

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

ORDINANCE NO. O-23-24

**ORDINANCE AMENDING CHAPTER 7 - ARTICLE II OF THE REVISED
ORDINANCES OF THE TOWNSHIP OF ROCKAWAY IN ORDER TO ADD
NEW ORDINANCE SECTION 68 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 R&K COMMONS LLC IDENTIFIED
ON THE OFFICIAL TAX MAP OF ROCKAWAY TOWNSHIP AS BLOCK
22401 LOTS 3.06 & 3.07**

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 Rock Pointe (f.k.a. Morris Commons) Development located at 700 Commons Way, Lots 3.06 and 3.07 in Block 22401 of the Official Tax Map of the Township of Rockaway; 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 March 03, 2023, last revised September 25, 2023 and certified by Douglas G. Bartels of Russo Development, LLC. ("Russo") 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 Title 39 Plan dated March 03, 2023, last revised September 25, 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 7-68 et seq. entitled "TITLE 39 TRAFFIC ENFORCEMENT PLAN FOR ROCK POINTE (FKA MORRIS COMMONS) 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 Rock Pointe (fka Morris Commons) Development located at 700 Commons Way, Lots 3.06 and 3.07 in Block 22401 of the Official Tax Map of the Township of Rockaway, and to adopt the Title 39 Enforcement Plan of Douglas G. Bartels, P.E. of Russo Development L.L.C. ("Russo") dated March 03, 2023 with latest revision dated September 26, 2023 (which is attached hereto and made a part hereof by reference) in its entirety 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:

§7-68 TITLE 39 TRAFFIC ENFORCEMENT PLAN FOR ROCK POINTE (FKA MORRIS COMMONS)

7-68.1 Do Not Enter (R5-1)

One (1) "Do Not Enter" sign shall be constructed and enforced as set forth and identified on the Title 39 Plan prepared by Russo last revised September 25, 2023, which is made part of this chapter.

7-68.2 No Parking (R7-1)

Four (4) "No Parking" signs shall be constructed and enforced as set forth and identified on the Title 39 Plan prepared by Russo last revised September 25, 2023, which is made part of this chapter.

7-68.3 Right Turn Only (R3-5R)

Two (2) "Right Turn Only" sign shall be constructed and enforced as set forth and identified on the Title 39 Plan prepared by Russo last revised September 25, 2023, which is made part of this chapter.

7-68.4 Speed Limit 25 MPH (R2-1)

Two (2) "Speed Limit 25 MPH" signs shall be constructed and enforced as set forth and identified at Locations identified on the Title 39 Plan prepared by Russo last revised September 25, 2023, which is made part of this chapter.

7-68.5 Stop (R1-1)

Thirteen (13) "Stop" signs shall be constructed and enforced as set forth and identified on the Title 39 Plan prepared by Russo last revised September 25, 2023, which is made part of this chapter.

7-68.6 Handicapped Parking (R7-8)

Fourteen (14) "Handicapped Parking" signs shall be constructed and enforced as set forth and identified on the Title 39 Plan prepared by Russo last revised September 25, 2023, which is made part of this chapter.

7-68.7 Parking for Dumpers Area Only

One (1) "Parking for Dumpers Area Only" sign shall be constructed and enforced as set forth and identified on the Title 39 Plan prepared by Russo last revised September 25, 2023, which is made part of this chapter.

7-68.8 Parking for Refuse Area Drop Off Only

One (1) "Parking for Refuse Area Drop Off Only" sign shall be constructed and enforced as set forth and identified on the Title 39 Plan prepared by Russo last revised September 25, 2023, which is made part of this chapter.

7.68.9 Handicap Accessible (ADA-1)

Eight (8) "Handicap Accessible" signs shall be constructed as set forth and identified on the Title 39 Plan prepared by Russo last revised September 25, 2023, which is made part of this chapter.

7.68.10 Difficult Terrain Ahead (SS_1)

Three (3) "Difficult Terrain Ahead" signs shall be constructed as set forth and identified on the Title 39 Plan prepared by Russo last revised September 25, 2023, which is made part of this chapter.

7.68.11 Crossing Ahead (W11-2, W16-9P, W16-7P)

Twelve (12) "Crossing Ahead" signs shall be constructed as set forth and identified on the Title 39 Plan prepared by Russo last revised September 25, 2023, which is made part of this chapter.

Section 2.

Only operable, motor vehicles consistent with the Township's Land Use and Development and Property Maintenance Code, shall park in designated parking stalls.

Section 3.

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 4.

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

Section 5.

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 6.

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 10th day of October 2023 and adopted on the 13th day of Nov. 2023.

Date:



Everett Falt, Township Clerk

Date:



Joseph Jackson, Mayor

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, which has been designed to promote and ensure pedestrian and traffic safety.

