

~~Strikethroughs~~ mean deletions; Underlines mean additions

**BOROUGH OF NORTH PLAINFIELD  
COUNTY OF SOMERSET  
STATE OF NEW JERSEY**

**ORDINANCE NO. 24-09**

**AN ORDINANCE TO AMEND, REVISE AND SUPPLEMENT CHAPTER 7 OF THE BOROUGH CODE, ENTITLED "TRAFFIC", AND MORE SPECIFICALLY § 7-3, ENTITLED "PROHIBITED PARKING", AND MORE PARTICULARLY § 7-3.8, ENTITLED "PARKING OF VEHICLES ON FRONT YARDS".**

**WHEREAS**, pursuant to *N.J.S.A. 40:48-1* and *N.J.S.A. 40:48-2*, the governing body of a municipality may make, amend, repeal and enforce such ordinances, regulations, rules and by-laws not contrary to the laws of this State and/or of the United States, as it may deem necessary and proper for the good of government, order and protection of person and property and for the preservation of the public health, safety and welfare of the municipality and its inhabitants and, as may be necessary to carry into effect the powers and duties conferred and imposed by this subtitle, or by any other law; and,

**WHEREAS**, this grant of authority includes the power to adopt reasonable ordinances for the regulation of parking of any vehicle on any public street, highway or public right-of-way located in the geographic boundaries of the Borough of North Plainfield; and,

**WHEREAS**, the Borough Council has received complaints, by email, telephone and at public Council meetings, of vehicles along the side of Borough roadways without curbing and with all, or part, of their wheels located off the paved portion of the road and on grass or other treatments of the land adjacent to the paved roadway; and,

**WHEREAS**, parking of vehicles along the side of Borough roadways without curbing and with all, or part, of their wheels located off the paved portion of the road and on grass or other surfaces of the land, creating damage to by rutting and/or other disturbances of grass or other ground surfaces and which may cause oil, gas, grease or coolant to leak from such vehicles into the unpaved groundcover adjacent to the paved roadway, creating the potential for environmental pollution and stormwater contamination; and,

**WHEREAS**, the New Jersey State Legislature, by creating laws codified at *N.J.S.A. 39:4-135(1)(f)*, has permitted municipalities to adopt ordinances prohibiting parking with wheels off the paved portion of roadways without curbing on any public street, highway and/or public right-of-way in the municipality, including the Borough of North Plainfield; and,

**WHEREAS**, the Borough of North Plainfield hereby declares that such parking of vehicles off the public roadway along streets without curbs is a threat to the public health, safety or welfare; and,

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**WHEREAS**, the Borough Council finds it necessary and appropriate to amend, revise and supplement Chapter Three of the Borough Code by enacting a new § 7-3.8(B) of the Borough Code regarding parking off the paved roadway on any public street, highway and/or public right-of-way in the Borough of North Plainfield.

**NOW, THEREFORE, BE IT ORDAINED** by the Borough Council of the Borough of North Plainfield, County of Somerset, State of New Jersey that the Borough Code of the Borough of North Plainfield be amended, revised and supplemented as to Chapter 7 of the Borough Code, entitled "Traffic," and more specifically § 7-3, entitled "Prohibited Parking", and more particularly § 7-3.8, entitled "Parking of Vehicles on Front Yards", as follows:

§ 7-3.8 Parking of Vehicles on Front Yards or Off Paved Roadway.

- A. No owner of any vehicle that is or is required to be registered and/or licensed by the Motor Vehicle Commission or equivalent agency as a vehicle may park that vehicle on that portion of the front yard which is directly in front of any principal structure, as defined in § 22-3, of any premises located in a residential district except for an attached and front-facing garage. Such vehicles include by way of example, but not by limitation, automobiles, trucks, buses, vans, sport utility vehicles, motorcycles, boats, and trailers. This section shall not be construed to preclude the parking of vehicles on the driveway area of the property as set forth in §§ 22-117.2 and 22-117.4. The person/entity responsible for the enforcement of this section shall be the North Plainfield Police Department and/or the Code Enforcement Officer of the Borough of North Plainfield or their designee.
- B. No person shall stop, stand or park a vehicle in a roadway in a residential area, other than on the actual paved roadway parallel with the edge of the paved roadway headed in the direction of traffic, on the right-hand side of the paved roadway and with the curb side of the vehicle no more than six (6) inches away from the meeting of the edge of the paved roadway with the unpaved ground adjacent to the roadway. The person/entity responsible for the enforcement of this section shall be the North Plainfield Police Department and/or the Code Enforcement Officer of the Borough of North Plainfield or their designee.
- C. Any person who shall violate any of the provisions of this Section shall, upon conviction of same, be subject to a penalty as established in Chapter 1, Section 1-5 of the Borough Code."

**NOW, THEREFORE, BE IT FURTHER ORDAINED** that this Ordinance shall take effect, after final passage, twenty (20) days following action or inaction by the Mayor as provided by law or an override of a mayoral veto by the Council, whichever is applicable and publication in accordance with law, unless a resolution is adopted, pursuant to *N.J.S.A. 40:69A-181(b)*, declaring an emergency and providing that this Ordinance shall take effect at an earlier date.

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INTRODUCED: April 8, 2024

PASSED: April 8, 2024

PUBLISHED: April 12, 2024

ADOPTED: April 22, 2024

ROLL CALL: AYES: Corzo, Given, McIntyre, Merrill, Miller, Schaefer, Stabile

NAYS:

ABSTAIN:

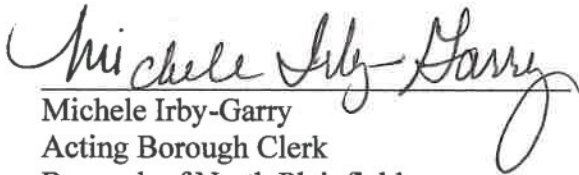
ABSENT:

APPROVED BY THE MAYOR: Yes X No \_\_\_\_\_

The above is a true copy of the Ordinance adopted by the Borough of North Plainfield on April 22, 2024.

ATTEST:

BOROUGH OF NORTH PLAINFIELD

  
Michele Irby-Garry  
Acting Borough Clerk  
Borough of North Plainfield

  
Frank A. "Skip" Stabile, Jr., Council President

Date signed: April 22, 2024

Date signed: April 22, 2024.

  
Lawrence LaRonde, Mayor

Date signed: April 22, 2024.

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