

ORDINANCE NO. 2012-12

ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER VIII, "PARKING LOTS AND HANDICAPPED SPACES", SECTION 8-2.8, "RESTRICTED PARKING", SCHEDULE IV, "PUBLIC STREETS", OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF RED BANK

Mr. DuPont offered the following ordinance and moved its adoption on final reading:

WHEREAS, by Resolution No.2012-8 and Resolution No. 2012-10, the Planning Board of the Borough of Red Bank approved the application of Big China Corporation (the "Applicant") for certain variance and site plan approval in connection with the establishment of Temple Restaurant located at 91-93 Broad Street; and

WHEREAS one of the conditions of approval was that the Applicant petition the Borough Council to place one (1) ADA-handicapped accessible parking space on Broad Street; and

WHEREAS the Applicant has petitioned the Borough Council to establish a handicapped parking space on Broad Street pursuant the subject resolution of approval; and

WHEREAS, the Borough's Police Department has investigated this request and has recommended that the handicapped parking space be established at the location on Broad Street as set forth below; and

WHEREAS the Mayor and Council agree with the Police Department's recommendation and conclude that the Applicant's petition for a handicapped parking space should be granted and that a handicapped parking space be established on Broad Street pursuant to N.J. S.A 39:4-197.5.

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the Borough of Red Bank that Chapter VIII, "Parking Lots and Handicapped Spaces", Section 8-2.8, "Restricted Parking", Schedule IV, "Public Streets", be amended and supplemented as follows:

SECTION ONE: 8.2-8, Schedule IV: "Restricted Parking", Schedule IV, "Public Streets", is amended and supplemented to add the following parking space located on a public street:

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
Broad Street	East	Starting at a point 81 feet south of Linden Place and extending 20 feet south

SECTION TWO: As required by the Planning Board's condition of approval, the Applicant shall be responsible for all costs associated with the markings and signage required for a handicapped parking space in accordance with all applicable laws, rules and regulations associated therewith.

SECTION THREE: Any ordinances or portions thereof which are inconsistent with the provisions of this Ordinance are hereby repealed as of the effective date of this Ordinance. All other provisions of the "Parking Lots and Handicapped Parking Spaces" Ordinance are ratified and remain in full force and effect.

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

Seconded by Mr. Zipprich and adopted on roll call by the following vote:

	Yes	No	Abstain	Absent
Ms. Lewis	(x)	()	()	()
Mr. Zipprich	(x)	()	()	()
Mr. DuPont	(x)	()	()	()
Ms. Horgan	(x)	()	()	()
Ms. Lee	()	()	()	(x)
Mr. Murphy	(x)	()	()	()

Dated: June 27, 2012