

## ORDINANCE 2023-01

### BOROUGH OF DUNELLEN

The following Ordinance is being introduced for first reading at a meeting of the Governing Body of the Borough of Dunellen, in the County of Middlesex, State of New Jersey, on February 6, 2023. It will be presented for Second Reading, Public Hearing and Adoption at a meeting of said governing body to be held in Municipal Building, 355 North Avenue, Dunellen, New Jersey, in said County, on February 21, 2023 at 7:00 p.m. During the week prior to and up to and including the date of such meeting, copies of the full ordinance will be available at no cost and during regular business hours, at the Clerk's office for the members of the general public who have requested same.

Dunellen Municipal Code, Chapter 269, Traffic, is amended to add the following:  
Chapter 269-33, Idling of Vehicles.

- A. No person shall cause, suffer, allow or permit the motor of a diesel-powered or gasoline-powered vehicle to be in operation for more than three consecutive minutes if the vehicle is not in motion, except that, where the ambient temperature is 25° F. or less, then the permitted period for idling shall be five consecutive minutes.
- B. The provisions of Subsection A shall not apply to:
  1. Buses discharging or picking up passengers.
  2. Vehicles stopped in a line of traffic.
  3. Municipal Vehicles in performance of their prescribed functions
  4. Electric motor vehicles.
  5. Emergency vehicles in performance of their prescribed function.  
(Vehicles whose primary and/or secondary power source is utilized, in whole or in part, for necessary and definitively prescribed mechanical operation other than propulsion.)
- C. Trucks idling in any portion of a non-residential use which lies within 300 feet of either a residential zone or a lot developed for residential use which is not separated from the residential zone or lot developed for residential use by a noise abatement wall which has been approved by the municipality's engineer, shall comply with the following restrictions in those portions of any such property which lie within 300 feet of the residential zone or use.
  1. The idling of truck engines for more than three consecutive minutes when the vehicle is not in motion shall be prohibited except for the following:
    - a. A motor vehicle may idle for 15 consecutive minutes when the vehicle engine has been stopped for three or more hours and where the ambient temperature is 25° F. or less;

- b. A motor vehicle may idle for 5 consecutive minutes in any one hour period while actively engaged in the process of connection, detachment or exchange of trailers.
2. At least two signs shall be posted on each lot on which a non-residential use meeting the criteria in subsection C is located. Said signs shall indicate the following: "The idling of engines for more than three minutes in a rear or side yard is prohibited and subject to a fine not to exceed \$2,000."
- a. The sizes, lettering and locations of the required signs shall be determined by the Municipal Code Enforcer as applicable of the Borough's Sign Ordinance (Ordinance 2022-01) for applications within their respective jurisdiction.
  - b. The owner of any property meeting the criteria in subsection C shall be responsible for the proper placement and maintenance of said signs. Any owner failing to properly place or maintain signs in accordance with this section shall be subject to a fine of \$200 per sign, per violation.
- D. Unless as otherwise set forth herein, any individual or entity who shall violate any of the provisions of this section shall be subject to a fine of \$250 for a first offense, \$500 for a second offense, and a fine of up to \$2000 for a third or subsequent offense.