

ORDINANCE O-24-08

ORDINANCE AMENDING SECTION 3.7 OF CHAPTER 7 “TRAFFIC” OF THE TOWNSHIP CODE OF THE TOWNSHIP OF HOWELL

WHEREAS, Chapter 7, Section 3 of the Howell Township Code (the “Code”) regulates parking within the Township; and

WHEREAS, Subsection 3.7 of Chapter 7 of the Code (“Subsection 7-3.7”) provides prohibitions for the parking of certain vehicles on any street of the Township within a residentially zoned area at any time of the day; and

WHEREAS, the Township Council believes it to be in the interests of Township residents that recreational vehicles (“RVs”) should be added to Subsection 7-3.7 as vehicles prohibited from parking on public streets in residential zones of the Township at any time of day; and

WHEREAS, the Township Prosecutor has recommended that Subsection 7-3.7 be amended to include RVs among the vehicles prohibited from being parked on public streets in residential zones of the Township; and

WHEREAS, the Township is including a 48-hour grace period for RVs to remain on public streets so residents are able to adequately prepare their RVs for transportation and unload/prepare RVs for storage; and

WHEREAS, the power of the Mayor and Township Council to regulate streets is set forth in N.J.S.A. 40:67-1 et seq.

NOW THEREFORE BE IT ORDAINED, by the Mayor and Township Council of Howell Township, County of Monmouth, and State of New Jersey, that certain sections of the Township Code be amended as follows (additions to text indicated by underlined text; deletions to text indicated by ~~strikeout~~):

SECTION 1. Pursuant to N.J.S.A. 40:67-1 et seq, Subsection 3.7 of Chapter 7 of the Code of the Township of Howell is hereby amended as follows:

7-3.7. Parking of certain vehicles restricted.

a. No person shall park a truck, tractor, trailer, dumpster, bus, school bus, recreational vehicle (otherwise known as RV), vehicle used for the transportation of passengers for hire or construction equipment of any kind on any street of the Township within a residentially zoned area at any time of the day. There shall be no exception for this concerning the placement of a dumpster upon a street but the remaining enumerated above shall not be prohibited from parking while being actively used in connection with the delivery, pickup, loading and unloading of individuals and/or equipment. Recreational vehicles shall be permitted to remain on residential streets for up to 48-hours prior to a trip departure, and 48-hours

returning from a trip so as to ensure residents are adequately able to prepare RVs for travel and storage.

b. The provisions of this subsection shall not apply to a truck or vehicle less than 25 feet in length.

c. The provisions of this subsection shall be enforced by the Police Department of the Township.

d. For the purpose of this subsection, unless another meaning is clearly apparent, the class of vehicles enumerated shall be defined as in Title 39 of the Revised Statutes of New Jersey.

SECTION 2. Per the Enforcement provisions of N.J.S.A. 39:5-1, the Township of Howell Police Department is hereby designated as the municipal official responsible for enforcement of the foregoing amended sections of the Township Code.

SECTION 3. If any section, paragraph, subsection, clause or provision of this ordinance shall be adjudged by the Courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudged and the remainder of this ordinance shall be deemed valid and effective.

SECTION 4. All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 5. This Ordinance shall take effect upon passage, publication and as required by law.

NOTICE

Notice is hereby given that the foregoing Ordinance was introduced and passed on the first reading by the Township Council of the Township of Howell on March 5, 2024 and will be further considered for final passage and adopted at the Municipal Building, 4567 Route 9 North, Howell, New Jersey 07731 on April 2, 2024 at 7:00 O'clock P.M., or as soon thereafter as the matter can be reached on the agenda, at which time and place all persons interested therein shall be given an opportunity to be heard, and during the week prior to, and up to and including, the date of such meeting, copies of said Ordinance will be made available at the Clerk's office in the Township of Howell Municipal Building to the members of the general public who shall request same.

Introduction:

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Fischer	X		X			
Councilman Gasior		X	X			
Councilwoman O'Donnell			X			
Deputy Mayor Nadel			X			
Mayor Berger						X

I, Diane Festino, Municipal Clerk of the Township of Howell, in the County of Monmouth, State of New Jersey, hereby certify this to be a true copy of the action of the Mayor and Township Council, at its Meeting held March 5, 2024. WITNESS my hand this 6th day of March 2024.

Diane Festino
DIANE FESTINO, Municipal Clerk

Adoption:

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Fischer		X	X			
Councilman Gasior	X		X			
Councilwoman O'Donnell			X			
Deputy Mayor Nadel						X
Mayor Berger			X			

This is to certify that the foregoing Ordinance was adopted by the Township Council at a regular meeting of the Township of Howell held on April 2, 2024.

Diane Festino
DIANE FESTINO, Municipal Clerk

Explanatory Statement: Amending Section 3.7 of Chapter 7 “Traffic” to include recreational vehicles (otherwise known as RV).