

**ROCKAWAY TOWNSHIP  
COUNTY OF MORRIS, NEW JERSEY**

**ORDINANCE NO. O-23-15**

**ORDINANCE AMENDING CHAPTER 7 - ARTICLE II OF THE REVISED  
ORDINANCES OF THE TOWNSHIP OF ROCKAWAY IN ORDER TO  
ADD NEW ORDINANCE SECTION 65 ET. SEQ. ESTABLISHING A  
TITLE 39 ENFORCEMENT PLAN FOR THE REGULATION OF  
PARKING, STANDING INGRESS, EGRESS, AND THE FLOW OF  
TRAFFIC ON PRIVATE PROPERTY OWNED BY FOX VIEW REALTY  
LLC IDENTIFIED ON THE OFFICIAL TAX MAP OF ROCKAWAY  
TOWNSHIP AS BLOCK 11301 LOT 10.01 MORE COMMONLY KNOWN  
AS FOX VIEW DEVELOPMENT ON FISHER COURT  
WHICH DEVELOPMENT IS ALSO KNOWN AS FOX CREST**

**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**, Rockaway Township (“Township”) has identified the need for general control of parking, standing, and flow of traffic applicable to private property known as the Fox View Development located on Fisher Court, Lot 10.01 in Block 11301 of the Official Tax Map of the Township of Rockaway, WHICH DEVELOPMENT IS ALSO KNOWN AS Fox Crest; and

**WHEREAS**, pursuant to N.J.S.A. 39:5A-1 the owner of such private property has made application to the Township requesting that the Township authorize the owner's application and accept police enforcement of the New Jersey Motor Vehicle Statutes to such property; and

**WHEREAS**, a Title 39 Enforcement Plan dated December 30, 2021, last revised January 27, 2023 and certified by Eric Keller of Bowman Consulting Group, Ltd. (“Bowman”) has been submitted to and reviewed by the Township Engineer and the Township Police Department; and

**WHEREAS**, the Township Engineer and the Police Department have approved said Title 39 Enforcement Plan and have recommended that the Township Council accept the property owner’s application to have Title 39 of the New Jersey Statutes applied to the subject property and to provide for police patrol of and enforcement of the New Jersey Statutes on such property; and

**WHEREAS**, the Township Council wishes to accept the property owner’s application and the Bowman Title 39 Enforcement Plan dated December 30, 2021, last revised January 27, 2023 as recommended by the Township Engineer and the Township Police Department.

**NOW, THEREFORE, BE IT ORDAINED**, by the Township Council of the Township of Rockaway, County of Morris and State of New Jersey as follows:

**Section 1.**

Rockaway Township Municipal Code 7-66 et seq. entitled “TITLE 39 TRAFFIC ENFORCEMENT PLAN FOR FOX VIEW is hereby established to authorize the application and police enforcement of Title 39 of the New Jersey Statutes to the private property known as the Fox View Development located on Fisher Court, Lot 10.01 in Block 11301 of the Official Tax Map of the Township of Rockaway, which development is also known as Fox Crest, and to adopt the Title 39 Enforcement Plan of Bowman Consulting Group, Ltd. dated December 30, 2021 with latest revision (which is attached hereto and made a part hereof by reference) in its entirety and by placing signs, marking roadways, parking areas, curbs, etc. to regulate parking, standing, ingress, egress and the flow of traffic in accordance with such plan as it pertains to that area of the subject property located in Rockaway Township with such Ordinance to read as follows:

**§7-66 FOX VIEW/FOX CREST**

**7-66.1 One Way - Right (R6-1R)**

One “One Way - Right” sign shall be constructed and enforced as set forth and identified at Location #1 on the Title 39 Traffic Enforcement Plan prepared by Bowman Consulting Group, Ltd., dated December 30, 2021, last revised January 27, 2023, which is made part of this chapter.

**7-66.2 Do Not Enter (R5-1)**

One “Do Not Enter” sign shall be constructed and enforced as set forth and identified at Location #2 on the Title 39 Traffic Enforcement Plan prepared by Bowman Consulting Group, Ltd., dated December 30, 2021, last revised January 27, 2023, which is made part of this chapter.

**7-66.3 No Stopping or Standing (R7-1)**

Four “No Stopping or Standing” signs shall be constructed and enforced as set forth and identified at Locations #3, #4, #5 and #6 on the Title 39 Traffic Enforcement Plan prepared by Bowman Consulting Group, Ltd., dated December 30, 2021, last revised January 27, 2023, which is made part of this chapter.

**7-66.4 Handicapped Signs / Reserve Parking (R7-8)**

Two “Handicapped Signs / Reserve Parking” signs shall be constructed and enforced as set forth and identified at Locations #7 and #8 on the Title 39 Traffic Enforcement Plan prepared by Bowman Consulting Group, Ltd., dated December 30, 2021, last revised January 27, 2023, which is made part of this chapter.

**7-66.5 One Way - Left (R6-1L)**

One “One Way - Left” sign shall be constructed and enforced as set forth and identified at Location #9 on the Title 39 Traffic Enforcement Plan prepared by Bowman Consulting Group, Ltd., dated December 30, 2021, last revised January 27, 2023, which is made part of this chapter.

**7-66.6 Emergency Vehicles Only**

Two “Emergency Vehicles Only” signs shall be constructed and enforced as set forth and identified at Location #10 on the Title 39 Traffic Enforcement Plan prepared by Bowman Consulting Group, Ltd., dated December 30, 2021, last revised January 27, 2023, which is made part of this chapter.

**7-66.7 Stop Sign (R1-1)**

One “Stop” sign shall be constructed and enforced as set forth and identified at Location #11 on the Title 39 Traffic Enforcement Plan prepared by Bowman Consulting Group, Ltd., dated December 30, 2021, last revised January 27, 2023, which is made part of this chapter.

**Section 2.**

The appropriate officers and employees of the Township are authorized to direct and require the property owner to place, replace, change, and to maintain all signs, curb, and road markings, etc., and to take all steps necessary to effectuate the purposes of this Ordinance.

**Section 3.**

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

**Section 4.**

If any section, paragraph, article, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to this action, paragraph, article, subdivision, clause or provisions so adjudged, and the remainder of this Ordinance shall be deemed valid and effective.

**Sections 5.**

This ordinance shall take effect as required by law.

**CERTIFICATION**

I Hereby Certify the foregoing to be a true copy of the ordinance introduced by the Township at a duly convened meeting held on the 25th day of April 2023 and adopted on the \_\_ day of \_\_\_\_\_ 2023.

\_\_\_\_\_  
Everett Falt, MPA, RMC, CMC  
Township Clerk

\_\_\_\_\_  
Howard Kritz  
Council President

\_\_\_\_\_  
Joe Jackson  
Mayor

\_\_\_ APPROVED

\_\_\_ VETO(SEE ATTACHED STATEMENT)

Approved:

**PURPOSE**

The purpose of this ordinance is to approve the Title 39 Plan that it adopts, which provides the Rockaway Township Police Department with the legal authority to enforce the requirements of the subject Title 39 traffic enforcement plan that is submitted herewith and made a part hereof by reference.