



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

ORDINANCE 0-18-03

AN ORDINANCE ADDING CHAPTER 7-3.6B OF BOROUGH CODE CONCERNING RESTRICTED PARKING IN FRONT OF RESIDENCES OCCUPIED BY PERSONS WITH DISABILITIES

WHEREAS, the governing body of the Borough of Highlands has determined that it is in the best interest of the residents to establish a permitting process for restricted parking spaces in front of a residence occupied by a person with a disability if a windshield placard or wheelchair symbol license plate has been issued for a vehicle owned by the person with a disability.

WHEREAS, N.J.S.A. 39:4-197.6 provides for the establishment of such restricted parking zones in front of residences for persons with disabilities.

NOW, THEREFORE, BE IT ORDAINED by the governing body of the Borough of Highlands as follows:

SECTION I.

The following Sections of Chapter 7, Section 3.6B entitled “Restricted Parking in Front of Residences Occupied by Persons with Disabilities” of the Borough Code shall be added to provide as follows:

7-3.6B Restricted Parking in Front of Residences Occupied by Persons with Disabilities.

- a. Applications for Resident Parking Permits for Persons with Disabilities shall be subject to the following procedure:
 1. Residents of the Borough of Highlands requesting on-street resident parking for persons with disabilities shall make an application to the Highlands Police Department. The application shall be reviewed and approved or denied by the Chief of Police of the Borough of Highlands. A negative determination may be appealed to the Borough Council if a request from the resident aggrieved is received within twenty (20) days **from the date of the Chief's declination.**
 2. Prior to the issuance of a permit pursuant to this Section, the subject property must pass an on-site inspection by the Highlands Police Department, which inspection shall determine whether parking for persons with disabilities is otherwise prohibited, whether parking for

persons with disabilities will interfere with the normal flow of traffic, or whether there is immediate adjacent off-street parking available to the applicant.

3. The person requesting on-street resident parking for persons with disabilities must have been issued a wheelchair symbol license plate or windshield placard issued by the New Jersey Motor Vehicle Commission. Said license plate or placard must be displayed in either **the applicant's vehicle, or the vehicle of an immediate family member** who also resides at that location.
- b. **Upon approval of an applicant's request** for on-street resident parking for persons with disabilities, the Borough shall enact an appropriate ordinance designating the name of the subject street, the side of that street where the resident resides, and a description of the allowed parking area in front of the subject residence. Such designation shall be within the property lines of the subject residence, but otherwise shall be subject to the discretion of the Highlands Police Department and the Chief of Police.
 - c. Applications for Resident Parking Permits for Persons with Disabilities that have been granted shall be kept on file with the borough clerk and the resident shall be required to update same upon disposing of any vehicle on the application and/or acquisition or leasing of replacement or additional vehicles.
 - d. A sign shall be installed specifically identifying the on-street parking space as being resident parking for persons with disabilities only, and a special permit shall be issued to the resident, which shall be placed in the window of the subject vehicle or be available for production, if requested by law enforcement, which indicates that the applicant is a resident with a disability in possession of the aforesaid special permit.
 - e. The fee for a Resident Parking Permit for Persons with Disabilities shall be \$100.00.
 - f. The applicant must comply with the provisions of N.J.S.A. 39:4-138(o) and N.J.S.A. 39:4-197.6 regulating parking for persons with disabilities in designated spaces.
 - g. If the Resident Parking Permit for Persons with Disabilities is no longer necessary for the residence, the resident shall notify the borough clerk and the borough shall remove any signs installed pursuant to subsection (d).
 - h. This section shall in no way permit the Chief of Police or his designee to lift, suspend, or in any way modify those parking restrictions governed by Title 39 of the New Jersey Statutes Annotated.

- i. Penalty. Any person improperly parking in a properly designated restricted parking space for persons with disabilities shall be subject to the penalty provisions of Section 3-9 of the General Ordinances of the Borough of Highlands.

SECTION II. SEVERABILITY. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance, which shall otherwise remain in full force and effect.

SECTION III. REPEALER. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION IV. EFFECTIVE DATE. This ordinance shall take effect immediately upon its passage and publication in accordance with law.

MOTION to Introduce O-18-03

January 17th 2018

	INTROUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BRASWELL			X			
BROULLON		X	X			
D'ARRIGO			X			
RYAN			X			
O'NEIL	X		X			

I, Bonnie Brookes, Municipal Clerk of the Borough of Highlands, in the County of Monmouth, State of New Jersey, hereby certify this to be a true copy of the action of the Governing Body, at its Council Meeting, held January 17th 2018. WITNESS my hand this 19th day of January 2018.


Bonnie Brookes, RMC
Municipal Clerk

Publication: Asbury Park Press, 01/22/2018

Motion to Adopt O-18-03:

	INTROUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BRASWELL			X			
BROULLON	X		X			
D'ARRIGO			X			
RYAN		X	X			
O'NEIL						X

I, Bonnie Brookes, Municipal Clerk of the Borough of Highlands, in the County of Monmouth, State of New Jersey, hereby certify this to be a true copy of the action of the Governing Body, at its Council Meeting, held February 7, 2018. WITNESS my hand this 8th day of February 2018.


Bonnie Brookes, RMC
Municipal Clerk

Publication: Asbury Park Press, 02/11/2018

Mayor: _____
Richard W. O'Neil

Clerk: _____
Bonnie Brookes, RMC