

AN ORDINANCE REPEALING AND REPLACING CHAPTER 126, SECTION 126-341 ENTITLED “PARKING OF LARGE VEHICLES AND TRAILERS IN RESIDENTIAL AREAS” TO CORRECT VARIOUS ENFORCEMENT PROCEDURES OF LARGE VEHICLES PARKED WITHIN RESIDENTIAL ZONES.

WHEREAS, The Township of Bridgewater Code currently regulates the manner in which large vehicles or trailers may be parked in residential zones;

WHEREAS, the Bridgewater Police Department recently discovered issues with enforcement and interpretation of the current ordinance;

WHEREAS, to remediate these issues, the Township Council of the Township of Bridgewater seeks to repeal and replace the Township’s current ordinance Chapter 126, Section 126-341; and

BE IT ORDAINED, by the Township Council of the Township of Bridgewater in the County of Somerset and State of New Jersey that Chapter 126, Section 126-341 of the Municipal Code of the Township of Bridgewater, County of Somerset, State of New Jersey be and are hereby repealed and replaced as follows:

Section I

Chapter 126, Section 126-341 as it currently reads in the Township Code is hereby repealed.

Section II

Chapter 126, Section 126-341 is hereby replaced as follows (all text shall be inserted as new text):

A. There shall be no more than one permitted commercially registered vehicle as defined by the Motor Vehicle Code of the State of New Jersey (N.J.S.A. 39:1-1 et seq.) per authorized dwelling unit of the types identified herein parked on any lot zoned for residential purposes, as well as on both sides of the street in front of any residential use or directly across the street from any residential use, between the hours of 7:00 p.m. and 7:00 a.m. The following commercially registered vehicles are permitted overnight on a residential property or in a residential zone subject to the following conditions:

(1) Vehicles with a gross vehicle weight rating of 10,000 pounds or less and excluding trucks commonly identified as "box" and "walk-in" trucks of any gross vehicle weight.

(a) Examples of permitted vehicles include, but are not limited to, minivans, full-size and heavy-duty pickups, utility vans, multipurpose vehicles; and those types of vehicles must be owned or used by a resident of the premises and used as the customary means of transportation to and from work, and; it must be demonstrated that the vehicle cannot be parked in a garage or other permanent enclosed structure on site.

(b) Heavy-duty pickup trucks and van conversions with a gross vehicle weight rating of 14,000 pounds or less are permitted, provided that such vehicles are to be used as utility vehicles (used for trade purposes), and further provided that such vehicles have either an open or enclosed bed with neither racks nor stakes.

(2) The vehicle shall not obstruct any pedestrian or vehicular traffic and be no closer than five feet from a side or rear property line. To the extent feasible, the vehicle shall be screened by a combination of fencing and/or landscaping to provide year-round screening. Wherever possible, the vehicle shall be parked in a side or rear yard.

(3) The vehicle shall not be parked on a grassed area, lawn area, or an otherwise landscaped area.

(4) The outside storage of any materials or equipment associated with the commercial vehicle is prohibited.

B. The following types of commercial vehicles are prohibited from being parked on any street in any zone between the hours of 7:00 p.m. and 7:00 a.m. except when engaged in providing emergency repair services or actively engaged in moving the residents of the premises.

(1) All commercial vehicles with a gross vehicle weight of more than 10,000 pounds including but not limited to large walk-in trucks, box trucks, dump trucks, rack and stake body trucks, grain body trucks, tractors and tractor-trailers;

(2) Buses or vans registered for more than 11 passengers, with the exception of school buses registered for 16 or fewer passengers that comply with applicable USDOT Federal Motor Vehicle Safety Standards, provided that same are parked on a lot and not on the street;

C. No commercial vehicle of any kind shall be parked on any street, lot, avenue, highway or portion thereof that is located in a residential use in any zone, as well as on both sides of the street in front of any residential use or directly across the street from any residential use, that contains any form of advertising or display beyond the requirement of N.J.S.A. 39:4-46 not permanently affixed by paint, stencil, or comparable process onto the body of the vehicle.

D. Enforcement officers and procedure.

The agencies and officers of the Township of Bridgewater that shall be charged with the enforcement of this chapter are the Township of Bridgewater Zoning Officer or his designated representative, the Township of Bridgewater Police Department and its police officers and the Health Officer or his designated representative. These agencies or officers may act individually or in conjunction with one another in the enforcement of this chapter.

E. Violation and penalties.

Unless another penalty is expressly provided by New Jersey statute, every person convicted of a violation of a provision of this chapter, including attached schedules, or any supplements thereto, amendments thereto or revisions thereto shall be liable to a penalty of not less than \$100.00 and more than \$500.00 or imprisonment for a term not exceeding 90 days, or both.

Section III

All ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

Section IV

If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to this section, paragraph, subdivision, clause or provision and the remainder of this Ordinance shall be deemed valid and effective.

Section V

This ordinance shall take effect upon adoption and publication in the manner required by New Jersey general law but, in no event, less than 20 days after its final passage by the Township Council and approval by the Mayor, where such approval is required pursuant to N.J.S.A. 40:69A-181(b).

Adopted: December 21, 2020
Effective: January 11, 2021