

ORDINANCE NO. 2019 – 02

AN ORDINANCE OF THE TOWNSHIP OF LITTLE EGG HARBOR, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING CHAPTER 323 OF THE TOWNSHIP CODE OF THE TOWNSHIP OF LITTLE EGG HARBOR, ENTITLED “VEHICLES AND TRAFFIC”

BE IT ORDAINED, by the governing body of the Township of Little Egg Harbor, County of Ocean, State of New Jersey, as follows:

SECTION 1. The Township Code of the Township of Little Egg Harbor is hereby amended and supplemented so as to amend § 323-4 of Chapter 323 entitled “Vehicles and Traffic,” so as to read in its entirety as follows:

§ 323-4. **Enforcement**, violations and penalties.

Unless another penalty is expressly provided by New Jersey statute or another section of this chapter, every person convicted of a violation of the provisions of this chapter or any supplement thereto shall be liable to the penalties set forth in N.J.S.A. 39:4-203. **Enforcement of all provisions of this Chapter may be by the Township Police Department or Code Enforcement Department and all enforcement** of any provision of Title 39 of the New Jersey Statutes solely by the Township Police Department.

SECTION 2. The Township Code of the Township of Little Egg Harbor is hereby amended and supplemented so as to amend § 323-10 of Chapter 323 entitled “Vehicles and Traffic,” so as to read in its entirety as follows:

§ 323-10. Trucks over four tons excluded from certain streets; weight restrictions; transport of flammable substances.

A. Trucks **having a registered gross weight in excess of 8 12,000 pounds** are hereby excluded from the streets or parts of streets specified in Schedule IV (§ 323-36), except for pickup and delivery of materials on such streets. Schedule IV is hereby attached to and made a part of this chapter.

B.

No person, firm, or corporation shall park a truck, tractor, trailer, or omnibus, having a registered gross weight in excess of 12,000 pounds, on any street in the Township of Little Egg Harbor between the hours of 11:00 p.m. and 6:00 a.m., prevailing time, of any day. This section shall not apply to self-propelled recreational vehicles.

C.

No person shall permit any truck or other vehicle designated to transport flammable or toxic substances, and carrying such substances, to be parked within 200 feet of any residential zone, except when making a delivery of such substances to a residential dwelling. If any truck or other vehicle is being used to deliver said flammable or toxic substance, it shall be permitted to park in the vicinity of the delivery place only for such time as is necessary to make such delivery.

D.

Nothing herein contained within this section shall be construed to prevent any such vehicle from making deliveries of merchandise or other property to the premises on the street along which said vehicle is so parked, nor to prevent the parking of any such vehicle by any public utility company in connection with the construction, installation, operation and maintenance of public utilities, nor to prevent the parking of vehicles attending to an emergency.

E.

Signs with the following specification shall be posted on all streets and highways at the entrance to the Township:

(1) The signs shall be in red letters on white background and reflectorized, incorporated on a single plate 30 inches in width and 24 inches in height, with the legend COMMERCIAL TRUCKS and BUSES, lettering to be six inches.

(2) On a plate below said COMMERCIAL TRUCKS and BUSES, which plate shall be 36 inches in height and 30 inches in width, shall appear the legend NO PARKING ANY STREET 11:00 P.M. TO 6:00 A.M., the lettering therefor to be five inches for NO PARKING and four inches for ANY STREET 11:00 P.M. TO 6:00 A.M.

F.

For the purposes of this section, unless another meaning is clearly apparent, the classes of vehicles hereinabove enumerated shall be defined by the laws of the State of New Jersey, Motor Vehicles and Traffic Regulations, N.J.S.A. 39:1-1.

SECTION 3. All ordinances or parts of ordinances inconsistent herewith are

hereby repealed.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 5. This ordinance shall take effect after second reading and publication as required by law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed by the Township Committee on first reading at a meeting of the Township Committee of the Township of Little Egg Harbor held on the 24th day of January, **2019**, and will be considered for second and final passage at a meeting of the Township Committee to be held on the 14th day of March, **2019**, at 7:00 p.m. at the Municipal Building located at 665 Radio Road, Little Egg Harbor, New Jersey, at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.

Diana K. McCracken, RMC
DIANA K. MCCRACKEN, RMC, Clerk
 Township of Little Egg Harbor

Introduction – January 24, 2019

Motion: *Kehm*

Second: *Scibetta*

Motion to Introduce:

Stevens	<u>yes</u>
Scibetta	<u>yes</u>
Gormley	<u>absent</u>
Kehm	<u>yes</u>
Crea	<u>yes</u>

Public Hearing – February 28, 2019

Adoption – March 14, 2019

Motion: *Stevens*

Second: *Scibetta*

Motion to Adopt:

Stevens	<u>yes</u>
Scibetta	<u>yes</u>
Gormley	<u>yes</u>
Kehm	<u>yes</u>
Crea	<u>absent</u>