

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

ORDINANCE NO. 08-11

**AN ORDINANCE TO ADDRESS THE ISSUE OF HANDICAPPED PARKING
WITHIN THE BOROUGH OF WEST PATERSON**

WHEREAS, the Borough of West Paterson seeks to adopt the following Ordinance:

The governing body of this municipality shall establish, in accordance with Chapter 4 of Title 39 of the Revised Statutes and Senate Bill No. 676 (N.J.S.A. 39:4-197.6), restricted parking zones in front of residences occupied by handicapped persons, provided that:

- A. Such persons are holders of current drivers' licenses issued by this state.
- B. The motor vehicles to be parked in such zones are equipped with special attachments and devices as the Director of the Division of Motor Vehicles may deem necessary to provide for the safe operation thereof by such persons.
- C. Such parking is not otherwise prohibited and the permitting thereof would not interfere with the normal flow of traffic.

1. Definitions.

For the purpose of this chapter, the following terms shall have the meanings indicated:

HANDICAPPED PERSON — Includes any person, male or female, who has sustained an amputation of either or both legs, or of parts of either or both legs, or of either or both arms, or parts of either or both arms, or who has been otherwise disabled in any manner rendering it difficult and burdensome for him to walk.

2. Special vehicle identification card required.

Any person requesting such a restricted parking zone in the Borough of West Paterson shall have first applied to the Director of Motor Vehicles in the Department of Law and Public Safety of the State of New Jersey and have received a special vehicle identification card and certificate to be pasted on the windshield of the car, as provided for by the Revised Statutes in Title 39.

3. Presentation of application.

The handicapped person shall then submit an application in writing for the desired parking zone to the Borough Clerk's office, who shall present same to the Borough Council at the next regularly scheduled meeting. This application shall have a copy of the New Jersey identification card attached thereto and include the applicant's personal information, the precise location for the permit, including street name and address, and any information regarding the availability of off-street parking in the subject location.

4. Letter of approval.

Upon the approval of such request by the Borough Council, the Borough Clerk shall provide the Chief of Police with a letter of approval and the address for the parking zone.

5. Designation of area; sign and permit.

The West Paterson Department of Public Works shall provide:

- A. An area of 25 feet to be properly designated in front of the residence of the handicapped persons, to be painted as a no-parking zone.
- B. A "no-parking – handicapped person" sign to be placed alongside the designated area.

C. A permit 5-1/2 by 8-1/2 inches in size, bearing an appropriate certification of authenticity, a permit number and the appropriate Borough Resolution number authorizing its issuance.

D. A separate sign which lists the penalties and designation of area as Tow-Away Zone.

6. Display of permit.

The permit issued by the Borough to the handicapped person shall be displayed prominently within the vehicle when it is parked in the designated area so as to be seen from the middle of the street. Only cars which have such a permit properly displayed shall be permitted to be parked in the restricted parking zone indicated on such permit.

7. Change of residence or vehicle registration number.

A holder of a Borough handicapped parking permit issued pursuant to this chapter must notify the Borough Clerk within 30 days if such person changes his or her residence or changes his or her vehicle registration number. If such person fails to notify the Borough Clerk within the 30 days prescribed herein, a \$50.00 penalty will be imposed.

8. Annual review.

The applicant will be required to have his or her annually reviewed by the West Paterson Police Department on the anniversary of the said application.

9. Fee.

A fee of \$250.00, for the issuance of such permit shall be charged to any person entitled to same under the conditions of this chapter.

10. Tow Away Zone.

Handicapped parking spaces under this ordinance will be designated as tow away zones. Parking a motor vehicle in a handicapped parking space without the special vehicle identification card specified herein will entitle the West Paterson police department to authorize an immediate tow of the offending vehicle.

11. Penalty.

Any person parking a motor vehicle in a restricted parking space without a special vehicle identification card shall be liable to a fine of \$100 for offense.

12. No alteration/superseding of existing regulations.

This new ordinance does not supersede existing parking/safety regulations, and should not be construed in that manner.

Introduced: August 20, 2008

Adopted: September 3, 2008