

Ordinance # 2016-07

AMEND HANDICAPPED PARKING

BE IT ORDAINED by the Township Committee of the Township of Shrewsbury, in the County of Monmouth and State of New Jersey, as follows:

Section V – Standards

A. A minimum of two percent (2%) of the total number of parking spaces in any parking facility shall be used for handicap parking, but there shall not be less than one (1) parking space in each such facility. When there is new construction or an alteration (striping or restriping) of previously constructed parking spaces beginning on or after March 15, 2012, it is required that at least one accessible space in every parking lot and one in every six (1:6) accessible parking spaces be van accessible, with increased dimensions of at least 132 inches (11 feet) and an access aisle of at least 60 inches (5 feet)

B. The location of spaces for the physically handicapped shall be in an area of the parking facility which is most accessible and proximate to the building or buildings which the facility serves. The determination of said location shall be made by the Code Enforcement Officer. In shopping centers and other multistore facilities, the spaces for the handicapped shall be as near to the flagship store as possible and/or at such other location as designated by the Code Enforcement Officer.

C. Each space or group of spaces shall be identified with a clearly visible sign displaying the International symbol of access along with the following words: "These Spaces Reserved for Physically Handicapped Only. Special Vehicle Identification Required." The lines designating the area shall be painted with fluorescent yellow paint, and the center of the space shall have painted thereon the capital letter "H".

D. Each Space shall be eight (8) feet wide. The parking space shall be located on a level, paved Surface suitable for wheeling and walking and shall conform to all applicable state and federal requirements.

E. Where possible, such spaces shall be located so that persons in wheelchairs or using braces Or crutches are not compelled to wheel or walk behind parked cars.

F. Where applicable, curb ramps shall be provided to permit handicapped people access from The parking area to the sidewalk.

Section VI – State Identification Card

No person shall park a vehicle in any parking space designated and marked as being set aside for the Physically handicapped in any parking facility unless the operator of the vehicle is the holder of an identification card issued pursuant to N.J.S.A. 39:4-205 and said operator's vehicle shall have affixed an identification certificate or marker issued by the New Jersey Division of Motor Vehicles. Parking in a handicap space without aforesaid vehicle identification shall create a rebuttable presumption that use of the space was not for the physically handicapped.

**Section VII – Special Township Identification Card. IS REPEALED and replaced with
Section VII - Resident Handicapped On-Street Parking**

Pursuant to N.J.S.A. 39:4-197.6 the Township of Shrewsbury hereby creates the following procedure for the establishment of resident handicapped on-street parking.

A. Any handicap person can request a restricted parking zone as near as practical to the front of their house provided said handicapped person has been issued a handicap windshield placard or wheelchair symbol license plates for a vehicle owned by them or by another occupant of the residence who is a member of the immediate family of the handicap person, by the Motor Vehicle Commission pursuant to the provisions of P.L. 1949, c.280 (c. 39:4-204 et. seq.)

B. The application for the spot shall be made to the Public Works Director who shall review The application for compliance with this ordinance and make a recommendation to the Township Administrator who shall issue or deny said permit request.

C. The Applicant shall provide the following information:

- i. Name, address and copy of applicant's driver's license.
- ii. Proof of ownership and operation of the Vehicle.
- iii. Proof that the requirements of section VII subsection A have been met.

D. Location Standards

No permit shall be issued for a spot in a properly designated no parking zone, within 50 feet Of an intersection, within 10 feet of a fire Hydrant or any place that would interfere with the normal flow of traffic or would be otherwise prohibited. The parking spot size shall conform to the applicable state and federal standards for handicap parking and the Department of Public Works shall appropriately mark the spot as designated.

E. Parking Allowed in Designated Spot.

Only a motor vehicle for which a valid permit has been issued shall park in the designated spot. The permit shall be 5 and ½ inches by 8 and ½ inches and must be displayed prominently within said vehicle on the driver's side dashboard.

F. Permit Fees - REPEALED

G. Renewal

On a yearly basis the holder of the permit shall renew said permit with the Director of Public Works by providing evidence that they are still in compliance with this ordinance. The Director of Public Works shall then file the renewal paperwork with the Township Administrator. As such time as the permit holder ceases to reside in the premises or is unable to meet any of the requirements of this ordinance the Department of Public Works shall remove all designations indicating that said parking spot is restricted.

Section VIII – Violations and Penalties


Any person, firm, association or corporation convicted of violating any provision of this Ordinance or any amendment or supplement thereto shall be subject to a fine not exceeding five hundred (\$500.00) or imprisonment in the Monmouth County Jail for a term not to exceed ninety (90) days, or both, at the discretion of the Municipal Court Judge having jurisdiction in this matter. Each day of such violation's continuance shall be considered as a separate offense and shall be separately punishable.

Section IX – This Ordinance and its amendments shall take effect immediately upon its passage, publication and filing according to law.


Section X – Saving Clause: Wheresoever the State of New Jersey or the Federal government has stricter standards than set forth in this ordinance the stricter standards shall apply. Wheresoever State or Federal law pre-empts any penalty set forth herein or any other portion of this ordinance then that portion of the ordinance shall be enforced in accordance with the per-empting law. If any portion of this Ordinance is found unenforceable or void that section shall be severable from the remainder of the Ordinance and shall not affect the legality or enforcement of the balance of the Ordinance.

NOTICE

This ordinance published herewith was introduced and passed on first reading by the Township Committee of the Township of Shrewsbury, County of Monmouth, State of New Jersey on September 6, 2016, and will be further considered for final passage and adoption at the Township of Shrewsbury Municipal Building, located at 1979 Crawford Street, Shrewsbury Township, New Jersey on September 20, 2016 at 7p.m. or as soon thereafter as the matter can be reached on the agenda, at which time and place all persons interested therein shall be given an opportunity to be heard. During the week prior to, and up to and including the date of the meeting, copies of said ordinance shall be available at the Municipal Clerk's office in the Township of Shrewsbury Municipal Building to the members of the general public who shall request the same.


Bonnie Brookes
Interim Municipal Clerk

This is to certify that the foregoing Ordinance was adopted by the Township Committee at a regular meeting of the Township of Shrewsbury Township held on September 20th 2016.


Bonnie Brookes
Interim Municipal Clerk


Alfred Melillo
Mayor