

ORDINANCE NO. 2009-51

**ORDINANCE OF THE BOROUGH OF RED BANK,
COUNTY OF MONMOUTH, NEW JERSEY
AMENDING AND SUPPLEMENTING
CHAPTER VII, "TRAFFIC,"
SECTION 7-3.6, "PARKING TIME LIMITED ON CERTAIN STREETS,"
SCHEDULE IV, "TIME LIMITED PARKING"**

WHEREAS, in the matter of Truong v. Red Bank, Docket No. MON-L-3240-08, the Superior Court of the State of New Jersey upheld the Borough's power and authority to create residential parking zones; and

WHEREAS, in that decision the Court ordered the Borough to review its parking ordinances for consistency and clarity; and

WHEREAS, ongoing review of the pertinent Ordinances revealed potential ambiguities and inconsistencies with respect to the Borough's parking regulations; and

WHEREAS, in order to resolve those ambiguities or inconsistencies, as well as to provide overall clarity to the Borough's parking regulations;

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the Borough of Red Bank that Chapter VII of the Revised General Ordinances of the Borough of Red Bank, Monmouth County, "TRAFFIC," Section 7-3.6, "Parking Time Limited on Certain Streets," Schedule IV, "Time Limited Parking," is hereby amended and supplemented as follows:

SECTION ONE:

- a. Section 7-3.6, "Parking Time Limited on Certain Streets" is amended and supplemented as follows: (*strikeouts denote deletions, underlined text denote additions*):

7-3.6 Parking Time Limited on Certain Streets.

No person shall park a vehicle for longer than two (2) hours between the hours of 8:00 a.m. and 6:00 p.m. upon any street on any day (except Sundays and public holidays) within the Borough unless a different the time limit or effective time period is set forth with respect to shown in Schedule IV at any time between the hours listed in Schedule IV of any day (except Sundays and public holidays) upon any of the streets, or parts of streets, described in Schedule IV attached to and made a part of this Chapter.

[All other provisions, including Schedule IV, remain unchanged]

SECTION TWO: Any ordinances or portions thereof which are inconsistent with the provisions of this Ordinance are hereby repealed as of the effective date of this Ordinance.

SECTION THREE: If any provision of this Ordinance or the application of such provision to any person or circumstance is declared invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can be given effect, and to this end, the provisions of this Ordinance are declared to be severable.

SECTION FOUR: This Ordinance shall take effect immediately upon its passage and adoption according to law.

First Reading: October 12, 2009

Final Reading: November 23, 2009