

2<sup>nd</sup> AND FINAL READING:

**An ordinance to amend and supplement Chapter VII, Traffic of an ordinance entitled, "An ordinance adopting and enacting the revised general ordinances of the City of Linden, 1999," passed November 23, 1999 and approved November 24, 1999, and as amended and supplemented**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LINDEN:**

Section 1. That Chapter VII, Traffic, shall be and the same is hereby amended as follows:

Chapter VII, Traffic

**7-15 PARKING BY PERMIT ONLY IN DESIGNATED RESIDENTIAL AREAS**

**7-15.7 RESIDENTIAL OVERNIGHT PARKING PERMIT**

**ADD:**

c. North Park Ave area

1. Definition and word usage. As used in this subsection, the following terms shall have the meanings indicated:

**CITY**

The City of Linden.

**NORTH PARK AVENUE AREA**

That area of the City which includes Adams St between Dill Ave and East Saint George Avenue and Ingalls Avenue between North Park Avenue and Alexander Avenue.

2. Issuance of parking permit. Every resident who resides in the North Park Avenue area of the City shall be provided an annual parking permit by the Linden Police Department, which permit shall be on the front of the driver's rear-view mirror facing the front windshield. The permits shall be numbered such that each permit may be associated with the resident who resides in the North Park Avenue area to whom it was issued. The permits shall be applied for through the Linden Police Traffic Bureau in person, provided by the resident as reflected in the application provided for in Subsection 4 hereof.

3. Parking restriction.

- (a) Parking in the North Park Avenue area, in metered spaces, shall, except as provided in Subsection 3(b) hereof, be restricted to those licensed, registered and insured vehicles displaying a valid parking permit between the hours of 10:00 p.m. and 7:00 a.m.

4. Permits for residents. Any resident who desires a parking permit to enable them to park a vehicle in metered spaces in the North Park Avenue area during the restricted period may apply for a parking permit under this Subsection a by completing a form, to be provided by the City, detailing the applicant's name and address, insurance, and the registration number of the motor vehicle for which the applicant desires a parking permit. Residents may obtain a parking permit for each vehicle registered to such resident. Only vehicles registered to a residential address in the North Park Avenue area shall be permitted to obtain a resident permit.

5. Placement of signs. Signs posted to indicate the requirements imposed by this Subsection a shall be placed in the North Park Avenue area in accordance with existing rules and regulations of the State of New Jersey.

6. Duration, restrictions and prohibitions.

(a) Each permit shall be issued upon request of any resident of the North Park Avenue area, on an annual basis, commencing on January 3 of each year and shall be valid for a three-year period beginning on January 3 of the year of issue.

(b) Parking permission is subject to:

(1) The parking permit shall be and remain in effect throughout the calendar year issued unless surrendered or revoked prior thereto.

(2) The issuance of a parking permit shall not obligate the City to furnish parking facilities to the holder of said parking permit.

(c) Permission to park may be revoked for any of the following:

(1) Falsely representing the ownership of a vehicle or the residence of the owner.

(2) The commission by the holder of a parking permit of any unlawful act prohibited by the laws of the State of New Jersey or for any act in violation of the provisions of this Subsection a or contrary to any regulation of the City pertaining to the use and occupation of any parking area while entering, parking or leaving such parking area as set forth in this section.

(d) Reproduction of any parking permit is prohibited.

(1) No person shall:

(i) Copy, reproduce, or otherwise create a parking permit authorized pursuant to this section;

(ii) Create a facsimile or counterfeit parking permit;

(iii) Display or use a parking permit knowing same to have been copied, reproduced or otherwise crafted in violation of this section.

(2) No person shall furnish false information or fraudulent documents in connection with an application for a parking permit.

(e) Any person found violating the provisions of this Subsection a6 shall be subject to a fine not to exceed \$2,000 and/or imprisonment for not more than 10 days, and shall forfeit the right to receive or use a parking permit under this section for a period of three years.

(1) No parking permit may be issued to a person with three or more outstanding summonses for violation of any of the provisions of this Subsection a6. Further, the City may provide for the removal of any vehicle which is allowed to stand or be parked in any parking area in violation of the provisions of this Subsection a6. The owner of such vehicle shall bear the reasonable cost of removal and storage that may result from such removal before regaining possession of the vehicle.

(f) Any violations under this Subsection a6 that are disputed by the resident to whom the parking permit was issued will be adjudicated in the Municipal Court of the City.

7. Proper signs shall be erected by the City pursuant to law (N.J.S.A. 39:4-198).

8. Violations and penalties. Any person, association or corporation who shall violate the provisions of this Subsection a shall, upon conviction, be subject to a fine of not less than \$150 per violation.

Section 2. The remaining provisions of the chapter hereby amended and supplemented shall continue in full force and effect to the same extent as if herein fully repeated.

Section 3. If any section, subsection, provision, clause, or portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, such adjudication shall not affect the remaining sections, subsections, provisions, clauses, or portions, which shall be deemed severable therefrom.

Section 4. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

Section 5. This ordinance shall take effect in the manner provided by law.

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President of Council

PASSED:

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Mayor

APPROVED:

ATTEST:

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City Clerk