

**BOROUGH OF WEST PATERSON
COUNTY OF PASSAIC, STATE OF NEW JERSEY**

ORDINANCE NO. 07-12

**AN ORDINANCE TO REGULATE THE PARKING OF COMMERCIAL
VEHICLES AND REQUIRING THE REGISTRATION OF COMMERCIAL
VEHICLES WITH THE BOROUGH OF WEST PATERSON**

***Section 90—PARKING—GENERAL REGULATIONS**

**(a) Violations of any Parking Regulations or Ordinances Listed under
Sections 90-1 and 91-1:**

Any violation of the specific prohibitions set forth in Sections 90-1 and/or 91-1 subjects the offender to the penalties established by the Borough of West Paterson (to be determined).

(b) “Commercial Vehicle” Defined:

Any commercially licensed vehicle.

(c) “Oversized Commercial Vehicle” Defined:

Any commercially licensed vehicle with a gross vehicle weight in excess of five (5) tons.

(d) “Overnight” Defined:

The parking of commercial vehicles and oversized commercial vehicles on any streets in the Borough of West Paterson between the hours of 1:00am and 6:00am.

(e) Effectiveness:

- a.) This ordinance shall take full effect immediately after its final passage and publication as provided by law. Any individual, entity, corporation, or business who violates any of these provisions.
- b.) All other Ordinances of sections or provisions thereof which may be in conflict with this Ordinance are hereby repealed to the extent of such conflict.
- c.) 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 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.

(f) Sticker Requirement for all Commercial Vehicles:

All commercial vehicles under this Section shall be required to obtain from the Borough a sticker to be affixed to the vehicle and displayed at all times. The sticker will include the license plate number of the vehicle and specify whether the vehicle's category as commercial, oversized commercial or landscaping. The applicable fee schedule for the issuance of such permits shall be as follows:

Vehicles Exceeding 4 Tons= \$25.00
Vehicles Less Than 4 Tons= No charge

COMBINED PARKING

***Section 90-1—On-Street Parking of Commercial Vehicles**

(a) Parking—Generally in Residential Zones A, B, and C:

1.) Overnight Parking on any street in Residential Zones “B” and “C” is hereby **limited by the following subsections:**

- (i) Vehicles with a gross weight of 4 Tons or less
- (ii) One Commercial Vehicle per Dwelling Unit (overnight parking of Oversized Commercial Vehicles in these zones is still prohibited)

(b) Overnight Parking of Commercial Vehicles: General Prohibition:

The overnight parking by any owner or operator of a “commercial vehicle” or “oversized commercial vehicle” (as herein defined under Section 90, subsections (b) and (c) is generally prohibited in residential zones unless specifically excluded under subsections (c)(ii)(a), (ii)(b) or (ii)(c).

(c) Overnight Parking of Commercial Vehicles and Oversized Commercial Vehicles in Residential Zones:

(i) Permit Requirement for Commercial Vehicles and Oversized Vehicles—Residential Zones:

All parking of commercial vehicles and Oversized vehicles in Residential Zones requires a current Commercial Vehicle Parking Permit obtained annually through the West Paterson Police Department upon payment of the annual permit fee. The fee will be \$25.00 for all vehicles that weigh in excess of 4 tons. However, all commercial vehicles must register yearly to obtain a sticker.

(ii) Specific Provisions:

(a) Commercial Vehicles—Residential Zone “A” – The overnight parking of a “Commercial Vehicle” on any street located within “Residential Zone A” (as defined by the Borough’s Zoning Ordinances and Zoning Map) is hereby prohibited unless the specific street has been designated as a route for trucks (under Ordinance 75-14) with a gross vehicle weight in excess of four (4) tons pursuant to the Borough’s Ordinances.

(b) Commercial Vehicles—Residential Zones “B & C” – The overnight parking of a Commercial Vehicle in Residential Zones B and C is limited to one Commercial Vehicle per Dwelling Unit.

(c) Oversized Commercial Vehicles—All Residential Zones – The overnight parking of an “Oversized Commercial Vehicle” in excess of six (6) tons gross weight, 10’-0” in height, or 22’ in length on any street located within “Residential Zone A, B, or C” (as defined by the Borough’s Zoning Ordinances and Zoning Map) is hereby prohibited all together.

***Section 91-1—Off-Street Parking of Commercial and Motor Vehicles**

(a) Parking Area Limitations—Size and Parking:

1.) Size – A driveway located within any Residential Zone “A, B, or C” shall be limited in size to the lesser of 50% of the lot width or 30 ft. wide or a maximum of 20% of lot Impervious Coverage.

2.) Parking on Driveway Required for Motor Vehicle – The parking of a motor vehicle within any Residential Zone Lot is prohibited unless the vehicle is parked on the driveway. (This section does not prevent a motor vehicle from parking on the street)

(b) Incorporation and Effect of Sections 90-1(b) and 90-1(c) under Section 91-1:
****Violations of any of the provisions set forth in Sections 90-1(b) and/or Section 90-1(c) shall be subject to the penalties listed under Section 90 subsection (a).**

REVOCATION:

All Ordinances and provisions that are inconsistent with the provisions of this Ordinance shall be and are thereby repealed to the extent of such inconsistency.

VIOLATIONS:

1. Any motor vehicle operator who violates the provisions of this Ordinance will be fined \$50.00 in the first instance; \$55.00 to \$150.00 in the second instance; and \$150.00 to \$250.00 in the third instance and subsequent offenses.

2. If any motor vehicle operator is found to have violated this Ordinance and refuses to pay the same, their driving privileges may be suspended by a Court of competent jurisdiction.

TEMPORARY PASS:

A resident may obtain a temporary pass to bypass the provisions of this Ordinance in cases of emergent circumstances. Under this section, an “emergent circumstance” will be defined as any situation where a person needs to park a vehicle described herein in an unauthorized area due to a medical or public safety emergency. This pass may be obtained from the West Paterson Police Department.

DATE INTRODUCED: August 15, 2007

DATE ADOPTED: September 5, 2007