



Legislation Details (With Text)

**File #:** 24-0074      **Version:** 1      **Name:** Ordinance: Amending Title 10:22-4(C) and Title 23: 7-16 removing Lincoln Park (LM)

**Type:** Ordinance      **Status:** Adopted

**File created:** 1/17/2024      **In control:** Municipal Council and City Clerk

**On agenda:** 1/24/2024      **Final action:** 2/7/2024

**Title:** AN ORDINANCE AMENDING TITLE 10, FINANCE AND TAXATION, CHAPTER 22, MOTOR VEHICLE PARKING TAXES AND SURCHARGES, OF THE REVISED GENERAL ORDINANCES OF THE CITY OF NEWARK, NEW JERSEY 2000, AS AMENDED AND SUPPLEMENTED, BY AMENDING SUBSECTION 10:22-4(B)(1), IMPOSITION OF SPECIAL EVENT PARKING TAX SURCHARGE AND AMENDING TITLE 23, TRAFFIC, CHAPTER 7, PARKING METERS REGULATIONS, GENERALLY, BY AMENDING SUBSECTION 23:7-16, SPECIAL EVENTS PARKING; TO COLLECTIVELY REMOVE LINCOLN PARK (BOTH SIDES BETWEEN BROAD STREET AND CLINTON AVENUE); CLINTON AVENUE (BOTH SIDES BETWEEN LINCOLN PARK AND DR. MARTIN LUTHER KING, JR. BOULEVARD); AND DR. MARTIN LUTHER KING, JR. BOULEVARD (BOTH SIDES BETWEEN CLINTON AVENUE AND STATE STREET).

Sponsor(s): Council President, LaMonica R. McIver

**Sponsors:** LaMonica R. McIver, Carlos M. Gonzalez

**Indexes:**

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2/7/2024	1	Municipal Council		
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**AN ORDINANCE AMENDING TITLE 10, FINANCE AND TAXATION, CHAPTER 22, MOTOR VEHICLE PARKING TAXES AND SURCHARGES, OF THE REVISED GENERAL ORDINANCES OF THE CITY OF NEWARK, NEW JERSEY 2000, AS AMENDED AND SUPPLEMENTED, BY AMENDING SUBSECTION 10:22-4(B)(1), IMPOSITION OF SPECIAL EVENT PARKING TAX SURCHARGE AND AMENDING TITLE 23, TRAFFIC, CHAPTER 7, PARKING METERS REGULATIONS, GENERALLY, BY AMENDING SUBSECTION 23:7-16, SPECIAL EVENTS PARKING; TO COLLECTIVELY REMOVE LINCOLN PARK (BOTH SIDES BETWEEN BROAD STREET AND CLINTON AVENUE); CLINTON AVENUE (BOTH SIDES BETWEEN LINCOLN PARK AND DR. MARTIN LUTHER KING, JR. BOULEVARD); AND DR. MARTIN LUTHER KING, JR. BOULEVARD (BOTH SIDES BETWEEN CLINTON AVENUE AND STATE STREET).**

**Sponsor(s): Council President, LaMonica R. McIver**

**WHEREAS,** the Municipal Council desires to deregulate parking tax surcharges in certain areas of the City (Central Ward) as necessary; and

**WHEREAS,** the Municipal Council has determined by this Ordinance to collectively remove parking tax surcharges in the Lincoln Park area.

**NOW, THEREFORE, BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE CITY OF**

**NEWARK, NEW JERSEY, THAT:**

**Note:** Additions are shown as **underlined and bold**. Deletions are shown as ~~strikethroughs~~.

**SECTION 1.** The foregoing whereas clauses are incorporated herein by reference and made a part hereof.

**SECTION 2.** Title X, Finance and Taxation, Chapter 22, Motor Vehicle Parking Taxes and Surcharges, Subsection 10:22-4(B)(1), Imposition of Special Event Parking Tax and Surcharge and Title XXIII, Traffic, Chapter 7, Parking Meters Regulations, Generally, Subsection 23:7-16 Special Events Parking, are amended to collectively remove Lincoln Park (Both sides between Broad Street and Clinton Avenue); Clinton Avenue (Both sides between Lincoln Park and Dr. Martin Luther King, Jr. Boulevard); and Dr. Martin Luther King, Jr. Boulevard (Both sides between Clinton Avenue and State Street).

**SECTION 3.**

**10:22-4. IMPOSITION OF SPECIAL EVENT PARKING TAX SURCHARGE.**

- a. There is hereby imposed a tax surcharge of seven percent (7%) on fees for the parking, garaging, or storing of motor vehicles in the Special Event Parking Tax Surcharge Zone(s) for special events held within the City of Newark during weekday evenings, beginning at 6:00 p.m. or later, and held at any time on Saturdays, Sundays, and holidays.
- b. Special Event Parking Tax Surcharge Zone. The following are areas designated by the City which are subject to the Special Event Parking Tax Surcharge:
  1. Chestnut Street (between Jefferson Street and Broad Street); ~~Lincoln Park (between Broad Street and Clinton Avenue); Clinton Avenue (between Lincoln Park and Dr. Martin Luther King Boulevard);~~ Dr. Martin Luther King Boulevard (between Clinton Avenue and Lackawanna Avenue); Lackawanna Avenue (between Dr. Martin Luther King Boulevard and Broad Street); Division Street (between Broad Street and McCarter Highway); McCarter Highway (between Division Street and Raymond Boulevard); Raymond Boulevard (between McCarter Highway and Jefferson Street); Jefferson Street (between Raymond Boulevard and Chestnut Street).
  2. The Special Event Parking Tax Surcharge is applicable to all areas located within the above designated zone.
- c. All surcharges collected pursuant to subsection (a) of this section shall be anticipated and appropriated in the municipal budget as a dedicated revenue pursuant to N.J.S.A. 40A:4-39 for the purpose of defraying municipal expenses for police, fire, sanitation work, and other services associated with the hosting of special events. However, sanitation work services paid for out of the surcharge receipts shall be performed solely by employees of the City of Newark. This section of Title 10, Imposition of Special Event Parking Tax Surcharge (10:22-4), shall be void and the surcharge shall not be collected if the sanitation work services related to special events and paid for out of the surcharge receipts are not performed solely by employees of the City of Newark.

**SECTION 4.**

**23:7-16. SPECIAL EVENTS PARKING.**

- a. For purposes of this chapter, a special event is any event, which is held at any of the venues listed in Parking Zones 4 where the general public is invited to attend and a fee is charged for admission. The following streets or portions thereof in Zone 4 are areas designated by the City which are subject to the Special Event Parking Rate in addition to any regular rate as may be set forth in Section 23:7-13, above: both sides of the following streets or portions thereof are intended unless otherwise specifically set forth:
1. Chestnut Street, both sides between Jefferson Street and New Jersey Railroad Avenue.
  2. Chestnut Street, north side between Mulberry Street and Orchard Street.
  3. ~~Lincoln Park, both sides between Broad Street and Clinton Avenue.~~
  4. ~~Clinton Avenue, both sides between Lincoln Park and Dr. Martin Luther King, Jr. Boulevard.~~
  5. ~~Dr. Martin Luther King Jr. Boulevard, both sides, between Clinton Avenue and State Street.~~
  6. Division Street, both sides between Broad Street and McCarter Highway.
  7. Mulberry Street, east side between East Park Street and Raymond Boulevard.
  8. Mulberry Street, west side between Raymond Boulevard and Market Street.
  9. Mulberry Street, both sides between Franklin Street and East Kinney Street.
  10. Market Street, both sides between Mulberry Street and Broad Street.
  11. East Park Street, both sides between Mulberry Street and Park Place.
  12. Green Street, both sides between Mulberry Street and Liberty Street.
  13. Commerce Street, both sides between Broad Street and McCarter Highway.
  14. Commerce Street, east side between Raymond Boulevard and Commerce Street.
  15. Broad Street, west side between Branford Place and William Street.

16. Broad Street, both sides between Lafayette Street and Lincoln Park.
17. William Street, both sides between Broad Street and Washington Street.
18. Hill Street, both sides between Broad Street and Washington Street.
19. State Street, north side between University Avenue and Dr. Martin Luther King Jr. Boulevard.
20. Orange Street, both sides between Broad Street and Dr. Martin Luther King Jr. Boulevard

**SECTION 5.** Any existing ordinance, or part thereof, inconsistent with this Ordinance is hereby repealed to the extent of such inconsistency.

**SECTION 6.** If any section, paragraph, subparagraph, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the specific section, paragraph, subparagraph, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

**SECTION 7. Codification.** This Ordinance shall be a part of the Code of the City of Newark as though codified and fully set forth therein. The City Clerk shall have this Ordinance codified and incorporated in the official copies of the Code. The City Clerk and the Corporation Counsel are authorized and directed to change any Chapter, Article and/or Section number of the Code of the City of Newark 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 8.** This Ordinance shall take effect upon final passage and publication in accordance with the laws of the State of New Jersey.

### **STATEMENT**

This Ordinance amends Title 10, Finance and Taxation, Chapter 22, Motor Vehicle Parking Taxes and Surcharges, Subsection 10:22-4(B)(1) and Title 23, Traffic, Chapter 7, Parking Meters Regulations, Generally, Subsection 23:7-16, of the Revised General Ordinances of the City of Newark, New Jersey, 2000, as amended and supplemented, by amending the Ordinances, to collectively remove Lincoln Park (Both sides between Broad Street and Clinton Avenue); Clinton Avenue (Both sides between Lincoln Park and Dr. Martin Luther King, Jr. Boulevard); and Dr. Martin Luther King, Jr. Boulevard (Both sides between Clinton Avenue and State Street).