



Legislation Details (With Text)

File #: 22-1756 **Version:** 1 **Name:** Ordinance: Amending Title 23, Chapter 5, Sections 3.1 and 3.2 - Parking Prohibited at any Time for Trucks, Truck Cabs, Truck Trailers and Buses over 4 Tons

Type: Ordinance **Status:** Adopted

File created: 12/1/2022 **In control:** Law

On agenda: 12/7/2022 **Final action:** 12/21/2022

Title: AN ORDINANCE AMENDING TITLE 23, CHAPTER 5, SECTION 3.1 ENTITLED "PARKING PROHIBITED AT ANY TIME FOR TRUCKS, TRUCK CABS, TRUCK TRAILERS, AND BUSES EXCEEDING FOUR (4) TONS GROSS WEIGHT" TO ADD ENFORCEMENT PROCEDURES AND TITLE 23, CHAPTER 5, SECTION 3.2 PROHIBITING PARKING BETWEEN 11:00P.M. and 5:00A.M. FOR COMMERCIAL VEHICLES.

Sponsors:

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
12/21/2022	1	Municipal Council	Close on Public Hearing and Adopt	Pass
12/7/2022	1	Municipal Council	Advance and Adopt on First Reading as 6F-	Pass

AN ORDINANCE AMENDING TITLE 23, CHAPTER 5, SECTION 3.1 ENTITLED "PARKING PROHIBITED AT ANY TIME FOR TRUCKS, TRUCK CABS, TRUCK TRAILERS, AND BUSES EXCEEDING FOUR (4) TONS GROSS WEIGHT" TO ADD ENFORCEMENT PROCEDURES AND TITLE 23, CHAPTER 5, SECTION 3.2 PROHIBITING PARKING BETWEEN 11:00P.M. and 5:00A.M. FOR COMMERCIAL VEHICLES.

WHEREAS, the City of Newark (the "City") currently regulates the manner in which commercial vehicles or vehicles exceeding four (4) tons may be parked within the City; and

WHEREAS, the City has been dealing with ongoing issues and complaints related to Tractors and Trailers of all weights, large vehicles exceeding four (4) tons, and commercial vehicles illegally parking on City streets leading to the disruption of daily life activities, and contributing to noise and traffic pollution; and

WHEREAS, pursuant to N.J.S.A. 40:48-2, the City is authorized to enact and amend ordinances as deemed necessary for the preservation of the public health, safety and welfare and as may be necessary to carry into effect the powers and duties conferred and imposed upon the City of Newark by law; and

WHEREAS, the illegally parked vehicles are negatively impacting the community and mitigation and clarification is needed to prevent further harm.

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 strikethroughs.]

Section 1. 23:5-3.1. Parking Prohibited at Any Time for Trucks, Truck Cabs, Truck Trailers, and Buses Exceeding Four Tons Registered Gross Weight, of the Revised General Ordinances of the City of Newark, New Jersey, 2000, as amended and supplemented, is amended by adding the following thereto:

a. No tractor of any gross weight, no trailer of any type whether or not attached to a truck tractor or other type of motor vehicle and no other vehicle exceeding four (4) tons gross weight shall be parked on any public street or in any municipal parking lot except that such a vehicle may park on public streets for the amount of time that is necessary for the operator to load or unload the vehicle in pursuance of the business, but no more than two hours, for which the truck or other type of motor vehicle is used.

~~No person shall park any truck, truck cab, truck trailer or bus exceeding four tons registered gross weight, on the streets of the City at any time.~~

b. Nothing within this Section shall be construed as preventing trucks or buses, exceeding four tons gross weight, from making deliveries of merchandise, people or other property, or as prohibiting utility companies in connection with the construction, installation, operation or maintenance of public utility facilities from parking during such hours.

c. The fine for violation of this Section shall be a minimum of ~~\$300~~100 not to exceed \$1,000 2,000.

d. The fine amount is to be included in the Local Supplemental Violations Bureau schedule.

Section 2. 23:5-3.2. Parking Prohibited Between 11:00 p.m. and 5:00 a.m. for Commercial Vehicles, of the Revised General Ordinances of the City of Newark, New Jersey, 2000, as amended and supplemented, is amended by adding the following thereto:

a. Pursuant to Newark City Code Title 41, Zoning and Land Use Regulations, Chapter 7, Off Street Parking and Loading, the garaging, storing, or parking of commercial vehicles on any properties within the boundaries of any residential district is prohibited.

b. No person shall park any commercial vehicle on any street in the City between the hours of 11:00 p.m. and 5:00 a.m. The term "commercial vehicle" as used in this Section shall refer to both to motorized vehicle every type of motor-driven vehicle used for commercial purposes on the roadways, such as the transportation of goods, wares and merchandise; and any trailer or other wheeled vehicle, whether motorized or not, which is designed to be transported, carried or towed by a motorized vehicle.

c. Nothing within this Section shall be construed as preventing the following commercial vehicles from parking during such hours.

d. Trucks used by public utility companies in connection with construction, installation, operation

or maintenance of public utility facilities.

e. The fine for violation of this Section shall be a minimum of \$100 but not to exceed \$1,000 **2,000**.

Section 2. Any existing ordinance, or part thereof, inconsistent with this Ordinance is hereby repealed to the extent of such inconsistency.

Section 3. 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 4. This Ordinance shall take effect upon final passage and publications in accordance with the laws of the State of New Jersey.

STATEMENT

This Ordinance amends, Title 23, Chapter 5, Sections 3.1 and 3.2, Parking Prohibited between 11:00 P.M. and 5:00 A.M. for Commercial Vehicles, of the Revised General Ordinances of the City of Newark, New Jersey, 2000, as amended and supplemented.