

TOWNSHIP OF MOUNT LAUREL

ORDINANCE 2024-8

AN ORDINANCE AMENDING CHAPTER 148 OF THE CODE OF THE TOWNSHIP OF MOUNT LAUREL, ENTITLED "VEHICLES AND TRAFFIC", TO DESIGNATE THE ESTABLISHMENT AND PROCEDURES FOR CREATION OF ON-STREET HANDICAPPED PARKING

WHEREAS, N.J.S.A. 39:4-197 confers upon the Township of Mount Laurel (the "Township") a right to establish resident handicapped on-street parking in order to preserve and safeguard the public health, safety and welfare; and

WHEREAS, pursuant to N.J.S.A. 39:4-197.6, any municipality may, by ordinance, 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.), provided the permitting thereof would not interfere with the normal flow of traffic; and

WHEREAS, Chapter 148 of the Township Code provides the parking regulations for the Township; and

WHEREAS, the Township Council of the Township of Mount Laurel deems it necessary to and in the best interests of its residents to provide resident handicapped on-street parking zones in front of residences occupied by handicapped persons.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Township Council of the Township of Mount Laurel, County of Burlington, State of New Jersey, that Chapter 148 of the Code of the Township of Mount Laurel shall be shall be amended and supplemented as follows (underlined text illustrates additions, strikethrough text illustrates deletions):

ARTICLE I: ESTABLISHING SECTION 148-8.1.

Chapter 148 of the Code of the Township of Mount Laurel shall be supplemented as follows:

§ 148-8.1 Handicapped parking.

- A. The locations described in Schedule XXII (§148-51), included herein and made a part of this chapter, are hereby designated as handicapped parking spots.
- B. Any resident of the Township of Mount Laurel possessing a valid New Jersey driver's license who has qualified for a handicapped parking permit from the State of New Jersey may apply to the Township of Mount Laurel for a restricted handicapped parking space located near their residence. The application shall be submitted to the Township Manager with a current copy of the applicant's handicapped parking permit and valid driver's license issued by the State of New Jersey.
- C. Consideration will be given to non-driving applicants for restricted curbside spaces providing that it is shown that there is a hardship in dropping off the handicapped applicant at their residence and subsequently parking the vehicle at another location. The nondisabled driver must reside in the same household as the disabled person and provide verification of such status.
- D. Restricted handicapped spaces will not be provided to applicants who have access to driveways and/or to other off-street parking facilities that can accommodate a handicapped parking space.

- E. The number of handicapped restricted spaces on each Township block will be based upon the criteria in the New Jersey Barrier Free Subcode and the Americans with Disabilities Act Accessibilities Guidelines. A minimum of two spaces will be allotted per street side per block with a maximum of 4% of available spaces. The intent is to provide a fair distribution of accessible spaces that are compliant with the above guidelines to both handicapped and nonhandicapped residents of the Township.
- F. Applicants shall have the option of requesting a designated space with a personal restriction that shall be defined by their New Jersey license plate number being printed on the sign(s) delineating their space which shall be established by ordinance.
- G. All handicapped parking spaces shall be subject to annual review. Applicants shall be required to provide a copy of current status of valid New Jersey handicapped status, driver's license and vehicle registration.
- H. Restricted handicapped spaces designated by ordinance shall be listed in §148-50.1, Schedule XXII: Handicapped Parking.
- I. A handicapped parking permit may be suspended or revoked by the Township of Mount Laurel if the holder thereof has committed fraud or misrepresentation in any application for a permit or in the use of such handicapped parking permit or has violated any provision of this chapter. Additionally, any individual to whom a restricted spot has been granted who is found to be regularly utilizing on-street parking in the immediate vicinity of the location of the restricted space that has been provided to such individual, instead of utilizing such restricted space, shall be subject to suspension or revocation of such restricted parking space. No suspension or revocation shall occur prior to a hearing being held before an Administrative Board, to consist of three persons: the Township Manager/Clerk, Township Traffic Officer, and the Chief of Police. Prior to such hearing, the affected person(s) and/or firm(s) shall receive notice of said hearing and shall have an opportunity to present a defense.

ARTICLE II: AMENDING SECTION 148-50.1 TO RENUMBER THAT SECTION BECOME A NEW SECTION 148-50.2 CONSISTENT WITH THIS ORDINANCE.

Chapter 148 of the Code of the Township of Mount Laurel shall be amended as follows:

§ ~~148-50.1~~ 148-50.2 Prohibited acts; violations and penalties.

- A. [Remains unchanged].
- B. Upon an initial guilty finding under § ~~148-50.1A~~ **148-50.2A** above, the guilty person shall be punished by a fine of not less than \$100 nor more than \$500. On a second or subsequent conviction, a guilty person shall be punished by a fine of not less than \$200 nor more than \$500.

ARTICLE III: ESTABLISHING SECTION 148-50.1.

Chapter 148 of the Code of the Township of Mount Laurel shall be supplemented as follows:

§ ~~148-50.1~~ 148-50.1 Schedule XXII: Handicapped Parking.

- A. In accordance with the provisions of § ~~148-8.1~~, the following described locations are hereby designated as handicapped parking spots:

Name of Street	Location
Starboard Way	No. 238: The area between the driveway for #238 and the driveway for #240.

B. If any person or entity violates this specific section of the Code of the Township of Mount Laurel or otherwise parks in any space on public or private property appropriately marked for vehicles for the physically handicapped when said vehicle being parked therein has not been appropriately marked or otherwise designated as a vehicle allowed to be parked in a handicapped space, the fine shall be set by Title 39 of the revised New Jersey statutes as may be amended from time to time.

ARTICLE IV: AMENDMENTS TO SECTION 148-9.1.

Section 148 of the Code of the Township of Mount Laurel shall be amended to read as follows:

§ 148-9.1 Posting of Signs.

Regulatory signs, conforming to the current Manual on Uniform Traffic Control Devices for Streets and Highways, shall be erected and maintained at the locations set forth in Schedule I, § 148-30, Schedule II, § 148-31, Schedule III, § 148-32, Schedule IV, § 148-33, and Schedule XXI, § 148-50, and § 148-50.1 Schedule XXII.

Repealer, Severability and Effective Date.

- A. Repealer. Any and all Ordinances inconsistent with the terms of this Ordinance are hereby repealed to the extent of any such inconsistencies.
- B. Severability. In the event that any clause, section, paragraph or sentence of this Ordinance is deemed to be invalid or unenforceable for any reason, then the Township Council hereby declares its intent that the balance of the Ordinance not affected by said invalidity shall remain in full force and effect to the extent that it allows the Township to meet the goals of the Ordinance.
- C. This Ordinance shall take effect upon passage and publication according to law.

Introduction Date: April 1, 2024

	MOTION	AYE	NAY	ABSTAINED	ABSENT	TRANSMITTED
Cohen					✓	Newspaper
Janjua		✓				
Moustakas		✓				
Pritchett	1	✓				
Steglik	2	✓				

Publication Date: April 10, 2024

Public Hearing Date: May 6, 2024

	MOTION	AYE	NAY	ABSTAINED	ABSENT	TRANSMITTED
Cohen		✓				11/15/24
Janjua		✓				General
Moustakas	2	✓				11/16
Pritchett		✓				
Steglik	1	✓				

TOWNSHIP OF MOUNT LAUREL

BY:

Fozia Janjua, Mayor

ATTEST:

Meredith Riculfy, Township Clerk
4872-1101-3296, v. 1