

ORDINANCE NUMBER 07-2022

FIRST READING/  
INTRODUCTION: October 14, 2022

SECOND READING/  
PUBLIC HEARING/  
ADOPTION: November 10, 2022

**ORDINANCE**

**BOROUGH OF EAST NEWARK  
COUNTY OF HUDSON, STATE OF NEW JERSEY**

AN ORDINANCE OF THE BOROUGH OF EAST NEWARK, IN THE COUNTY OF HUDSON, STATE OF NEW JERSEY, AMENDING, MODIFYING AND SUPPLEMENTING CHAPTER 12 OF THE MUNICIPAL CODE OF THE BOROUGH OF EAST NEWARK TITLED "PERSONNEL", SPECIFICALLY BY CREATING SECTION 12-7 AND WITHIN THE POSITION OF "PARKING ENFORCEMENT OFFICER".

**WHEREAS**, the Mayor and Council of the Borough of East Newark have deemed it necessary to create and establish the position of Parking Enforcement Officer to assist in performance of Borough duties for the Borough of East Newark; and

**WHEREAS**, the Mayor and Council have determined that the creation and establishment of this position, along with a subsequent appointment shall be in the best interests of the residents of East Newark while at the same time producing a minimal financial and budgetary impact upon the residents and taxpayers.

**NOW THEREFORE BE IT ORDAINED** by the Mayor and Council of the Borough of East Newark, County of Hudson and State of New Jersey, as follows:

**Section 1.**

Chapter 12 (Personnel), Section 12 (Parking Enforcement Officer) is hereby created and stated as follows:

**12-7 Parking Enforcement Officer.**

**12-7.1 Establishment.**

There is established the position of parking enforcement officer in the city pursuant to the provisions of Chapter 260 of the Laws of 1987 of the State of New Jersey, as same may be supplemented and amended, for the purposes of enforcing state, county or municipal statutes, resolutions, ordinances or regulations related to the parking of vehicles within the Borough.

Strikeouts are deletions  
Underlines are additions

### 12.7-2 Authority.

A parking enforcement officer shall have the authority to:

- A. Issue a parking ticket for a parking offense, as those two terms are defined in the "Parking Offices Adjudication Act," P.L. 1985, c. 14 (C. 39:4-135 through 39:4-139 and C.39:4-139.2 et seq.);
- B. Serve and execute all process for any parking offense issuing out of the court in the municipality having jurisdiction over the complaint; and
- C. Cause any vehicle parked, stored or abandoned in the municipality in violation of a statute, resolution, ordinance or regulation to be towed away from the scene of the violation and to collect from the vehicle owner or the owner's agent, on behalf of the municipality, the costs of the towing and subsequent storage of the vehicle before surrendering the vehicle to the owner or agent.

### 12-7.3 Appointment.

The Mayor subject to Council confirmation shall appoint parking enforcement officers by resolution and in accordance with all regulations of the State of New Jersey and the Civil Service Commission. The Mayor subject to discretion, may appoint parking enforcement officers on either a full-time or part-time basis.

### 12-7.4 Requirements.

A person appointed as a parking enforcement officer shall be required to:

- A. Be a resident of the state during the term of appointment;
- B. Be able to read, write and speak the English language well and intelligently;
- C. Be of sound mind and in good health;
- D. Be of good moral character; and
- E. Not have been convicted of any offense involving dishonesty or which would make the person unfit to perform the duties of his or her office.

### 12-7.5 Fingerprinting—Eligibility and qualifications.

- A. An applicant for the position of parking enforcement officer appointed pursuant to this chapter shall have fingerprints taken, which fingerprints shall be filed with the Division of State Police and the Federal Bureau of Investigation.

Strikeouts are deletions  
Underlines are additions

- B. Before any parking enforcement officer is appointed pursuant to this chapter, the Chief of the police department shall ascertain the eligibility and qualifications of the applicant and report these determinations in writing to the appointing authority.

**12-7.6 Training course required.**

No person appointed after the effective date of this chapter may commence duties as a parking enforcement officer unless that person has successfully completed a training course conducted or approved by the municipality. The appointing authority may waive this training requirement for any person otherwise eligible to be appointed as a parking enforcement officer under this chapter if the person possesses substantially equivalent training and background, as determined by the Chief of the Police Department.

**Section 2.**

Severability

If any section or provision of this ordinance is declared invalid for any reason whatsoever, same shall not affect the validity or constitutionality of any other part or portion of this ordinance.

**Section 3.**

Inconsistent Ordinances

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

**Section 4.**

This ordinance shall take effect after its final passage by the Borough Council and approval by the Mayor at the time and manner provided for and required by law.

**Section 5.**

On passage this ordinance shall be codified.

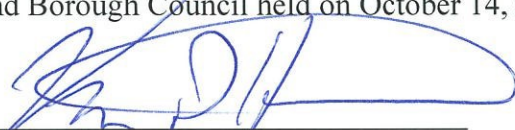
~~Strikeouts~~ are deletions  
Underlines are additions

Introduction – First Reading

Council Member	Motion	Second	Ayes	Nays	Abstain	Absent
Diaz			X			
Evaristo			X			
Graham	X		X			
Lucas			X			
Reis			X			
Zincavage		X	X			

CERTIFICATION

I, Kevin D. Harris, Borough Clerk of the Borough of East Newark, County of Hudson, State of New Jersey, do hereby certify that this Ordinance was introduced on first reading by the Mayor and Borough Council at a public meeting of the Mayor and Borough Council held on October 14, 2022.

  
\_\_\_\_\_  
Kevin D. Harris  
Borough Clerk

Adoption – Second Reading

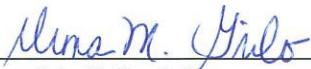
Council Member	Motion	Second	Ayes	Nays	Abstain	Absent
Diaz						X
Evaristo			X			
Graham	X		X			
Lucas			X			
Reis			X			
Zincavage		X	X			

CERTIFICATION


I, Kevin D. Harris, Borough Clerk of the Borough of East Newark, County of Hudson, State of New Jersey, do hereby certify that this Ordinance was adopted on second reading after a public hearing, by the Mayor and Borough Council at a public meeting of the Mayor and Borough Council held on November 10, 2022.

  
\_\_\_\_\_  
Kevin D. Harris  
Borough Clerk

Adopted:

  
\_\_\_\_\_  
Dina M. Grilo, Mayor

Attest:

  
\_\_\_\_\_  
Kevin D. Harris, Borough Clerk