



Kearny Town Council

402 Kearny Avenue
Kearny, NJ 07032

www.kearnynj.org

FIRST READING -	3-5-24
PUBLISH -	3-9-24
SECOND READING -	3-19-24
PUBLISH -	3-26-24
PLAN BD REVIEW -	

ORDINANCE 2024-9

Ordinance Amending Section 7-15.1 of the Town Code Regarding Parking of Commercial Vehicles

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF

KEARNY that:

1. Section 7-15.1a of the Town Code is amended to read in its entirety as follows:

- A. No commercial vehicle shall park on any street in the Town of Kearny between the hours of 7:00pm and 6:00am prevailing time.

2. Section 7-15.1 of the Town Code is amended to add the following subsection (e):

For purposes of this Section 7-15.1 a vehicle shall be deemed a "commercial vehicle" if it has any one or more of the following characteristics:

- A. It is or was designed or used for the transportation of persons for hire;
- B. It is or was designed or was used for compensation or profit;
- C. It is or was designed or used for the transportation of property, materials, cargo, equipment or tools;
- D. It has more than 4 wheels;
- E. It weighs more than 5 tons;
- F. It is in excess of 9.5 feet high;
- G. It is more than 18 feet long;
- H. It is more than 7 feet wide;
- I. It has tool, cargo or equipment racks or cages in the interior or on the exterior of the vehicle;

- J. It contains commercial or business lettering, advertising or graphics;
- K. It is registered as commercial, omnibus, limousine, livery, taxi, farmer, commuter van, or school vehicle; or
- L. It has characteristics typical of commuter vans, food vending trucks, limousines, recreational vehicles, motor drawn vehicles, omnibuses, panel vans, pole trailers, road tractors, school buses, semi-trailers, taxicabs, tow trucks, trucks, or truck tractors.

3. Section 7-15.1 of the Town Code is Amended to Add New Subsection (f): Parking of Commercial Vehicles in all Neighborhoods/Zones

Except as provided in Section 4 of this Ordinance, no person shall park or leave standing a commercial vehicle upon any street, public land, avenue, road, or other public thoroughfare in residential zones in the Town.

4. Section 7-15.1 of the Town Code is Amended to Add a New Subsection (g): Exceptions to Prohibition of Commercial Vehicles

- A. The prohibition as to commercial vehicles parking provided for in Sections 1 and 3 of this Ordinance shall not apply to commercial vehicles that are in the process of rendering services to premises within the Town.
- B. Moving trucks, utilized under a written agreement, and containers hired by residents for disposal of debris, may be parked for up to a continuous 72-hour time period.
- C. The prohibition as to commercial vehicles parking provided for in Sections 1 and 3 of this Ordinance shall not apply to otherwise legally parked commercial vehicles in commercial zones that serve local businesses, such as food delivery or floral delivery vehicles. This exception shall only apply during the hours that the local business associated with the commercial vehicle is open for business to the public.
- D. The prohibition as to commercial vehicles parking provided for in Sections 1 and 3 of this Ordinance shall not apply to pick-up trucks (such

as, by way of illustration and not limitation, Ford F-150s) which are used for personal and not commercial purposes.

5. Section 7-15.1 of the Town Code is Amended to add a New Subsection (h) to Read as Follows:

In addition to the consequences described in Section 7-15.1d, the owner of a commercial vehicle parked in violation of this Ordinance shall be subject to a fine of \$150 for each violation.

Section 6: Severability

If any part or parts of this Ordinance are for any reason held to be invalid, such holding shall not affect the validity of the remaining portions of this Ordinance.

Section 7: Repealer

All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed as to the inconsistency thereof.

Section 8: Effective Date:

This Ordinance shall take effect immediately upon passage and publication as required by law.

HISTORY:

03/05/24

Next: 03/19/24

Council

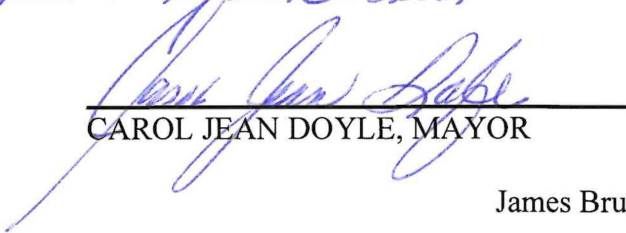
INTRODUCED

RESULT:	ADOPTED AS AMENDED [UNANIMOUS]
MOVER:	George Zapata, Council Member
SECONDER:	Eileen Eckel, Council Member
AYES:	Doyle, Eckel, Konopka, DeCastro, Ficeto, Zapata, Theodoropoulos, Solano, da Silva

I certify that the foregoing ordinance was introduced by the Council on first reading on March 5, 2024, duly published according to law, and passed on second reading and final passage on March 19, 2024.


 PATRICIA CARPENTER, TOWN CLERK

I hereby approve the foregoing ordinance this 19 day of March, 2024


 CAROL JEAN DOYLE, MAYOR

James Bruno

Police, DPW,
COURT