

**BOROUGH OF PROSPECT PARK
COUNTY OF PASSAIC**

ORDINANCE NO. 2022-21

**AN ORDINANCE AMENDING CHAPTER 84, SECTIONS 84-42 ENTITLED
“RESTRICTION OF SPACES” AND 84-43 ENTITLED “DESIGNATED
HANDICAPPED PARKING ON MUNICIPAL STREETS**

WHEREAS, *N.J.S.A. 39:4-197* confers upon the Borough a right to establish resident handicapped on-street parking and for time limit parking areas in order to preserve and safeguard the public health, safety and welfare; and

WHEREAS, pursuant to *N.J.S.A. 39:4-197.5*, any municipality may, by ordinance, resolution or regulation, establish restricted parking spaces in front of residences, schools, hospitals and other public buildings and in shopping and business districts for use by persons who have been issued special vehicle identification cards by the Division of Motor Vehicles, provided the permitting does not interfere with the normal flow of traffic; and

WHEREAS, the Mayor and Borough Council of the Borough of Prospect Park adopted Chapter 84 of the Code of Prospect Park, § 84-42 entitled “Restriction of Spaces” which designates restricted parking spaces for use by persons who have been issued special vehicle identification cards by the Division of Motor Vehicles and § 84-43, entitled “Designated Handicapped Parking On Municipal Streets” which designates restricted parking spaces for the specific use by persons who have been issued special vehicle identification cards by the Division of Motor Vehicles and who have been issued special permits by the Borough of Prospect Park; and

WHEREAS, by way of Ordinance No. 2019-2, the Mayor and Council adopted an ordinance establishing procedures for the application, review and approval of on-street handicapped parking in the Borough of Prospect Park which permits the issuance of handicapped parking spaces upon recommendation of a Parking Review Committee made up of the Borough Administrator, the Chief of Police, or his designee and the Director of Public Works and passage of a Resolution of the Borough Council of the Borough of Prospect Park; and

WHEREAS, the Borough received requests for designated handicapped spaces to be located at 44 Struyk Avenue (Specific), 46 Brown Avenue (Specific), 336 North 7th Street (Specific), 369 North 8th Street (Specific), 91 North 17th Street (Specific), 58 Brown Avenue (Specific), 238 Haledon Avenue (Specific), 56 Brown Avenue (Specific), 85 North 15th Street (Specific); and

WHEREAS, the Parking Review Committee and Police Department has reviewed the requests for designated handicapped parking spaces to be located at 44 Struyk Avenue (Specific), 46 Brown Avenue (Specific), 336 North 7th Street (Specific), 369 North 8th Street (Specific), 91 North 17th Street (Specific), 58 Brown Avenue (Specific), 238 Haledon Avenue (Specific), 56 Brown Avenue (Specific), 85 North 15th Street (Specific) and has reported that it recommended that they be granted; and

WHEREAS, the Parking Committee and the Police Department have also reviewed various existing designated handicapped spaces and/or received indication from homeowners that the designated handicapped spaces are no longer necessary and has determined that the designated handicapped spaces located at 237 North 12th Place (Specific), 130 Prescott Avenue (General), 81 North 17th Street (General), 361 North 17th Street (General), 14 Struyk Avenue (General), 103 North 16th Street (General), 234 North 6th Street (General), 418 North 9th Street (General), 161 North 12th Street (Specific), 269 North 10th Street (Specific), 21 Hopper Street (Specific), 81 North 17th Street (General) and 44 Struyk Avenue (General) are no longer necessary and/or appropriate and should be removed; and

WHEREAS, pursuant to Ordinance No. 2019-2, the Mayor and Borough Council of the Borough of Prospect Park, reviewed the determination related to the handicapped parking spaces located at 237 North 12th Place (Specific), 130 Prescott Avenue (General), 81 North 17th Street (General), 361 North 17th Street (General), 14 Struyk Avenue (General), 103 North 16th Street (General), 234 North 6th Street (General), 418 North 9th Street (General), 161 North 12th Street (Specific), 269 North 10th Street (Specific), 21 Hopper Street (Specific), 81 North 17th Street (General) and 44 Struyk Avenue (General) and found that handicapped parking spaces are no longer necessary and/or appropriate and should be removed.

NOW, THEREFORE, BE IT FURTHER ORDAINED by the Mayor and Borough Council of the Borough of Prospect Park in the County of Passaic in the State of New Jersey, that Section 84-43, entitled “Designated Handicapped Parking On Municipal Streets” is hereby amended **to add** and include the following locations to be designated as a handicap parking space for the use of the specific persons who have been issued a windshield placard or wheelchair symbol license plate by the Division of Motor Vehicles and a specific Borough Handicapped Parking Permit issued by the Borough of Prospect Park. No other persons shall be permitted to park in the following locations:

Name of Street	Side	Location	Permit Number
44 Struyk Avenue	Eastern	Struyk Avenue beginning at a point on the Eastern side of Struyk Avenue, 179 feet South of the corner of North 11 th Street and extending 20 feet South.	2022-90
46 Brown Avenue	Eastern	Brown Avenue beginning at a point on the Eastern side of Brown Avenue, 94 feet North of the corner of North 7 th street and Extending 20 South	2021-75
336 North 7 th Street	Specific	N-7 th Street beginning at a point on Southern side of N-7 th Street, 27 feet West of the corner of Planten Ave. and extending 20 West.	2022-01
369 North 8 th Street	Northern	N-8 th Street beginning at a point on the Northern Side of N-8 th Street, 57 feet West of the corner of Struyk Avenue and extending 20 East.	2022-02
91 North 17 th Street	Northern	N-17 th Street beginning at a point on Northern side of N-17 th Street, 263 feet East of the corner of Brown Ave. and extending 20 East.	2022-03

58 Brown Avenue	Northern	N-12 th Street beginning at a point on the Northern side of N-12 th Street, 223 Feet East of the corner of Brown Avenue and extending 20 feet East	2022-
238 Haledon Avenue	Eastern	Haledon Avenue beginning at a point on the Eastern side of Haledon Ave, 50 Feet South of the corner N-12 th Street and extending 20 feet South	2022-83
56 Brown Avenue	Eastern	Brown Avenue beginning at a point on the Eastern side of Brown Avenue, 51 feet South of the corner of North 8 th street and Extending 20 South	2021-76
85 North 15 th Street	Northern	North 15 th Street beginning at a point on the Northern side of North 15 th Street, 168 feet East of the corner of Haledon Avenue and extending 20 feet East.	2022-89
21 Hopper Street		In front of 21 Hopper Street	<u>2021-52</u>

BE IT FURTHER ORDAINED by the Mayor and Council of the Borough of Prospect Park that any person parking a motor vehicle in the restricted handicap spaces designated by the Borough without a special vehicle identification card and permit issued by the Borough of Prospect Park shall be liable for a penalty as provided in N.J.S.A 39:4-197, and subject to the immediate towing of the offending vehicle as well as subject to a penalty of one hundred dollars (\$100.00). and

BE IT FURTHER ORDAINED by the Mayor and Council of the Borough of Prospect Park that § 84-42, entitled “Restriction of Spaces” and § 84-43, entitled “Designated Handicapped Parking On Municipal Streets” are hereby amended **to rescind and remove** the following locations from § 84-42 and § 84-43 and any applicable permits issued shall be null, void and have no further effect.

Name of Street	Type of Handicapped Space	Location	Permit Number
237 North 12 th Street	Specific	North 12th Place Beginning at a point on the Northern side of North 12th Place, 185 feet East of the corner of Planten Avenue and Extending 20 fee East	2021-37
130 Prescott Avenue	General	Prescott Ave and N-13 th Street, 75feet corner of N13th Street and Prescott Ave	N/A
81 North 17 th Street	General	<u>North 17th St. beginning at a point</u>	N/A

		<u>on the northern side 137 feet East of Brown Avenue</u>	
361 North 17 th Street	General	<u>North 17th St. beginning at a point on the northern side 232 feet East of Planten Avenue.</u>	N/A
14 Struyk Avenue	General	Struyk Avenue and North 8th Street, 183 feet	N/A
103 North 16 th Street	General /Specific	<u>North 16th St. beginning at a point on the northern side 80 feet West of Kenneth Avenue</u>	
234 North 6 th Street	General /Specific	<u>North 6th St. beginning at a point on the southern side, 134 feet East OF Fairview Avenue</u>	
418 North 9 th Street	General/ Specific	<u>North 9th St. beginning at a point on the southern side, 50 feet west of Prescott Avenue</u>	
161 North 12 th Street	Specific	North 12th Street beginning at a point on the Northern side of North 12th Street, 272 feet East of the corner of Brown Avenue and extending 20 feet East.	2022-
269 North 10 th Street	Specific	<u>North 10th St. beginning at a point on the northern side, 118 feet East of Fairview Ave.</u>	2021-43
19 Hopper Street	Specific		2019-62
81 North 17th Street	General /Specific		
44 Struyk Avenue	General /Specific		

BE IT FURTHER ORDAINED by the Mayor and Council of the Borough of Prospect Park that this Ordinance shall take effect immediately upon approval and publication according to law; and

BE IT FURTHER ORDAINED by the Mayor and Council of the Borough of Prospect Park that all Borough officials shall take all necessary actions to in order to effectuate the within Ordinance, including but not limited to the installation and/or removal of signs in the above designated areas; and

BE IT FURTHER ORDAINED by the Mayor and Council of the Borough of Prospect Park that the within Ordinance shall not have any effect upon all existing Ordinances, unless inconsistent with or referenced herein, including but not limited to existing designated handicapped spaces throughout the Borough and violations and penalties related thereto and all of the same remain in full force and effect.

**Introduction and First Reading:
November 21, 2022**

COUNCIL MEMBER	Motion	Second	Ayes	Nays	Abstain	Absent
Ortiz						✓
Artis						✓
Hussain	✓		✓			
Matari			✓			
Perez			✓			
Shah		✓	✓			

Second and Final Reading of Ordinance Adoption:

December 19, 2022

COUNCIL MEMBER	Motion	Second	Ayes	Nays	Abstain	Absent
Ortiz	✓		✓			
Artis			✓			
Hussain		✓	✓			
Matari			✓			
Perez						✓
Shah			✓			


Mohamed Khairullah, Mayor

**This Ordinance was duly passed on second and final reading
 by the Council of the Borough of Prospect Park
 at a meeting held December 19, 2022.**



**Beauty Nadim, RMC, CMR
 Municipal Clerk**