

**City of Somers Point**

**Ordinance No. 9 of 2011 (As Amended)**

**An Ordinance Enacted Under Authority Granted by N.J.S.A. 39:4-197  
Regulating the Parking of Vehicles on Certain Streets and Portions  
Thereof; Amending and Supplementing the Somers Point Municipal  
Code Chapter 250 Vehicles and Traffic, Article V “Residential Parking  
Permits” Section 250-54 through Section 250-56; and Repealing All  
Ordinances Heretofore Adopted, The Provisions of Which Are  
Inconsistent Herewith.**

**WHEREAS**, N.J.S.A. 39:4-197 authorizes a Municipality, by Ordinance, to regulate the parking of vehicles on municipal streets and portions thereof; and

**WHEREAS**, a recommendation has been made by the Somers Point City Engineer and by the Somers Point Police Department to regulate the flow of traffic and the parking of vehicles on certain streets in the interest of public safety, for the elimination of parking congestion which prevents residents of this City from being able to park on their streets and in proximity to their property, for the proper parking of vehicles, and for the proper passage of emergency vehicles, and as an essential element of a review and overhaul of the plan of parking within the City of Somers Point; and

**WHEREAS**, it is necessary to amend and supplement Chapter 250 of the Code of the City of Somers Point in order to implement the recommended changes in traffic and parking regulations

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Somers Point, County of Atlantic, and State of New Jersey as follows:

SECTION 1: Somers Point Municipal Code Chapter 250 Article V Residential Parking Permits is repealed in its entirety;

SECTION 2: Somers Point Municipal Code Chapter 250 Article V Residential Parking Permits is hereby amended as follows:

Section 250-54. Designation of Residential Parking Permit Locations:

250-54 A. Parking prohibited at all times.

There shall be no parking permitted at any time in the following designated locations except by Residential Parking Permit properly displayed which will exempt the described vehicle from the parking restriction:

<b>Name of Street</b>	<b>Side</b>	<b>Designated Location</b>
Bay Avenue	East	From a point 174 feet south of the Southerly curb line of New Jersey Avenue to a point 130 feet south therefrom.
West Cedar Avenue	North	Entire Length

**250-54 B. Parking prohibited during certain hours.**

No person shall park a vehicle between the hours of 6:00 am and 6:00 pm of any day in the following designated locations except by Residential Parking Permit properly displayed which will exempt the described vehicle from the parking restriction:

<b>Name of Street</b>	<b>Side</b>	<b>Designated Location</b>
Gibbs Avenue	Both	From Shore Road to Bay Avenue
Higbee Avenue	Both	From Shore Road to Bay Avenue
1 <sup>st</sup> Street	West	From Rhode Island Avenue to New Jersey Avenue

**250 – 55. Violations and penalties.**

A) Unless another penalty is expressly provided by New Jersey statute, every person convicted of a violation of a provision of this Article or any supplement thereto shall be liable to a penalty of not less than \$25.00 nor more than \$75.00; upon a second violation, a fine in an amount not less that \$75.00 nor more than \$150.00; and upon a third violation, a fine in an amount not less than \$150.00 nor more than \$300.00; and upon a fourth or subsequent violation, a fine in an amount not less than \$300.00 and not more than \$500.00; and / or, for each such violation, a period of community service not to exceed ten (10) days. Whenever such person shall have been officially notified by service of a Summons in a prosecution, or in any other official manner that said person is

committing a violation, each day's continuance of such violation after such notification shall constitute a separate offense, punishable by a like fine or penalty.

B) Fraudulent use of a Residential Parking Permit, making a counterfeit Residential Parking Permit or altering or defacing a validly issued Residential Parking Permit shall be punishable by a fine not to exceed \$300.00 and revocation of the Permit.

#### 250 – 56. Issuance of Residential Parking Permits.

- A. Residential Parking Permits will be issued to the vehicle described and the person named in the application.
- B. A Residential Parking Permit allows a vehicle/person to be exempted from the residential –parking- permit- only parking restriction. The issuance of a Residential Parking Permit does not guarantee or reserve an on-street parking space.
- C. Residential Parking Permits will be issued only to those residents who complete an application utilized by the Somers Point Police Department which will require, at a minimum, the following information and such other information as the Somers Point Police Department may, from time to time, deem appropriate:
  - 1. Applicant information including name, address, contact numbers, driver license number and expiration date, true copy of valid driver's license;
  - 2. Vehicle information including color, make, model, year, license plate and State of issuance, true copy of Registration, Registration expiration date, name of Insurance Company, Policy number, true copy of Insurance Certificate, name and address of registered owner, contact information for registered owner if other than applicant. If the owner of a subject vehicle is i) a leasing company or ii) the employer of the resident applicant or iii) is registered to a relative whose name is different from that of the applicant, a notarized letter from the owner, explaining the relationship between owner and applicant and confirming that the named applicant has exclusive use of the vehicle for which a permit is requested;
  - 3. Proof of residence on the side or sides of a Street which is designated as being subject to parking by Residential Parking Permit only which may be i) property deed, ii) lease agreement if a tenant or subtenant, iii) utility company bill showing applicants name as residing at the address in question.
- D. Each Residential Parking Permit shall be valid only for the vehicle listed on the application. If a resident changes vehicles, he or she must provide proof or change to the Chief of Police or his/her designee and

an updated permit will be issued for the duration of the then current term at no cost.

- E. Residential Parking Permits are valid only within the designated areas on the street where applicant resides and may not be used on any other street or restricted area.
- F. A Residential Parking Permit does not permit the parking of any vehicle which is otherwise prohibited under any other article of Section 250 of the Somers Point Municipal Code including but not limited to vehicles in excess of allowed weight.
- G. Each permanent resident within each designated Residential Parking Permit zone will be eligible to receive one (1) Resident Parking Permit for each vehicle registered to a permanent resident at that address.
- H. Each residence address within each designated Residential Parking Permit zone will be eligible to receive one (1) Annual Guest Pass which shall be limited to not more than seven (7) consecutive calendar days by each resident guest and is not to be used by a resident of the household. Abuse of this requirement will be cause for revocation of the Annual Guest Pass.
- I. Each residence address within each designated Residential Parking Permit zone may make application for a Temporary Guest Pass which shall be valid for up to 7 consecutive calendar days for use by visitors, guests, family members, visiting repairmen and contractors and other similar visitors.
- J. Residential Parking Permits are not transferrable.
- K. When a vehicle is parked during the restricted period the Residential Parking Permit must be visibly displayed in the registered vehicle in the manner prescribed by the Somers Point Police Department
- L. The Somers Point Police Department will investigate each application to determine if the application is accurate, complete and the applicant satisfies the criteria for issuance of the Residential Parking Permit.
- M. All Residential Parking Permits will be issued by the office of the City Clerk upon receipt of an application approved by the Chief of Police or his/her designee.
- N. The City of Somers Point will not be responsible for damaged, lost or stolen permits which must be promptly reported the City Clerk or the Chief of Police.
- O. Residential Parking Permits will be issued on an annual basis to be effective commencing on September 1, 2011 and shall expire on August 31 of each calendar year thereafter. The fees and costs of the permits shall not be prorated.
- P. The following fee Schedule shall be in effect upon the effective date of this Ordinance:
  - 1) Each Residential Parking Permit fee: \$10.00
  - 2) Each Annual Guest Pass: \$10.00
  - 3) Each Temporary Guest Pass: \$ 5.00
  - 4) Replacement of a Residential Parking Permit

or Permanent Guest Pass:

\$ 50.00

SECTION 3: Any Residential Parking Permit which shall have been validly issued prior to the effective date of this Ordinance for any property on Bay Avenue designated as requiring a Residential Parking Permit shall remain in full force and effect until August 31, 2011. Prior to September 1, 2011 each such resident shall submit a new application and upon payment of Five Dollars (\$5.00) shall be issued a new Residential Parking Permit effective through August 31, 2011. Thereafter, the application process and fees will be the same as for all other Residential Parking Permits.

SECTION 4: Appropriate signage designating "Permit Parking Only" with hours specified or "No Parking" except by permit only shall be installed and placed on each designated street according to New Jersey Department of Transportation standards with standard spacing as required by Regulation.

SECTION 5: All other provisions of Chapter 250 not modified or amended by this Ordinance shall remain in full force and effect and shall apply to this amendment upon the effective date of this Ordinance.

SECTION 6: All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies.

SECTION 7: Should any section, clause, sentence, phrase or provision or any item in any schedule of this ordinance be declared unconstitutional or invalid by a Court of competent jurisdiction, such decision shall not affect the remaining portions of this ordinance.

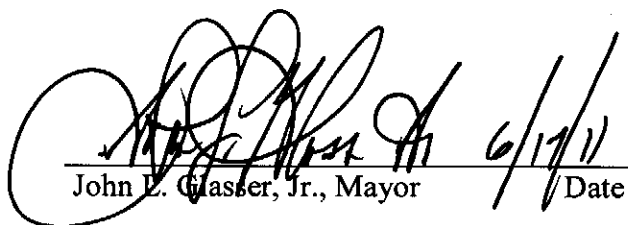
SECTION 8: This ordinance shall take effect upon its final passage, publication and adoption in the manner prescribed by law. Enforcement of this Ordinance shall not, however, commence until September 1, 2011 in order to allow sufficient time for residents to apply for and obtain Residential Parking Permits.

***FIRST READING:* May 26, 2011**  
***PUBLICATION:* June 1, 2011**  
***FINAL PASSAGE:* June 9, 2011**

The within Ordinance was introduced at a meeting of the Common Council of the City of Somers Point, County of Atlantic and State of New Jersey held on May 26, 2011 and will be further considered for final passage after a public hearing thereon at a meeting of said Common Council on June 9, 2011.

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John E. Glasser, Jr., Mayor      6/17/11 / Date