

CITY OF PASSIC

ORDINANCE NO. 2429-23

ORDINANCE AMENDING CITY CODE OF THE CITY OF PASSAIC,
CHAPTER 295 "VEHICLES AND TRAFFIC," PART 10 "RESIDENTIAL
PARKING PERMITS," ARTICLE XXI "RESIDENTIAL PARKING PERMIT
REQUIREMENTS"

WHEREAS, N.J.S.A. 40:48-2 provides in relevant part that a municipality may make and enforce such ordinances, rules and regulations not contrary to the laws of this state or of the United States as it may deem necessary and proper for the good government, order and protection of persons and property, and for the preservation of the public health, safety and welfare of the municipality and its inhabitants; and

WHEREAS, the City Code of the City of Passaic, Chapter 295 "Vehicles and Traffic," Part 10 "Residential Parking Permits," Article XXI "Residential Parking Permit Requirements" sets forth the rules and regulations governing parking permits within the City of Passaic; and

WHEREAS, in the interest of the promotion of the general welfare, the City Code of the City of Passaic, Chapter 295 "Vehicles and Traffic," Part 10 "Residential Parking Permits," Article XXI "Residential Parking Permit Requirements" shall be amended as set forth below.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Passaic that the following sections of the City Code of the City of Passaic Chapter 295 "Vehicles and Traffic," Part 10 "Residential Parking Permits," Article XXI "Residential Parking Permit Requirements" are hereby amended as follows:

SECTION I

NEW SECTIONS ARE UNDERLINED
ALL DELETIONS ARE NOTED

§ 295-48 Registration/permit requirements.

A.

No person shall park a vehicle between the hours of ~~12:00 midnight~~ 3:00 a.m. and 6:00 a.m. without the required resident parking permit upon any street designated for residential permit parking as set forth in the Ordinances of the City of Passaic.

B.

Proof of current residence in Passaic must be presented when applying for a resident permit. As proof of residency, the applicant must provide a valid New Jersey driver's license reflecting a legal City of Passaic address. In the event that a resident possessing a residential parking permit changes addresses within the City of Passaic, a change of address form or decal shall be issued in accordance with the provisions of this article. If an address change form or decal has been affixed to the driver's license or issued by the New Jersey Motor Vehicle Commission, additional proof of residency is required as described below.

C.

The vehicle must be ~~owned~~ for the primary use by a person residing in a ~~parking permit zone, listed in § 295-52,~~ Restricted zones the City of Passaic.

D.

The vehicle must be validly insured.

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E.

Proof of vehicle ownership or primary use by the individual seeking the permit must be presented when applying for a resident permit. As proof of ownership or primary use, the individual must provide a current New Jersey vehicle registration for the vehicle to be permitted ~~that shall reflect the same name of the owner and City of Passaic address as the resident seeking said permit.~~ If an address change decal has been affixed to the vehicle registration by the New Jersey Motor Vehicle Commission, proof of insurance shall also be provided in the same name as the resident seeking said permit.

F.

Alternatively, proof of vehicle ownership or primary use may be established by presenting one of the following combinations of documents:

(1)

A copy of a valid New Jersey driver's license for the applicant which, except for leased or company-owned vehicles, reflects an address within the ~~applicable residential parking permit zone of the City of Passaic.~~

(2)

A copy of a valid New Jersey motor vehicle registration for the vehicle for which the permit is sought reflecting an address within the ~~applicable residential parking permit zone of the City of Passaic.~~

(3)

Proof of the vehicle being insured in the State of New Jersey reflecting an address within the ~~applicable residential parking permit zone of the City of Passaic.~~

(4)

A current utility or telephone bill with the resident's name and with the same address as described on the driver's license ~~and motor vehicle registration.~~

(5)

If the vehicle for which a permit is sought is leased, then a copy of the lease agreement ~~must~~ can be exhibited.

§ 295-49 Application for permit; fee.

E.

Parking permits are limited to ~~one~~ two residential parking permits for each valid driver's license and registered vehicle at the verified address as listed in this article.

AND

§ 295-51 Visitor parking permits.

B.

Visitor parking permits shall only be valid while visitors are actually visiting the residence to which the visitor parking permit was issued. ~~There shall be a rebuttable presumption that any vehicle parked more than one block from the household for which the visitor permit has been issued is not visiting such household.~~

§ 295-52 Restricted zones.

A.

Pursuant to the provisions of this article and based upon the findings of the Chief of Police, or his designee, made in accordance therewith, no person who does not hold a residential parking permit issued in accordance with the terms of this article shall park any vehicle within the following described residential zones or portions thereof in the City of Passaic

between ~~12:00 midnight~~ 3:00 a.m. and 6:00 a.m. except Saturdays, Sundays or announced holidays:

SECTION II

If any section of provision of this ordinance shall be invalid in any court the same shall not affect the other sections or provisions of this ordinance except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

SECTION III

All ordinances or parts of ordinances to inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION IV

This ordinance shall take effect upon publication as provided by law.

INTRODUCED BY COUNCILPERSON: Terrence Love

SECONDED BY COUNCILPERSON: Thania Melo

Record of Council Vote on Final Passage	Aye	Nay	Abstain	Absent
COLON-MONTANEZ, M.	x			
GARCIA, J.	x			
MELO, T.	x			
LOVE, T.	x			
MUNK, C.	x			
SCHAER, G.	x			
SCHWARTZ, D	x			

Adoption of first reading at a meeting of the Council of the City of Passaic, NJ on

December 5, 2023

Adopted on the second and final reading after the hearing on December 19, 2023

APPROVED: Hector C. Lora

Hector C. Lora, Mayor

12/19/2023

Date

Gary S. Schaer
Gary S. Schaer, Council President

Weatherly Frias
Weatherly Frias, Municipal Clerk