

INTRODUCED BY _____
SECONDED BY _____

INTRODUCTION _____
HEARING _____
ADOPTION _____

**BOROUGH OF CLIFFSIDE PARK
COUNTY OF BERGEN, STATE OF NEW JERSEY**

ORDINANCE 2023-20

**ORDINANCE AMENDING AN ORDINANCE OF THE REVISED GENERAL
ORDINANCE OF THE BOROUGH OF CLIFFSIDE PARK SPECIFICALLY ARTICLE
XVIII ZONING § 18-7.4. LOCATION OF PARKING (b)**

WHEREAS, the Mayor and Council have received numerous complaints of commercial vehicles being parked in residential and commercial zones in violation of Borough Ordinance; and

WHEREAS, the Cliffside Park Police Traffic Division and the Zoning Office have requested that the Council review and amend the Ordinance to avoid the creation of commercial parking lots in residential and commercial zones; and

WHEREAS, the illegal creation of commercial parking lots in commercial and/or residential zones will affect the health, safety, and welfare of the neighboring residents and/or businesses who constantly observe the zoning violations and commercial vehicles illegally parked in these zones.

NOW THEREFORE BE IT ORDAINED, the Council has hereby rescinded in its entirety Article XVIII 18-7.4 Location of Parking (b);

AND BE IT FURTHER ORDAINED, that the Council does hereby amend §18-7.4(b) Location of Parking, as follows:

(b) Residential/Commercial Zone

(1) Residential Zone:

- i. No more than one commercial vehicle or commercially registered trailer, may legally park on any lot in a residential zone.
- ii. The parked vehicle shall not exceed a three-quarter (3/4) ton limit as defined by New Jersey Department of Motor Vehicles;

(2) Commercial Zone:

- i. Commercial vehicles shall not be parked on any commercial zoned parcel unless that business has received a Business Certificate of Occupancy

authorizing the parking of commercial vehicles as an ancillary use to the permitted business use;

- (3) This Ordinance does hereby grant the Cliffside Park Police the power to issue tickets and/or summonses, and/or in the alternative, tow, any commercial vehicle or commercially registered trailer at the expense of the (i) vehicle owner; (ii) property owner; and/or (iii) Business Licensee wherein the vehicle was parked.
- (4) Any establishment in possession of a Business Certificate of Occupancy which permits the storing and/or parking of commercial vehicles on their property, shall be issued a Cease-and-Desist Notice requiring the immediate removal of all commercial vehicles on the property. If the property and/or business owner does not comply with the Notice to Cease and Desist, the Zoning Official shall have the right to suspend the Business Certificate of Occupancy for violation of its use, issue summons(es), and/or request the Police Department to direct the towing of the vehicles at the owner's expense.

The Certificate of Occupancy Suspension shall be in place for every day until the violation is adjudicated or in the alternative, a Zoning Variance is obtained.

- (5) Any and all fines and penalties for violation of §18-7.4 shall be established annually by Resolution.

SEVERABILITY. If the provisions of any article, section, subsection, paragraph, subdivision, or clause of this ordinance shall be judged invalid in whole or in part or as applied to any particular circumstance or individual by a court of competent jurisdiction, such order of judgment shall not effect or invalidate the remainder of any article, section, subsection, paragraph, subdivision, or clause of this ordinance.

REPEALER. All ordinances or parts of ordinances inconsistent with the provisions of this Ordinance are hereby repealed as to such inconsistencies only.

EFFECTIVE DATE. This ordinance shall take effect immediately upon final passage and publication as required by law.

INTRODUCED _____, 2023

ADOPTED _____, 2023

ATTEST:

APPROVED:

Sercan Zoklu, Borough Clerk

Thomas Calabrese, Mayor