be permitted to park in these spaces.

§ 186-2. Statutory authority.

This article is enacted in accordance with N.J.S.A. 40:48-2.46, which does confer upon the Township of Hamilton the right to establish handicapped parking spaces in order to preserve and safeguard the public health, safety, morals and welfare.

§ 186.3. Definitions.

As used in this article, the following terms shall have the meanings indicated:

HANDICAPPED PERSON - Shall be synonymous with that term as utilized in N.J.S.A. 39:4-204.

§186.4. Restricted spaces established.

The Township of Hamilton herewith authorizes the establishment of restricted parking spaces for use by handicapped persons in any space on public or private property appropriately marked for vehicles for the physically handicapped pursuant to P.L. 1977, c. 202 (N.J.S.A. 39:4-197.5), P.L. 1975, c. 217 (N.J.S.A. 52:27D-119 et seq.), and for any other applicable law relating to parking for the physically handicapped.

§186.5. Prohibited parking.

Vehicular parking shall be prohibited to the extent that such spaces are appropriately designated and marked according to law, unless the vehicle is authorized by law to be parked therein and a handicapped person is either the driver or a passenger in that vehicle.

§ 186-6. Violations and Penalties.

For violation of any provision of this article the fine shall be \$250 for the first offense and shall be \$250 plus a maximum of 90 days of community service for all subsequent offenses pursuant to Chapter 161, Public Laws of 2003.

§ 186-7. Severability.

Should any portion of this Ordinance be declared unconstitutional or impermissible by a Court of competent jurisdiction, said declaration shall not affect the remaining portions of this Ordinance which shall continue in full force and effect.

14-14. Effective Date April 1, 2014

ROLL CALL: DIX
GATTO
GUISHARD
LINK
SILVA

ATTEST:

TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF HAMILTON,
COUNTY OF ATLANTIC and
STATE OF NEW JERSEY

Joan I. Anderson, R.M.C.
Township Clerk

ROGER J. SILVA, MAYOR

GUISHARD
LINK
SILVA

ORDINANCE NO.1772-2014 INTRODUCED & PASSED FIRST READING JUNE 2, 2014.
ORDINANCE NO. 1772--2014 ADOPTED