

**AN ORDINANCE AMENDING MILLVILLE CODE
CHAPTER 39A ("MOTOR VEHICLE AND TRAFFIC
REGULATIONS SCHEDULES"), SECTION 21
("SCHEDULE 21: PARKING RESERVED FOR
HANDICAPPED PERSONS") IN ORDER TO MAKE CLEAR
THAT SUCH PARKING SPACES MEET THE DEFINITION
OF A "RESTRICTED PARKING ZONE" AS PER N.J.S.A
39:4-207.**

WHEREAS, N.J.S.A. 39:4-197.6 ("Restricted parking zone, residence of handicapped person") authorizes municipalities by ordinance to "establish a restricted parking zone in front of a residence occupied by a handicapped person if a windshield placard or wheelchair symbol license plates have been issued for a vehicle owned by the handicapped person, or by another occupant of the residence who is a member of the immediate family of the handicapped person, by the Division of Motor Vehicles pursuant to the provisions of P.L. 1949, c.280 (C.39:4-204 et seq.); and

WHEREAS, N.J.S.A. 39:4-207.6 ("Definitions") provides in subsection 1(e) that "Restricted parking zone" means a parking zone in front of the residence of a person with a disability which a municipality has established "for the use of that person with a disability under the authority granted by Section 1 of P.L. 1977, c. 309 (C.39:4-197.6)"; and

WHEREAS, current Millville Code Section 39A:21B might be read to allow non-resident handicapped persons to park in parking space reserved for the handicapped resident contrary to N.J.S.A. 39:4-197.6 and 39:4-207.6.

NOW, THEREFORE BE IT ORDAINED by the Board of Commissioners of the City of Millville that Millville Code Section 39A-21 is hereby amended as follows:

Section One

§ 39A-21 Schedule 21: Parking Reserved for Handicapped Persons.

- A. Handicapped parking on streets. In accordance with the provisions of N.J.S.A. 39:4-197, N.J.S.A. 39:4-207.6 and § 39-34, the following street locations are designated as restricted parking zones. Such spaces are for use by persons who have been issued special identification cards or placards by the Division of Motor Vehicles, or a temporary placard issued by the Chief of Police. Only vehicles owned by the handicapped person or by another occupant of the residence who is a member of the immediate family of the handicapped person as per N.J.S.A. A 39:4-207.6 shall be permitted to park in these spaces.

Section Two

Should any provisions of this ordinance be deemed invalid for any reason that invalidity shall not affect the remaining provisions of the ordinance, and the provisions and sections of the ordinance are hereby declared to be severable with respect to their validity.

Section Three

This ordinance shall take effect twenty (20) days after final passage, according to law.

FIRST READING: June 5, 2024

Moved By: Hewitt
Seconded By: Watson

<u>VOTING</u>	<u>In Favor</u>	<u>Against</u>	<u>Abstain</u>	<u>Absent</u>
Benjamin J. Romanik	X			
Joseph Sooy	X			
Lisa M. Orndorf	X			
C. Kirk Hewitt	X			
Stephen E. Watson, Jr	X			

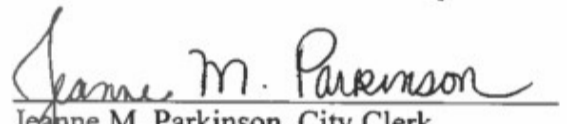
SECOND READING: June 18, 2024

Moved By: Hewitt
 Seconded By: Sooy

<u>VOTING</u>	<u>In Favor</u>	<u>Against</u>	<u>Abstain</u>	<u>Absent</u>
Benjamin J. Romanik	X			
Joseph Sooy	X			
Lisa M. Orndorf	X			
C. Kirk Hewitt	X			
Stephen E. Watson, Jr	X			

CERTIFICATION

I certify that the foregoing is a true copy of an Ordinance adopted by the Board of Commissioners, of the City of Millville in the County of Cumberland, at a meeting thereof held on June 18, 2024.


 Jeanne M. Parkinson, City Clerk

<i>PROCEDURE</i>	
Approved on First Reading:	June 5, 2024
Published:	June 8, 2024
Approved on Second Reading:	June 18, 2024
Published:	June 22, 2024
Effective Date:	July 12, 2024