

**THE TOWNSHIP OF EWING
COUNTY OF MERCER, NEW JERSEY**

ORDINANCE NO. 19-09

1st Reading 4-9-19

Date to Mayor 4-24-19

2nd Reading &
Public Hearing 4-23-19

Date Returned 4-24-19

Date Adopted:
4-23-19

Date Resubmitted to Council _____

Approved as to Form of Legality

Effective Date:
5-16-19

Township Attorney

AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EWING IN THE COUNTY OF MERCER, TO AMEND CHAPTER 225: VEHICLES AND TRAFFIC, ARTICLE III: TRAFFIC REGULATIONS, §225-14(E) TRUCK WEIGHT LIMITS, VIOLATIONS AND PENALTIES

First Reading

MEMBER	AYE	NAY	ABSENT	ABSTAIN	MOVE	SECOND
Keyes-Maloney	X				X	
Schroth			X			
Steward	X					X
Wollert			X			
Baxter	X					

Second Reading

MEMBER	AYE	NAY	ABSENT	ABSTAIN	MOVE	SECOND
Keyes-Maloney	X				X	
Schroth	X					
Steward	X					
Wollert	X					X
Baxter	X					

By _____ Date _____ Accepted _____ Rejected _____
Mayor

Reconsidered
By Council _____ Override Vote YEA _____ NAY _____

President of the Council

Municipal Clerk

**THE TOWNSHIP OF EWING
COUNTY OF MERCER, NEW JERSEY**

ORDINANCE NO. 19-09

AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EWING IN THE COUNTY OF MERCER, TO AMEND CHAPTER 225: VEHICLES AND TRAFFIC, ARTICLE III: TRAFFIC REGULATIONS, §225-14(E) TRUCK WEIGHT LIMITS, VIOLATIONS AND PENALTIES

WHEREAS, the Township of Ewing (“Township”) is authorized, pursuant to N.J.S.A. 40:67-16.1, et seq., to establish a system of truck routes providing that all trucks having a total combined gross weight of vehicle plus load, in excess of four tons, shall be excluded from certain streets within the Township; and

WHEREAS, the Township previously enacted §225-14 of the Township Code, which prohibits and excludes trucks having a gross weight of one (1), four (4), ten (10), and fifteen (15) tons from certain streets or parts of streets within the Township; and

WHEREAS, any person or entity found in violation of this section is currently liable for a penalty of not more than \$50.00; and

WHEREAS, despite the ordinance and penalty provisions already in place, trucks having a gross weight over four tons continue to operate on streets within the Township from which they are prohibited; and

WHEREAS, pursuant to N.J.S.A. 40:49-5, the Township may prescribe that for the violation of any particular ordinance at least a minimum penalty shall be imposed, which shall consist of a fine which may be fixed at \$100.00; and

WHEREAS, the Township desires to establish a minimum penalty for violation of §225-14 at \$100.00; and

WHEREAS, the Township finds that a minimum penalty of \$100.00 for violations of §225-14 will better dissuade persons or entities operating trucks over four tons within the Township from violating the trucking routes and weight restrictions, which is in the best interests of the Township; and

NOW, THEREFORE, BE IT ORDAINED, by the Council of the Township of Ewing, County of Mercer that the Code of the Township of Ewing be amended as follows:

Section 1

§ 225-14 Truck weight limits.

A. Trucks over one ton. Trucks over one ton of gross weight are hereby prohibited from parking on streets or parts of streets described in Schedule XIII, § 225-60, attached to and made a part of this chapter.

B. Trucks over four tons. Trucks over four tons of gross weight are hereby excluded, except for the pickup and delivery of materials from the streets or parts of streets described in Schedule XIV, § 225-61, attached to and made a part of this chapter.

C. Trucks over 10 tons. Trucks over 10 tons of gross weight are hereby excluded, except for the pickup and delivery of materials from the streets or parts of streets described in Schedule XV, § 225-62, attached to and made a part of this chapter.

D. Trucks over 15 tons. Trucks over 15 tons of gross weight are hereby excluded, except for the pickup and delivery of materials from the streets or parts of streets described in Schedule XVI, § 225-63, attached to and made a part of this chapter.

E. Violations and penalties. Any person or entity found in violation of this section shall be liable for a penalty of not less than \$100, nor more than \$2,000.

Section 2 Severability. Should any section, clause, sentence, phrase or provision of this article be declared unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the remaining portions of this article.

Section 3 Repealer. All prior ordinances or parts of the same inconsistent with any provisions of this article are hereby repealed to the extent of such inconsistency.

Section 4 Effective Date. This ordinance shall take effect upon final adoption and publication in accordance with law.