

**BOROUGH OF PROSPECT PARK  
COUNTY OF PASSAIC**

**ORDINANCE NO. 2023-12**

**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 415 North 9<sup>th</sup> Street (Specific – Sign Owner Transfer), 339 North 6<sup>th</sup> Street (Specific), 25 Struyk Avenue (Specific), 408 North 10<sup>th</sup> Street (Specific), 273 North 6<sup>th</sup> Street (Change General to Specific), 33 Wagaraw Boulevard (Specific), 325 North 7<sup>th</sup> Street (Specific), 234 Fairview Avenue (Specific), 140 North 15<sup>th</sup> Street (Specific – Sign Owner Transfer), 35 Planten Avenue (Specific), 271 North 10<sup>th</sup> Street (Specific), 66 Struyk Avenue (Specific), 248 North 6<sup>th</sup> Street (Specific); and

**WHEREAS**, the Parking Review Committee and Police Department has reviewed the requests for designated handicapped parking spaces to be located at 415 North 9<sup>th</sup> Street (Specific – Sign Owner Transfer), 339 North 6<sup>th</sup> Street (Specific), 25 Struyk Avenue (Specific), 408 North 10<sup>th</sup> Street (Specific), 273 North 6<sup>th</sup> Street (Change General to Specific), 33 Wagaraw Boulevard

(Specific), 325 North 7th Street (Specific), 234 Fairview Avenue (Specific), 140 North 15th Street (Specific – Sign Owner Transfer), 35 Planten Avenue (Specific), 271 North 10th Street (Specific), 66 Struyk Avenue (Specific), 248 North 6th 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 23 Wagaraw Boulevard (Specific), 283 North 8<sup>th</sup> Street (Specific), 282 North 8<sup>th</sup> Street (Specific), 288 North 8<sup>th</sup> Street (Specific), 292 North 8<sup>th</sup> Street (Specific), 206 North 6<sup>th</sup> Street (Specific), 81 North 17<sup>th</sup> Street (Specific), 325 North 7<sup>th</sup> Street (Specific), 9 Fairview Avenue (Specific), 33 Fairview Avenue (Specific), 293 Brown Avenue (Specific), 330 North 8<sup>th</sup> Street (Specific), and 285 North 8<sup>th</sup> Street (Specific) 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 23 Wagaraw Boulevard (Specific), 283 North 8th Street (Specific), 282 North 8th Street (Specific), 288 North 8th Street (Specific), 292 North 8th Street (Specific), 206 North 6th Street (Specific), 81 North 17th Street (Specific), 325 North 7th Street (Specific), 9 Fairview Avenue (Specific), 33 Fairview Avenue (Specific), 293 Brown Avenue (Specific), 330 North 8th Street (Specific), and 285 North 8th Street (Specific) 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
273 North 6 <sup>th</sup> Street	Eastern	North 6th Street, beginning at a point on the Eastern side of Fairview Avenue, 124 feet East of the corner of Brown Avenue and extending 20 feet East.	2023-67
140 North 15 <sup>th</sup> Street	Western	North 15th Street, beginning at a point on the Western side of Fairview Avenue, 29 feet West of the corner of Brown Avenue and extending 20 feet West.	2023-66

325 North 7 <sup>th</sup> Street	Eastern	North 7th Street, beginning at a point on the Eastern side of North 7th Street, 154 feet West of the corner of Planten Avenue and extending 20 feet West.	2023-65
66 Struyk Avenue	Northern	Struyk Avenue, beginning at a point on the Northern side of Struyk Avenue, 13 feet North of the corner of North 11th Street and extending 20 feet North.	2023-64
35 Planten Avenue	Western	North 10th Street, beginning at a point on the Western side of North 10th Street, 29 feet West of the corner of Planten Avenue and extending 20 feet West.	2023-63
248 North 6 <sup>th</sup> Street	Western	North 6th Street, beginning at a point on the Western side of North 6th Street, 126 feet West of the corner of Brown Avenue and extending 20 feet West.	2023-68
408 North 10 <sup>th</sup> Street	Eastern	North 10th Street, beginning at a point on the Eastern side of North 10th Street, 140 feet West of the corner of Prescott Avenue and extending 20 feet West.	2023-71
234 Fairview Avenue	Northern	Fairview Avenue, beginning at a point on the Northern side of Fairview Avenue, 16 feet North of the corner of North 15th Street and extending 20 feet North.	2023-70
25 Struyk Avenue	Eastern	North 6th Street, beginning at a point on the Eastern side of Fairview Avenue, 124 feet East of the corner of Brown Avenue and extending 20 feet East.	2023-69
33 Wagaraw Boulevard	Northern	Fairview Avenue, beginning at a point on the Northern side of Fairview Avenue, 15 feet North of the corner of Wagaraw Boulevard and extending 20 feet North.	2023-62
339 North 6 <sup>th</sup> Street	Northern	North 6 <sup>th</sup> Street, beginning on the Northern side of North 6 <sup>th</sup> Street, 175 feet West of the corner of East Main Street and extending 20 feet East.	2022-92
415 North 9 <sup>th</sup> Street	Northern	North 9 <sup>th</sup> Street, beginning on the Northern side of North 9 <sup>th</sup> Street, 57 feet West of the corner of Prescott Avenue and extending 20 feet East.	2023-74
271 North 10 <sup>th</sup> Street	Western	North 10 <sup>th</sup> Street, beginning on the Western side of North 10 <sup>th</sup> Street, 111 feet East of the corner of Fairview Avenue and extending 20 feet East.	2023-72

**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
23 Wagaraw Boulevard	Specific
283 North 8th Street	Specific
282 North 8th Street	Specific
288 North 8th Street	Specific
292 North 8th Street	Specific
206 North 6th Street	Specific
81 North 17th Street	Specific
325 North 7th Street	Specific (Sign Transfer)
9 Fairview Avenue	Specific
33 Fairview Avenue	Specific
293 Brown Avenue	Specific
330 North 8 <sup>th</sup> Street	Specific
285 North 8 <sup>th</sup> Street	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:  
June 19, 2023**

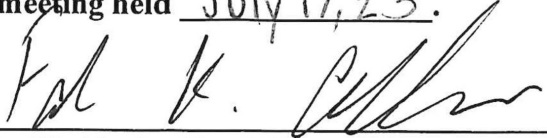
COUNCIL MEMBER	Motion	Second	Ayes	Nays	Abstain	Absent
Hussain			✓			
Artis			✓			
Matari						✓
Ortiz						✓
Perez		✓	✓			
Shah	✓		✓			

**Second and Final Reading of Ordinance Adoption:  
July 17, 2023**

COUNCIL MEMBER	Motion	Second	Ayes	Nays	Abstain	Absent
Hussain			✓			
Artis			✓			
Daghstani					✓	
Ortiz			✓			
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 July 17, 23.

  
Fahim K. Abedrabbo, MPA  
Acting Municipal Clerk