



BOROUGH OF ATLANTIC HIGHLANDS  
COUNTY OF MONMOUTH  
**ORDINANCE 02-2024**

**AN ORDINANCE AMENDING CHAPTER 139, ARTICLE II, PARKING**

**§ 2-1. Regulations not exclusive.**

The provisions of this article imposing a time limit on parking shall not relieve any person of the duty to observe other and more restrictive provisions prohibiting or limiting the stopping, standing or parking of vehicles as set forth in N.J.S.A. 39:4-138 or any other New Jersey statute or as hereinafter provided.

**§ 2-2. Parking prohibited at all times.**

No person shall park a vehicle at any time upon any of the streets or parts thereof described in Schedule I attached to and made a part of this chapter.<sup>1</sup>

**§ 2-2.1. Parking prohibited in fire zones. [Added 4-27-1982 by Ord. No. 791]**

The locations described in Schedule IA hereof are hereby designated as fire zones, and no vehicle shall be permitted to stop, stand or park therein at any time.<sup>2</sup>

**§ 2-3. Parking prohibited during certain times.**

No person shall park a vehicle between the hours specified in Schedule II of any day (except Sundays and public holidays) upon any of the streets or parts of streets described in said Schedule II attached to and made a part of this chapter.<sup>3</sup>

**§ 2-3.1. Parking regulations for municipal parking lot and other areas. [Added 8-21-2002 by Ord. No. 11-2002]**

A. Parking prohibited during certain hours. No person shall park a vehicle between 3:00 a.m. and 6:00 a.m. in any municipal parking lot: **[Amended 3-10-2022 by Ord. No. 03-2022]**

- (1) In the Railroad Avenue Municipal Parking Lot except with an overnight parking permit issued by the Atlantic Highlands Police Department. Parking with this permit shall be limited to areas designated by the Department. A permit may only be issued to residents, or their guests, or for other temporary uses approved by the Department. The Department shall establish rules and procedures for the issuance, renewal and control of permits and permit parking. An administrative fee as provided in Chapter 168, Article II, per year shall be charged; there shall be no charge for handicapped or temporary permits. Overnight parking permits are nontransferable. Permits must be prominently displayed at all times. Permit holders may park their vehicle in either the Railroad Avenue Municipal Parking Lot, the Holly Tree Municipal Parking Lot, or the West Avenue Municipal Parking Lot. **[Amended 2-23-2011 by Ord. No. 03-2011]**

1. **Editor's Note: Schedule I is included in Art. XIII of this chapter.**
2. **Editor's Note: Schedule IA is included in Art. XIII of this chapter.**
3. **Editor's Note: Schedule II is included in Art. XIII of this chapter.**

(2) On Railroad Avenue.

(3) On W. Mount Avenue.

(4) In the Holly Tree Municipal Parking Lot except with a permit issued by the Atlantic Highlands Police Department. Parking with this permit shall be limited to areas designated by the Department. A permit may only be issued to residents, or their guests or for other temporary

uses approved by the Department. The Department shall establish rules and procedures for the issuance, renewal and control of permits and permit parking. An administrative fee as provided in Chapter 168, Article II, per year shall be charged; there shall be no charge for handicapped or temporary permits. Overnight parking permits are nontransferable. Permits must be prominently displayed at all times. Permit holders may park their vehicle in either the Railroad Avenue Municipal Parking Lot, Holly Tree Municipal Parking Lots, or the West Avenue Municipal Parking Lot.

- (5) In the West Avenue Municipal Parking Lot except with a permit issued by the Atlantic Highlands Police Department. Parking with this permit shall be limited to the areas designated by the Police Department. A permit may only be issued to residents or their guests for temporary uses approved by the Department. The Department shall establish rules and procedures for the issuance, renewal and control of permits and permit parking. An administrative fee as provided in Chapter 168, Article II, per year shall be charged; there shall be no charge for handicapped or temporary permits. Overnight parking permits are nontransferable. Permits must be prominently displayed at all times. Permit holders may park their vehicle in either the Railroad Avenue Municipal Parking Lot, Holly Tree Municipal Parking Lot, or the West Avenue Municipal Parking Lot.

B. Limited length of time parking. No person shall park a vehicle for longer than the time permitted time, between the hours of 8:00 a.m. and 6:00 p.m., on any day, in the following areas: **[Amended 7-27-2016 by Ord. No. 08-2016]**

- (1) Along the east side of First Avenue; time limit: 10 minutes.
  - (a) The first parking space north of the no-parking area in front of the movie theater, beginning about 215 feet north of the north curblines of E. Mount Avenue.
  - (b) The first parking space south of the no-parking area across from Center Avenue, beginning about 475 feet north of the north curblines of E. Mount Avenue.
  - (c) From the northeast corner of First Avenue and East Mount Avenue, 55 feet to the north end of the first parking space on First Avenue.
- (2) Along the west side of First Avenue; time limit: 10 minutes.
  - (a) The first parking space south of Center Avenue, beginning about 35 feet south of the south curblines of Center Avenue.
  - (b) The last parking space north of W. Mount Avenue, ending about 35 feet north of the north curblines of W. Mount Avenue.
  - (c) One parking space south of the no-parking zone created by the garage and driveway, beginning about 105 feet south of the south curblines of W. Washington Avenue.
- (3) Along First Avenue; time limit: two hours.
  - (a) From the north curblines of Garfield Avenue to the harbor, on both sides of the street, any parking space not designated as a ten-minute space.
  - (b) In front of the inactive driveways, with the permission of the property owner.
- (4) Along the east side of Railroad Avenue; time limit: 15 minutes.
  - (a) Beginning at a point 35 feet north of the north curblines of W. Mount Avenue, to a point 84 feet further north.
- (5) Along the north side of W. Mount Avenue; time limit: 15 minutes.
  - (a) Beginning at a point 30 feet west of the west curblines of Railroad Avenue, to a point 62 feet further west.
- (6) Along the north side of Bay Avenue; time limit: two hours.
  - (a) Beginning at a point 40 feet west of the west curblines of First Avenue, to West Avenue.

(7) Along West Avenue Extension; time limit: two hours (anytime; no overnight parking). [Added 9-27-2017 by Ord. No. 09-2017]

(a) The 30 parking spaces, angled and parallel to the west of the West Avenue Extension from Bay Avenue up to 261 feet north from the northern curblineline of Bay Avenue.<sup>4</sup>

(8) Holly Tree Lot; time limit: six hours, except if an overnight parking permit is issued by the Atlantic Highlands Police Department in accordance with § 139-2-3.1A(4) of the Borough Code. [Added 3-10-2022 by Ord. No. 03-2022]

C. Parking permitted. Parking will be permitted at all times:

(1) Along the west side of Avenue A, between Bay Avenue and Harborview Drive.

D. Loading zone. No person shall park a vehicle except for the loading or unloading of goods and materials:

(1) Along the east side of Railroad Avenue, beginning at a point 120 feet north of the north curblineline of W. Mount Avenue, to a point 130 feet further north.

E. Penalties. Unless another penalty is expressly provided by New Jersey statute or municipal ordinance, any person convicted of a violation of any parking regulation of the Borough shall be liable for a penalty of not less than \$25 nor more than \$50; court appearance may be required for repeated violators; and any person or vehicle owner with three or more violations within a twelve-month period shall be required to appear in court and be liable for a penalty of up to \$100 or 10 days of community service, or both. [Amended 7-27-2016 by Ord. No. 08-2016]

F. Parking reserved for employees of the Borough of Atlantic Highlands. [Added 5-26-2010 by Ord. No. 12-2010]

(1) The following are designated as employee-only parking areas for the time periods indicated:

(a) Block 99, Lot 14, located on East Highland Avenue, between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday.

(2) Violators of this subsection will be subject to towing and a fine not to exceed \$100.

G. Parking prohibited during certain hours. No person shall park a vehicle: [Added 9-14-2011 by Ord. No. 16-2011]

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4. **Editor's Note: Former Subsection B(7)(b), regarding Hennessey Boulevard, which immediately followed, was repealed 3-10-2022 by Ord. No. 03-2022.**

(1) Municipal Harbor Tennis Court Lot, west side: the seven parking spaces adjacent to the Harbor Parking and Municipal Gazebo between the hours of 8:00 a.m. and 6:00 p.m.

**§ 2-4. Stopping or standing prohibited.**

No person shall stop or stand a vehicle between the hours specified in Schedule III of any day (except Sundays and public holidays) upon any of the streets or parts of streets described in said Schedule III attached to and made a part of this chapter.<sup>5</sup>

**§ 2-4.1. Loading and unloading. [Added 3-10-1987 by Ord. No. 892]**

No person or operator of a vehicle shall stand or park a vehicle for a period of time longer than is necessary for the loading or unloading of passengers or materials than is hereinafter provided. The loading and unloading of passengers or materials shall not consume more than three minutes between the hours specified in Schedule IIIA of any day upon any of the streets described in said Schedule IIIA attached to and made a part of this chapter.<sup>6</sup>

**§ 2-5. Parking time limited. [Amended 9-21-1994 by Ord. No. 55A-94]**

No person shall park a vehicle for longer than the time limit shown in Schedule IV at any time between the hours listed in said Schedule IV of any day (except Sundays and public holidays) upon any of the streets or parts of streets described in Schedule IV attached to and made a part of this chapter.<sup>7</sup> The provision of this § 2-5, as to the excepting of Sundays and public holidays, shall not be applicable to the areas of Simon Lake Drive set forth in Schedule IV.

**§ 2-6. Parking of trucks, tractors, trailers (open or closed), school buses and recreational vehicles prohibited. [Added 2-13-1979 by Ord. No. 740; amended 11-27-1979 by Ord. No. 759; 5-13-1980 by Ord. No. 765; 4-10-2019 by Ord. No. 04-2019]**

The parking of trucks, tractors, trailers (open or closed), school busses or recreational vehicles is prohibited between the hours of 2:30 a.m. and 6:00 a.m. on any street or parts of streets in the Borough of Atlantic Highlands. This section shall not apply to panel trucks, pickup trucks and small open trucks having a gross vehicle weight less than 4 1/2 tons.

**§ 2-7. Handicapped parking. [Added 2-12-1985 by Ord. No. 845]**

No person shall park a vehicle in any parking space in Schedule XIV attached to and made a part of this chapter<sup>8</sup> unless said driver shall have special vehicle identification issued by the Director of the Division of Motor Vehicles of the State of New Jersey authorizing said driver to park in a parking space reserved for a physically handicapped person.

**§ 2-8. Emergency no parking. [Added 7-28-2004 by Ord. No. 12-2004]**

- A. During state of emergencies. Upon the declaration of an emergency, there shall be no parking upon Borough streets, parking lots or sections of such lots, where weather conditions, accidents, road

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5. **Editor's Note: Schedule III is included in Art. XIII of this chapter.**  
6. **Editor's Note: Schedule IIIA is included in Art. XIII of this chapter.**  
7. **Editor's Note: Schedule IV is included in Art. XIII of this chapter.**  
8. **Editor's Note: Schedule XIV is included in Art. XIII of this chapter.**

construction, medical, fire or other emergency conditions dictate or require the free flow of traffic or pedestrians. The Chief of Police or, in his absence the ranking Police Officer, is authorized to declare an emergency and effectuate such temporary parking prohibitions and to direct the posting of EMERGENCY NO PARKING signs in or near the area so designated. When in his/her judgment weather conditions, accidents, road construction, medical, fire or other emergency conditions require the removal of vehicles or obstacles which interfere with the free flow of traffic or pedestrians, the Police Department will make a reasonable effort to notify the owner, of any vehicle or obstacle, which has been parked prior to the declaration and designation of the No Parking area, and afford them a reasonable time, depending on the circumstances, to move the vehicle or obstacle before a summons may be issued and/or the vehicle removed.

- B. During special events. There shall be no parking upon Borough streets, parking lots or sections of such lots where EMERGENCY NO PARKING signs are posted and displayed. The Chief of Police, governing body or the Borough Administrator is authorized to effectuate such temporary parking prohibitions and to direct the posting of EMERGENCY NO PARKING signs when, in their judgment, road construction, public celebrations or special public events dictate or require the removal of vehicles or obstacles which interfere with the free flow of traffic or pedestrians in or near the area so designated. Such notice shall be posted at least 72 hours in advance. Upon posting of EMERGENCY NO PARKING signs, the Police Department will make a reasonable effort to notify the owner of any vehicle or obstacle which has been parked prior to the posting of the signs and will afford them a reasonable time, depending on the circumstances, to move the vehicle before a summons may be issued and/or the vehicle removed.

**§ 2-9. Resident permit parking. [Added 12-21-2016 by Ord. No. 10-2016; amended 12-17-2020 by Ord. No. 08-2020]**

- A. Rules and regulations.

- (1) There is hereby established resident permit parking on certain streets or portions of streets as identified in § 2-9F. Parking of vehicles on the streets or portions of the streets identified as so restricted shall be limited to vehicles having been issued a resident parking permit or guest permit for parking on that street and displaying that permit

as required herein, or vehicles exempt from such permit requirement as specified herein.

- (2) A resident parking permit in a form as established by the Borough shall be issued upon application to a resident of the restricted street, or restricted portion of the street, who owns or leases a motor vehicle registered to a residential unit located in a solely residential structure which is situated on a lot located on or which abuts a restricted street or restricted portion of a street (hereinafter referred to as a "permitted residential unit"). Application for a resident parking permit for a particular restricted street identified in § 2-9F must be made on a form provided by the Borough. Proof of residency and registration of the vehicle at a permitted residential unit must be presented by a copy of a valid New Jersey driver's license and vehicle registration showing an address at a permitted residential unit. As an alternative to the registration, if the vehicle is leased, a copy of the automobile lease showing the vehicle is leased to the resident of a permitted residential unit may be presented. Completed applications shall be submitted to the Atlantic Highlands Police Department. Applications without a copy of a valid driver's license and vehicle registration/lease demonstrating eligible residency shall not be processed.
- (3) Permit applications shall be available at the Atlantic Highlands Police Department during regular business hours. Permits shall be issued for the duration of the current certificate of occupancy pertaining to the permitted residential unit, as defined in Subsection A(4) below. There will be no fee for any resident or guest permit.
- (4) Each resident and one vehicle demonstrated as owned and/or leased by that resident of a residential unit with an address at a permitted residential unit shall be entitled to obtain one permit. There shall be no limit to the number of persons/vehicles that can be issued a permit for eligible residents/vehicles from a permitted residential unit. Should the vehicle of a resident registered and issued a resident permit be sold by the resident to a person not residing at a permitted residential unit, or the vehicle is removed from service/operation, during the term of that permit, the resident, upon providing sufficient proof to the Police Department of that sale/ removal and the removal/destruction of the permit issued to that vehicle, may be issued a replacement permit for the balance of the term.
- (5) In addition to resident parking permits to be issued to eligible residents/vehicles, each permitted residential unit shall be entitled to obtain up to five guest permits which shall be effective for the term of the permit ("term guest permit"). Each term guest permit shall be marked as referenced to the particular residential unit and can be assigned/utilized by the residents of that particular unit only to a) the vehicle of a guest while visiting and/or staying with the residents/ residential unit or b) the vehicle of a contractor and/or health-care provider performing work/ services on that particular residential unit or the occupants of said unit for the duration of the work/services at that unit. Each permitted residential unit may also request and be issued additional temporary guest permits from the Police Department between the hours of 9:00 a.m. to 5:00 p.m., Monday through Friday. These temporary guest permits shall be limited in duration to not more than 72 consecutive hours. There shall be no charge for the issuance of temporary guest permits.
- (6) For purposes of visibility of the permit and compliance with this section, the resident parking permit must not be blocked or obscured at any time while the vehicle is parked on the restricted street. Any guest parking permit, whether a term guest permit or a temporary guest permit, shall be placed in a visible location on the front dashboard of the parked vehicle or in a location in the vehicle as otherwise specified by the Police Department on the permit, with the residential unit identification and/or date/time of issuance being clearly visible to a police officer or other enforcement officer standing outside and in close proximity to the vehicle.
- (7) The sale or transfer of a resident parking permit and/or a guest permit, other than the assignment without charge of a guest permit as set forth in § 2-9A(5), is prohibited.
- (8) The possession and/or display of a parking permit does not exempt the operator and/or vehicle from compliance with all other traffic and/or parking laws or requirements, including, but not limited to, parking too close to stop signs, intersections, driveways, or fire hydrants.
- (9) As there may be more resident parking permits and/or guest permits issued than the number of available parking spaces on the restricted street, the issuance and/or holding of a resident parking permit or a guest permit for the restricted street does not guarantee the availability of a parking space at any time on the restricted street.

B. Abuse of permit. Resident parking permits and/or guest permits are subject to revocation by the Borough and/or Police Department for the following:

- (1) If any such resident parking permit is used, or allowed to be used, on any vehicle that the permit was not registered to on its issuance.
- (2) If any such guest permit, either term or temporary, is used, or allowed to be used, on any vehicle that is not an eligible vehicle as per § 2-9A(5) to receive or utilize a guest permit, either term or temporary.
- (3) The applicant provides any false or inaccurate information and/or documentation for purposes of obtaining said permit.

C. Reproduction of parking permits prohibited.

- (1) No person, other than an authorized Borough employee, may:
  - (a) Copy, reproduce or otherwise create a resident parking permit or a guest parking permit, either term or temporary.
  - (b) Create or duplicate a facsimile or counterfeit resident parking permit or guest parking permit, either term or temporary.
  - (c) Display or use, or cause to be used, a resident parking permit and/or guest permit, either term or temporary, that is a copy, counterfeit, or reproduction.
- (2) No person shall furnish false information or fraudulent documents in connection with the application for a resident parking permit or a guest permit.

D. Exempt vehicles. The prohibition of vehicles without a resident parking permit and/or guest permit parking on the restricted street shall not apply to the following vehicles:

- (1) Delivery vehicles bearing the name and address of a delivery business and making a delivery to a residential unit on the restricted street may park in the vicinity of that residential unit while the delivery is being made without a permit.
- (2) Emergency vehicles, government/municipal vehicles, gas company, electric company, telecommunications and other utility company vehicles, having proper identification on the vehicle, may park on the restricted street without a permit during the period services are being rendered at a residential unit on the restricted street.
- (3) Health-care providers, with vehicles legibly identified as such, may park without a permit during the period services are being rendered. A health-care provider (being a doctor, nurse, home health aide, physical therapist or other medical professional) without a vehicle legibly identified as such may obtain a temporary guest permit from the Police Department upon proper proof of performing services on the restricted street.

E. Violations and penalties. The Atlantic Highlands Police Department is authorized and has the authority to issue summonses for violation of this section:

- (1) The owner and/or operator of any vehicle parked on the restricted street, or restricted portion thereof, without a resident parking permit or guest permit for that street being displayed and visible on the vehicle as set forth in § 2-9A(6) or being an exempt vehicle as per § 2-9D, shall be subject to a parking fine of up to \$50.
- (2) Any person violating § 2-9B shall be subject to a fine of up to \$150 for the first offense and up to \$300 for each subsequent offense thereafter.
- (3) Any person violating § 2-9C shall be subject to a fine of up to \$300 and shall forfeit any current permit issued to that person/vehicle and the right to use and/or receive a resident parking permit or a guest permit for a further period of two years.
- (4) In addition to and/or in lieu of a summons, the Police Department, or agents under the direction of the Police Department, shall have the authority in its discretion to remove or impound, or arrange for the removal and impoundment of, any vehicle which is parked on the restricted street without a proper permit being displayed and visible in violation of this section. The costs of said removal/impoundment shall be the responsibility of the vehicle owner/lessee.

F. Permit required to park on certain streets.

(1) No vehicle shall be parked or cause to be parked (other than exempt vehicles as per § 2-9D) on the following streets, or portion of said streets, as described and listed herein, without an appropriate resident parking permit or guest parking permit for that restricted street, or restricted portion thereof, being issued and displayed in the location on or within the vehicle as required.

Name of Street	Portion	Side
Second Avenue	Between East Mount Avenue and Ocean Boulevard	Both

**Motion:** Introduce Ordinance 02-2024, **Moved by** Councilman Crowley; **Seconded by** Councilwoman Forbes  
**Vote:** Motion carried by roll call vote (**summary:** Yes = 6).

**Yes:** Councilman Colasurdo, Councilman Crowley, Councilwoman Cusack, Councilman Dougherty, Councilwoman Forbes, Councilman Murphy  
**No:** None  
**Absent:** None

I, Michelle Clark, Municipal Clerk of the Borough of Atlantic Highlands, in the County of Monmouth, State of New Jersey, hereby certify this to be a true copy of the action of the Governing Body, at its Regular Meeting, held January 11, 2024, WITNESS my hand this 12th day of January 2024.



Michelle Clark, Municipal Clerk



**Motion:** Adopt Ordinance 02-2024, **Moved by** Councilman Colasurdo, **Seconded by** Councilman Crowley

**Vote:** Motion carried by roll call vote (**summary:** Yes = 6).  
**Yes:** Councilman Colasurdo, Councilman Crowley, Councilwoman Cusack, Councilman Dougherty, Councilwoman Hohenleitner, Councilman Murphy  
**Absent:** None

I, Michelle Clark, Municipal Clerk of the Borough of Atlantic Highlands, in the County of Monmouth, State of New Jersey, hereby certify this to be a true copy of the action of the Governing Body at its Regular Meeting held January 25, 2024. WITNESS my hand this 26<sup>th</sup> day of January 2024.

\_\_\_\_\_  
Michelle Clark  
Municipal Clerk

DATE OF MAYOR'S APPROVAL: January 26, 2024

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Lori Hohenleitner  
Mayor