

ORDINANCE NO. 2023-35

**ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED
GENERAL ORDINANCES OF THE TOWNSHIP OF PISCATAWAY,
COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AMENDING CHAPTER VII (7),
TRAFFIC, SECTION 40, CONTROL FOR THE MOVEMENT AND THE PARKING OF
TRAFFIC ON PUBLIC AND PRIVATE PROPERTY, TO ASSERT TITLE 39
JURISDICTION ON 135 FLEMING STREET**

WHEREAS, 135 Fleming Street, LLC request that the Township of Piscataway (the "Township") assert Title 39 jurisdiction on the property located at 135 Fleming Street in the Township (the "Property"); and

WHEREAS, the Township has determined that it would serve a public purpose for it to assert Title 39 jurisdiction on the Property; and

WHEREAS, the administration has reviewed the request and recommends enforcement of Title 39 on the Properties; and

BE IT THEREFORE ORDAINED by the Township Council of the Township of Piscataway, County of Middlesex, State of New Jersey, that Chapter VII, Traffic, Section 40, Control for the Movement and the Parking of Traffic on Public and Private Property, of the Revised General Ordinances of the Township of Piscataway are hereby amended with additions shown in italics text as follows:

**CHAPTER VII
TRAFFIC**

**7-40 CONTROL FOR THE MOVEMENT AND THE PARKING OF TRAFFIC ON
PUBLIC AND PRIVATE PROPERTY.**

* * *

**7-40.3 Regulation for the Movement and the Parking of Traffic on All Other
Private Property.**

In accordance with the provisions of N.J.S.A. 39:5A-1 the regulations of Subtitle 1, Title 39 of the New Jersey Statutes are hereby made applicable to the properties listed below.

* * *

G. 135 Fleming Street.

- a. *The Township of Piscataway asserts Title 39 jurisdiction over the property located at 135 Fleming Street, Piscataway, NJ and authorizes the Township of Piscataway Police Department to enforce same.*

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- b. *The Township Attorney and the Township Administrator are hereby authorized to take all actions necessary to assert Title 39 jurisdiction over the property, in accordance with the terms of this subsection.*

* * *

BE IT FURTHER ORDAINED that if any article, section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect, and to this end the provisions of this ordinance are hereby declared severable.

BE IT FURTHER ORDAINED that all other ordinances in conflict or inconsistent with this ordinance are hereby repealed, to the extent of such conflict or inconsistency. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Township, the provisions hereof shall be determined to govern. All other parts, portions and provisions of the Ordinances of the Township are hereby ratified and confirmed, except where inconsistent with the terms hereof.

This Ordinance shall take effect immediately upon second reading, final passage and publication as required by law.


FRANK UHRIN, President of Township
Council

Attest:


MELISSA A. SEADER, Township Clerk

Adopted, First Reading:

December 5, 2023

Publication Date:

December 10, 2023

Adopted, Second Reading:

December 19, 2023

Publication Date:

December 24, 2023

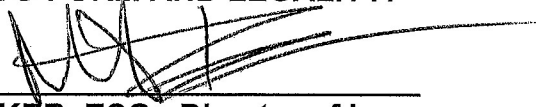

BRIAN C. WAHLER, Mayor

Date:

12/20/23

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CERTIFIED AS TO FORM AND LEGALITY:

A handwritten signature in black ink, appearing to be 'MJ Baker', written over a horizontal line.

MICHAEL J. BAKER, ESQ., Director of Law

STATEMENT OF PURPOSE

The purpose of this ordinance is to amend Chapter VII, Traffic, Section 40, Control for the Movement and the Parking of Traffic on Public and Private Property, of the revised General Ordinances of the Township of Piscataway in regard to the Township asserting Title 39 jurisdiction on the property located at 135 Fleming Street.