

**LEGAL NOTICE
ORDINANCE NO. 13
2021
TOWNSHIP OF WAYNE
COUNTY OF PASSAIC
STATE OF NEW JERSEY**

**AN ORDINANCE TO AMEND AND SUPPLEMENT
CHAPTER 200 (VEHICLES AND TRAFFIC) OF
THE CODE OF THE TOWNSHIP OF WAYNE.**

WHEREAS, in addition to the powers conferred to a municipality under section 39:4-197 of the Revised Statutes, the governing body of every municipality may make, amend, repeal and enforce ordinances to regulate vehicular and pedestrian traffic and the parking of vehicles in parking yards and parking places, which are open to the public or to which the public is invited, whether maintained or operated separately or in conjunction with any business or enterprise pursuant to N.J.S.A. 40:48-2.46; and

WHEREAS, N.J.S.A. 39:4-197(1) and (3) further provide, *inter alia*, that a municipality may pass, without the approval of the Commissioner of Transportation, and consistent with the current standards prescribed by the Manual on Uniform Traffic Control Devices for Streets and Highways, ordinances altering speed limitations as provided in R.S.39:4-98, ordinances regulating the entrances to and exits from parking yards and parking places which are open to the public or to which the public is invited, and ordinances designating restricted parking spaces for use by handicapped persons who have been issued special vehicle identification cards by the New Jersey Motor Vehicle Commission pursuant to the provisions of P.L.1949, c.280 and section 1 of P.L.1977, c.202; and

WHEREAS, 910 Hamburg Turnpike, LLC has submitted an application to the Engineering Division requesting that the provisions of Title 39, Subtitle 1 of the Revised Statutes be made applicable to the semi-public roadways, driveways, parking areas and other areas used for vehicular traffic on the property identified as Block 3103, Lot 2 on the Tax Assessment Map of the Township of Wayne, more commonly known as 910 Hamburg Turnpike ("The Parke at Hamburg"), in accordance with Wayne Planning Board Resolution No. PB-2020-006 entitled Amended Preliminary and Final Site Plan, Variance & Design Standard Exception adopted on February 10, 2020 for said property; and

WHEREAS, the Township Engineer has reviewed the application and has recommended that Subtitle 1 of Title 39 be made applicable as provided herein; and

WHEREAS, Chapter 200 (Vehicles and Traffic) of the Code of the Township of Wayne ("Code") needs to be amended and supplemented accordingly.

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Wayne in the County of Passaic, State of New Jersey as follows [additions by **bold**, deletions by ~~strikethrough~~]:

SECTION 1. Chapter 200 (Vehicles and Traffic), Article XI (Schedules) of the Code of the Township of Wayne is hereby amended and supplemented as follows:

§ 200-35.54. Schedule VIIBBB: 910 Hamburg Turnpike - The Parke at Hamburg.

In accordance with §200-10, all parking restrictions and traffic controls as shown and depicted on the plan entitled "Striping and Signage Plan for The Parke at Hamburg", one (1) sheet, prepared by Menlo Engineering Associates dated April 29, 2020, last revised on August 18, 2020, a copy of which is on file in the Township Clerk's Office, is hereby made a part of this chapter.

A. General Parking.

- (1) All vehicles shall park in designated areas and between the lines provided.
- (2) No person shall stop or stand a vehicle upon any of the streets or parts of streets described below except in areas covered by other parking regulations.

Name of Street	Side	Hours	Location
Ingress/egress driveways, all roads and aisles	Both	All	As indicated on plan

- (3) Handicapped Parking. All stalls shall be 8 feet and 11 feet wide, as shown on the attached plan and signed with the R7-8 and R7-8P (reserved Parking Sign, Penalty Plate and Van Accessible Plate) in the designated parking areas for persons who have been issued the handicapped permit by the Motor Vehicle Commission.

B. Stop Intersections.

- (1) Stop Intersections. All intersections where an R1-1 sign has been erected and/or a Stop bar has been painted as shown on the attached plan.

C. Two-Way Streets. The following described streets or parts of streets are hereby designated as two-way in the direction indicated.

Name of Street	Direction	Limits
Ingress/egress driveways and Aisles	All	Entire length

D. One-Way Streets. The following described streets or parts of streets are hereby designated as one-way in the direction indicated.

Name of Street	DIRECTION	Limits
Most northerly ingress driveway off Hamburg Turnpike (Road A)	North	210 feet

E. Speed limits.

- (1) The speed limit for all directions of travel on the following roadways/aisles is:

Name of Street	MPH	Limits
Ingress/egress driveways and aisles	15	Entire length

- (2) Regulatory signs shall be erected and maintained to effect the above designated Speed Limit as shown on the attached plan.

F. Tow-Away Zones: Any vehicle parked or standing as to obstruct or impede the normal flow of traffic, block the entrance or exit driveway, loading zone, fueling zone, any grass areas, pedestrian walkway, or present in any way a safety or traffic hazard may be removed by towing the vehicle at the owner's or operator's expense.

G. All signs, posts, or other necessary materials are to be installed and paid for by the applicant. All signing and striping shall conform to the current Manual on Uniform Traffic Control Devices (MUTCD) pursuant to N.J.S.A. 39:4-198 and N.J.S.A. 39:4-183.27.

H. **Unless another penalty is expressly provided by the New Jersey Statutes, every person convicted of a violation of this section or any supplement thereto, shall be liable to a penalty of not more than \$1,250 or imprisonment for a term not exceeding 15 days or both.**

SECTION 2. All other provisions of Chapter 200 of the Code of the Township of Wayne shall remain unchanged.

SECTION 3. Severability. The provisions of this Ordinance are declared to be severable and if any section, sub-section, sentence, clause, phrase, or any other part of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not affect, impair, or invalidate the validity of the remaining sections, subsections, sentences, clauses, and phrases of this Ordinance, but shall remain in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 4. Repeal of Inconsistent Provisions. All ordinances or parts thereof in conflict or inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency or conflict.

SECTION 5. Codification. This Ordinance shall be a part of the Code of the Township of Wayne as though codified and fully set forth therein. The Township Clerk shall have this ordinance codified and incorporated in the official copies of the Code. The Township Clerk and the Township Attorney are authorized and directed to change any Chapter, Article and/or Section number of the Code of the Township of Wayne in the event that the codification of this Ordinance reveals that there is a conflict between the numbers and the existing Code, and in order to avoid confusion and possible accidental repealers of existing provisions not intended to be repealed.

SECTION 6. This ordinance shall take effect twenty days after final passage, adoption, and publication in the manner prescribed by law.

ATTEST:

PAUL V. MARGIOTTA
TOWNSHIP CLERK

RICHARD JASTERZBSKI
PRESIDENT OF THE COUNCIL

NOTICE

I hereby certify that the aforementioned ordinance was published in the Herald and News, a newspaper published in the County of Passaic and circulated in the Township of Wayne, in the issues of February 10, 2021 and

PAUL V. MARGIOTTA
TOWNSHIP CLERK

This ordinance is hereby
approved this 4th day
of March 2021.

ADOPTED ON: March 3, 2021

CHRISTOPHER P. VERGANO,
MAYOR