

CITY OF PASSAIC
ORDINANCE NO. 2431-23

ORDINANCE AMENDING CHAPTER 295 "VEHICLES AND TRAFFIC", ARTICLE II "PARKING, STANDING AND STOPPING", SECTION 7.2 "OVERNIGHT PARKING OF TRUCKS AND BUSES PROHIBITED" OF THE CITY OF PASSAIC CODE

WHEREAS, pursuant to N.J.S.A.40:48-2, the governing body of a municipality may make, amend, repeal, and enforce such other ordinances, regulations, rules and by-laws 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 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 law; and

WHEREAS, the City Code of the City of Passaic, Chapter 295, "Vehicles and Traffic" Article II, "Parking, Standing and Stopping", Section 7.2 "Overnight Parking of Trucks and Buses Prohibited" set forth the rules and regulations governing the prohibition of overnight parking for trucks and buses in the City of Passaic; and

WHEREAS, in the interest of the promotion of the general welfare, the City of Passaic wishes to amend the City Code of the City of Passaic, Chapter 295, "Vehicles and Traffic" Article II, "Parking, Standing and Stopping", Section 7.2 "Overnight Parking of Trucks and Buses Prohibited".

NOW THEREFORE, IT IS ORDAINED by the City Council of the City of Passaic that the City Code of the City of Passaic, Chapter 295, "Vehicles and Traffic" Article II, "Parking, Standing and Stopping", Section 7.2 "Overnight Parking of Trucks and Buses Prohibited" is hereby amended as follows:

ALL ADDITIONS ARE UNDERLINED
ALL DELETIONS ARE NOTED BELOW

SECTION I

295-7.2. Overnight Parking of Trucks and Buses Prohibited

A. The owner or operator of any omnibus, school bus, semitrailer, trailer, truck, or truck tractor regardless of the type of registration, private or commercial, as defined in Subsection B of this section, shall not park said vehicle upon any street in the City of Passaic between the hours of 10:00 p.m. and 6:00 a.m. (prevailing time).

B. The following definitions will control for the purposes of this section:

OMNIBUS

Includes all motor vehicles used for the transportation of more than eight passengers, except commuter vans and vehicles used in ridesharing arrangements.

SCHOOL BUS

Every motor vehicle operated by, or under contract with, a public or governmental agency or religious or other charitable organization or corporation or privately operated for compensation for the transportation of children to or from school for secular or religious education which complies with the regulations of the Department of Education affecting school buses. This definition includes all vehicles with S1 and S2 license plates.

SEMITRAILER

Every vehicle, with or without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that some part of its weight and that of its load rests upon or is carried by another vehicle.

TRAILER

Every vehicle, with or without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that no part of its weight rests upon the towing vehicle.

TRUCK

Includes every motor vehicle designed for commercial purposes, such as the transportation of goods, wares and merchandise or maintained primarily for the transportation of property.

TRUCK TRAILER

Every motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.

~~C. Commercial vehicles. All vehicles defined in Subsection B of this section shall be prohibited from overnight parking unless the vehicle is used for the transportation of eight passengers or fewer.~~

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SECTION II

If any section or 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 be subject to review by the Council after passage of six months from its effective date.

SECTION V

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

INTRODUCED BY COUNCILPERSON: Daniel Schwartz

SECONDED BY COUNCILPERSON: Thania Melo

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

Adoption of first reading at a meeting of the City of Passaic, NJ on December 19, 2023

Adopted on the second and final reading on January 11, 2024

APPROVED: Hector C. Lora
Hector C. Lora, Mayor

1/11/2024
Date

Gary S. Schaer
Gary S. Schaer, Council President

Weatherly Frias
Weatherly Frias, Municipal Clerk