

TOWNSHIP OF HAMILTON

ORDINANCE NO.: # 1818-2016

AN ORDINANCE ESTABLISHING UPDATES TO THE EXISTING
HANDICAPPED PARKING REGULATIONS AND ESTABLISHING
A SPECIFIED "WOUNDED WARRIORS" PARKING SPACE

WHEREAS, the Township Committee for the Township of Hamilton has determined that its Handicapped Parking Ordinance is in need of updating; and

WHEREAS, the Township Committee for the Township of Hamilton has determined to honor and empower the "Wounded Warriors" by providing and designating a parking space specifically for use only by Wounded Warriors;

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Hamilton, County of Atlantic, State of New Jersey that:

CHAPTER 186

HANDICAPPED PARKING

Chapter 186. HANDICAPPED PARKING - WOUNDED WARRIORS.

§186-1.1. Purpose.

The purpose of this Ordinance is to supplement the existing Chapter 186 encaptioned "Handicapped Parking" to provide for a parking space for "Wounded Warriors", as provided herein. Nothing in this Ordinance is intended to revoke or alter the provisions of the existing Chapter 186. The sole and only purpose of this Ordinance is to create one parking place for "Wounded Warriors", as that term is defined hereinafter.

§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.

§186.3.3 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.

WOUNDED WARRIORS - Shall mean those men and/or women who served as Veterans of any of the Military Branches of the United States of America and said Service members who incurred a physical and/or mental injury, illness or wound co-incident to their Military Service.

§186.4.4 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.

The Township of Hamilton herewith authorizes the establishment of a restricted parking space for the use by "Wounded Warriors". That space is located on Block 786, Lot 1.01 of the Official Tax Map for the Township of Hamilton. Annexed hereto and made a part hereof as Exhibit "A" is a portion of the Site Plan for Block 786, Lot 1.01 designating the location of the "Wounded Warrior" parking space.

§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.

§186.8. Effective Date.

This Ordinance shall take effect upon its final passage and publication, as provided by law.

ROLL CALL: GATTO "YES"
GUISHARD "YES"
KURTZ "YES"
SCHENKER "YES"
SILVA "YES"

ORDINANCE #1818 - 2016 INTRODUCED AND PASSED FIRST READING MARCH 21, 2016

ORDINANCE #1818 - 2016 ADOPTED _____, 2016