

ORDINANCE NO. 2008-19

**ORDINANCE OF THE BOROUGH OF RED BANK,
COUNTY OF MONMOUTH, NEW JERSEY
AMENDING AND SUPPLEMENTING
CHAPTER VII, "TRAFFIC,"
SECTION 7-3.9, "PERMIT PARKING IN DESIGNATED AREAS"**

WHEREAS, on April 12, 1994, the Mayor and Council of the Borough of Red Bank enacted Ordinance No. 1994-11 which first established residents'-only parking zones within the Borough; and

WHEREAS, in enacting Ordinance No. 1994-11, the Mayor and Council found that the health, safety and welfare of many residents were adversely affected by burdens placed on residents by virtue of the existence of major public facilities and programs in and about the Borough; which facilities and programs frequently used the streets within residential areas for the parking of vehicles by persons using health, transit, educational, governmental, commercial and other facilities; and that such parking resulted in hazardous traffic conditions, the overburdening of existing streets, roads and other facilities, air and noise pollution, and the inability of residents of certain areas to obtain adequate parking adjacent to or close by their places of residence; and

WHEREAS, it is clear that the same concerns identified by the Mayor and Council in 1994 not only exist today, but have taken on greater urgency; and

WHEREAS, the Mayor and Council continue to find that residential parking restrictions enhance the quality of life in residential neighborhoods and further encourage investment in off-street parking within non-residential districts and further encourage employees to patronize parking lots in the business district, or alternatively to car pool or use mass transit or other means of transportation (e.g., bike or walk); and

WHEREAS, the Mayor and Council further find that the prior requirements of the Ordinance requiring that a resident demonstrate a lack of on-site parking as a condition of receiving a residential parking permit was not being uniformly enforced for a number of years; and

WHEREAS, the Mayor and Council further find that the requirement of a demonstrated lack of on-site parking requirement did nothing to enhance the quality of life of Borough residents, or the safety of Borough streets, both of which would be adversely affected by an undue number of non-residential vehicles parked in residential zones; and

WHEREAS, elimination of the requirement that a resident demonstrate a lack of on-site parking to qualify for a residential parking permit will only increase the potential number of people eligible for such a permit and thereby encourage such individuals to leave their motor vehicles parked near their homes and to utilize public, or non-polluting, modes of transportation

such as bicycles or electric vehicles;

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 7-3.9, "Permit Parking in Designated Areas," is hereby amended and supplemented as follows:

SECTION ONE:

- a. Section 7-3.9, "Permit Parking in Designated Areas", is amended and supplemented as follows (strikeouts denote deletions, underlined text denotes additions):

7-3.9 Permit Parking in Designated Areas.

- a. *[No Change]*
- b. *Parking Permits for Unlimited Parking in Designated Areas.* Any resident of the street or portion of the street designated on Schedule XIX attached to and made a part of this Chapter, ~~who has not space or facility to park a vehicle upon the resident's property~~, may obtain a permit to park such a vehicle on the street or parts thereof, and that vehicle shall not be subject to the parking time limits that would otherwise apply to the streets or parts thereof; provided the vehicle is owned or operated on a regular basis by a resident of that street, or portion thereof, designated on the attached Schedule XIX ~~and the resident demonstrates that such vehicle cannot be parked upon the resident's property~~.

A parking permit authorizes a resident, whose vehicle displays a valid parking permit, to park on the designated street without regard to the designated time limits that otherwise apply to the street (except for snow or other emergency restrictions). A person parking a vehicle on the designated parking street without the permit shall be subject to the parking time limits that otherwise apply to the street.

[All other provisions 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: August 11, 2008

Final Reading: August 25, 2008