

O-21-19

**AN ORDINANCE AMENDING CHAPTER 315 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF WHARTON, COUNTY OF MORRIS, STATE OF NEW JERSEY**

**BE IT ORDAINED** by the Governing Body of the Borough of Wharton that Chapter 315 Vehicles and Traffic, Article II Parking, Section 7 Parking prohibited at all times on certain streets, Section 9 Parking prohibited in school zones A, Section 10 Parking in Municipal Lots A, and Section 14 Permit Parking of the revised general ordinances of the Borough of Wharton is hereby amended as follows:

**§ 315-7. Parking prohibited at all times on certain streets.**

No person shall park a vehicle at any time upon any of the streets or parts thereof described below:

<b>Name of Street</b>	<b>Side</b>	<b>Location</b>
Baker Avenue	North	From Thomas Street to Stickle Avenue
Birmingham Lane	North and South	Entire length
Columbia Street	North	Starting at the apex of the easterly corner of the intersection of Columbia Street and Lafayette Street 160 feet east and prohibiting parking for 300 feet
Cutler Street	North	From South Main Street to Park Street
East Central Avenue	North	From South Main Street to Second Street
East Central Avenue	South	From Lafayette Street to Stickle Avenue running east for 86 feet 6 inches
East Central Avenue	North	From Lafayette Street to Main Street
East Dewey Avenue	North	Entire length
East Dewey Avenue	South	A distance of 100 feet from North Main Street
East Dewey Avenue [Added 10-20-2014 by Ord. No. O-16-14]	South	Commencing at the intersection of State Highway 15 running west for a distance of 1,442 feet
East Sterling Street [Amended 5-23- 2016 by Ord. No. O-12-16]	South	A distance of 400 feet east, starting 160 feet east of the apex of the easterly corner of the intersection of East Sterling Street and Lafayette Street from South Main Street to Division Street
Elizabeth Street [Added 10-20-2014 by Ord. No. O-16-14; amended 11-	North	Commencing at the intersection of State Highway 15 running west for a distance of 127 feet

<b>Name of Street</b>	<b>Side</b>	<b>Location</b>
13-2017 by Ord. No. O-18-17]		
Elizabeth Street [Added 10-20-2014 by Ord. No. O-16-14; amended 11-13-2017 by Ord. No. O-18-17]	South	Commencing at the intersection of State Highway 15 running west for a distance of 478 feet.
Elm Street	East	Entire length
Elm Street	West	Entire length
Fern Avenue	North	Entire length
Gallagher Lane	North	From West Central Avenue to Kice Avenue
Gallagher Lane	South	Entire length
Grove Street	South	From Church Street to Third Street
Hance Street [Added 7-18-2016 by Ord. No. O-15-16]	East	Entire length
Harry Shupe Boulevard	North	Entire length
Harry Shupe Boulevard	South	From North Main Street for a distance of 458 feet east to the intersection of Roadway A
Harry Shupe Boulevard	South	From the Roadway B intersection for a distance of 224 feet east to the end of the roadway
High Street	North	Entire length
Irondale Road	South	Entire length
Kice Avenue	North	Entire length
<i>Kossuth Street</i>	<i>South</i>	<i>Entire length</i>
<i>Lafayette Street</i>	<i>East</i>	<i>Commencing at the intersection of Fern Avenue running south for a distance of 266 feet</i>
Lane Way [Added 5-23-2016 by Ord. No. O-12-16]	East	From South Main Street for a distance of 172 feet
Lane Way [Added 5-23-2016 by Ord. No. O-12-16]	West	From Bermingham Lane to South Main Street
Langdon Avenue	South	From the easterly apex of Sunset Drive to a distance of 100 feet west
Langdon Avenue	North	From the west curbline of North Main Street to a point 60 feet westerly therefrom
Langdon Avenue	South	Entire length
Laurel Street		

<b>Name of Street</b>	<b>Side</b>	<b>Location</b>
[Repealed 11-13-2017 by Ord. No. O-18-17]		
Laurel Street	South	Entire length
Luxemburg Avenue	West	Entire length
Maple Terrace	West	Entire length
Meadow Avenue	North	From the east curblin of North Main Street to a point 100 feet easterly therefrom
Meadow Avenue	North	From the west curblin of North Main Street to a point 70 feet easterly therefrom
Mill Street	South	A distance of 60 feet from the intersection of Robert Street
North Main Street	East	From Ross Street to East Dewey Avenue
North Main Street	West	From Luxemburg Avenue to West Dewey Avenue
North Main Street	West	From the intersection of Ross Street southerly to the Rockaway River Bridge
North Main Street	East	From Oakhurst Lane to the North Main Street extension of Route 15
North Main Street	West	A distance of 150 feet north from Oakhurst lane to Interstate Route 80 bridge
North Main Street	East	From Oakhurst Lane to a point of 125 feet south
North Main Street	West	From the New Jersey Transit Bridge No. 40.17 north a distance of 90 feet
<del>North Main Street</del>	<del>East</del>	<del>Between the driveway entrance and exit of the National Community Bank</del>
North Main Street	East	From the southern curblin of Meadow Avenue to a point 340 feet southerly therefrom
North Main Street	East	From the southern curblin of Meadow Avenue to a point 660 feet northerly therefrom
North Main Street	West	From the southern curblin of Langdon Avenue to a point 350 feet southerly therefrom
North Main Street	West	From the northern curblin of Langdon Avenue to a point 230 feet northerly therefrom
<del>North Main Street</del>	<del>East</del>	<del>From Kossuth Street to Washington Street</del>
Oakhurst Lane	Both	Entire length
Oram Drive	West	Entire length
Orange Street	South	From South Main Street to Ford Avenue
[Amended 10-20-2014 by Ord. No. O-16-14; 11-13-2017 by Ord. No. O-18-17]		

<b>Name of Street</b>	<b>Side</b>	<b>Location</b>
<i>Orchard Street</i>	<i>West</i>	<i>Entire length</i>
<i>Oxford Road</i>	<i>South</i>	<i>Commencing at a point 130 feet east of Pine Street and running 265 feet</i>
Pine Street	Both	From North Main Street the entire length to West Central Avenue
Robert Street	West	Between West Central Avenue and Kice Avenue
Robert Street	West	From Clarence Street to West Sterling Street
Robert Street	East	From Mill Street to West Clarence Street
Second Street	East	Entire length
South Main Street	East	Between Oak Lane and Thomas Street
South Main Street	West	Between Oak Lane and Thomas Street
South Main Street [Amended 11-13-2017 by Ord. No. O-18-17]	West	Between Sterling Street and Clarence Street
South Main Street	East	A distance of 100 feet north and south of the intersection of Sterling Street
South Main Street	West	Between Sterling and Hance Street
Spring Street	North	Entire length
Spring Street	South	Entire length
St. Mary's Street	South	From South Main Street a distance of 100 feet
Thomas Street	South	From Main Street to Robert Street
Trowbridge Lane	Both	Entire length
Washington Street	East	From a point 100 feet south of the center line of North Main Street (CR 634) to its intersection with Kossuth Street
<i>Washington Street</i>	<i>West</i>	<i>From Kossuth Street to Fern Avenue</i>
West Central Avenue	North	Between South Main Street and the railroad tracks
West Central Avenue	South	From the railroad tracks to the Rockaway River Bridge on West Central Avenue
<i>West Central Avenue</i>	<i>North</i>	<i>From Pine Street and running 225 feet</i>
<i>West Central Avenue</i>	<i>North</i>	<i>Commencing at a point 593 feet west of Burns St. and running west for 77 feet</i>
West Dewey Avenue	North	From North Main Street to West Central Avenue
West Dewey Avenue	South	From North Main Street to West Central Avenue
West Sterling Street [Amended 11-13-2017 by Ord. No. O-18-17]	North	From South Main Street the entire length
West Sterling Street	South	From Port Oram Drive west for 125 feet

**Name of Street**                      **Side Location**  
 [Amended 11-13-  
 2017 by Ord. No. O-18-17]

**§ 315-9. Parking prohibited in school zones.**

**A. No person shall stop or stand a vehicle during the school year on days that the school is in session between the hours of 7:30 a.m. and 3:30 p.m. upon any of the following described streets or parts of streets:**

<b>Name of Street</b>	<b>Side</b>	<b>Location</b>
Dennison Way	Both	Commencing at the intersection of East Central Avenue to Baker Avenue
East Central Avenue	North	Commencing at the intersection of Dension Way running west for 66 feet
East Central Avenue	North	Commencing at the intersection of Lafayette Street running east for 51 feet
East Central Avenue	North	Commencing at a point 355 feet east of Lafayette Street intersection and running a distance of 328 feet
East Central Avenue	South	Commencing at the intersection of Dension Way running east for 631 feet
East Central Avenue	South	Commencing at the intersection of Lafayette Street to Denison Way
Lafayette Street	<b>West</b>	Commencing at the intersection of Fern Avenue to Baker Avenue
<b>Lafayette Street</b>	<b>East</b>	<b>Commencing at a point 266 feet south of Fern Avenue running south to Baker Avenue</b>

**§ 315-10. Parking in municipal parking lots.**

**Parking rules for all municipal lots.**

**(1) Permit required for *designated spaces*, overnight parking; snow removal restrictions.**

**(a) Unless authorized by the Police Department, no vehicle without a yearly permit issued by the Borough of Wharton shall be parked in any municipal parking lot from 1:00 a.m. to 7:00 a.m. *No vehicle shall be parked in a permitted space at any time, without a valid permit for the corresponding space.***

**(b) Unless authorized by the Police Department, no parking in a municipal lot shall be permitted for 24 hours after the cessation of snowfall or sleet or the accumulation of slush or ice in the parking lot or until the lot has been cleared. It shall be the responsibility of the individual who obtained the permit to remove the vehicle from the parking lot. At the**

direction of the Police Department, all vehicles shall be removed for that period of time specified, to permit the Borough to plow, sand or apply rock salt as needed. In the event a vehicle is not removed, the Borough will make arrangements for the vehicle to be towed. All towing charges will be imposed upon the vehicle owner. Towing charges will be in addition to the penalty prescribed in § 315-2.

(c) Permits shall not be issued to any truck, tractor trailer, trailer, semi-trailer or omnibus having registered gross weight in excess of 8,000 pounds (four tons).

**§ 315-14 Permit Parking.**

**A. Parking restrictions in residential zones.**

- 1. No person shall park a vehicle without a valid permit upon any of the streets or parts of streets as described below.**
- 2. The Borough of Wharton Police Department is hereby authorized to issue a parking permit upon written application therefor. Each permit shall be designated by the Chief of Police or his or her designee to state or reflect thereon the particular residential street or part of street as well as the license plate number of the motor vehicle for which it is issued. No more than one (1) parking permit shall be issued to each motor vehicle for which application is made. The Chief of Police is authorized to issue such rules and regulations not inconsistent with this Section governing the manner in which persons shall qualify for permits.**
- 3. Parking permits shall be issued for each motor vehicle(s) only upon application by the following persons:**
  - (a) Residential Parking Permit or New Resident Temporary Parking Permit. A legal resident of the residential street or part of street who (i) has a motor vehicle registered in his/her name or proof that a government or corporate vehicle is available for his/her exclusive use and under his/her exclusive control; and (ii) owns or leases a property for which no off-street parking is available to residents, whether free of charge or for a separate fee or rent. Proof of residency (deed or lease) is required.**
  - (b) Non-Residential Parking Permit. A person who owns or leases commercial property and is actively engaged in a business located within a residential permit parking area or is an employee thereof (current pay stubs must be submitted for proof of employment). However, no more than one (1) parking permit may be issued for each employee for a motor vehicle registered to or under the control of such a person.**
  - (c) Temporary Parking Permits:**

**Temporary Work Permit (ninety-day) - Issued to temporary residents who reside on a street or part of street for up to ninety (90) days on work assignments. Proof of current employment and temporary residence is required. One ninety-day extension is permitted for a maximum of six (6) months.**

**Temporary Residential Permit (fourteen-day) - Issued to new residents who are awaiting receipt of a driver's license and registration at their Wharton address. Proof of residency (deed or lease) and proof of request for a change of address to New Jersey Motor Vehicle Commission is required.**

**Home Healthcare Permit (ninety-day) - Issued to visiting nurses, home health aides, family members during the hours they are in fact providing health services to a resident on a street or part of street.**

**(d) Contractor Parking Permit.**

**(i) Six (6) Months - Issued to contractors for the days and hours they are actually performing extensive construction on existing residential structures or new construction of a one- or two-family residential home (not high-rise units).**

**(ii) Daily Permit - Issued to contractors during per diem repair work on a residential home(s), i.e., plumbing work/electrical work that will require them to be parked on a street or part of street for the day.**

**(e) Visitors Parking Permit.**

**Daily - Issued to a person visiting a residence on a street or part of street who will be parked on any of the streets or parts of streets as described below. Only homeowners can purchase visitor parking permits. Permits may not be sold, exchanged or purchased except directly from the Borough of Wharton. Permits are valid only for the month and days specified thereon and shall indicate the make, model and license plate number of the vehicle.**

**(f) Transfer Permit. Issued to residents who have changed their temporary information to permanent, or who move from one street or part of street to another. Maximum period of fourteen (14) days.**

**4. To assure that both prospective residential tenants and purchasers of property, including condominiums, are aware of the residential parking permit conditions imposed hereunder, every landlord and every seller shall, at least ten (10) days before the date a lease is executed or a deed is conveyed, provide the prospective tenant or prospective purchaser with a copy of Chapter 315, Section 14.**

5. *Proof required to establish residency, ownership, employment, full-time student status or any other permit term or condition shall be within the sound discretion of the Chief of Police.*
6. *The Borough of Wharton Police Department shall maintain a current record of all properties with 30 or more dwelling units which make off-street parking available to residents whether as part of the rental or service charge or for an optional fee. The Borough Tax Assessor and all departments of the Borough which maintain relevant records shall cooperate to assure that the record of available off-street parking maintained by the Borough of Wharton Police Department remains current.*
7. *Any person who obtains a parking permit in violation of Chapter 315, Section 14 shall, in addition to cancellation of the permit, be liable for the penalties prescribed by Chapter 1, Sections 1, 2 and 3.*
8. *Any owner, landlord or seller of real property who fails to comply with Chapter 315, Section (A)(4) shall be liable for the penalties prescribed by Chapter 1, Sections 1, 2 and 3.*
9. *No permit shall be issued to any person who has failed to pay any Borough of Wharton municipal parking fines until such fines, including any penalties thereon, are paid in full.*

**B. *Display of permits.***

*The permit as issued by the Borough of Wharton shall be placed unobstructed on the rear driver's side of the subject vehicle, e.g., driver's side rear window or driver's side rear bumper.*

**C. *Permit parking exemptions.***

1. *A resident motor vehicle, employee vehicle or transient motor vehicle on which is displayed a valid parking permit as provided for herein shall be permitted to stand or be parked on a residential street or part of street for which the permit has been issued without being limited by time restrictions or area prohibitions established pursuant to this Section. Said resident motor vehicle, employee vehicle or transient motor vehicle shall not be exempt from parking restrictions or prohibitions established pursuant to authority other than this Section. All other motor vehicles other than vehicles where the operator or the passenger being transported by said vehicle is physically disabled and the vehicle displays a license issued under provisions of N.J.S.A. 39:4-205, parked on a residential street or part of street shall be subject to the area prohibitions adopted in this Section or other Borough Ordinances.*



2. *A resident parking permit shall not guarantee or reserve to the holder thereof an on-street parking space on the designated residential street or part of street.*

**D. *Application for and duration of permit.***

*Each parking permit issued by the Borough of Wharton Police Department or its designee shall be valid for not more than one (1) year. Permits shall be renewed annually on a date to be determined by the Borough of Wharton Police Department. Each application or reapplication for a parking permit shall contain information sufficient to identify the applicant, his or her residence address or address of real property owned or leased on a residential street or part of street and the license number of the motor vehicle for which application is made and such other information that may be deemed relevant by the Borough of Wharton Police Department.*

**E. *Permit fees.***

*There shall be no fee for a residential parking permit, temporary residential parking permit, or transfer charge.*

**F. *Criteria for determination of residential permit parking areas.***

1. *A residential street or part of street shall be deemed eligible for consideration as designated under this Section if, based on surveys and studies prepared by the Borough Engineer or the Borough of Wharton Police Department, objective criteria establish that the residential street or part of street is impacted by commuter vehicles for any extended period or new construction of multiple units in the area.*

2. *In determining whether a residential street or part of street is eligible for designation under this Section, the factors to be considered shall include but are not limited to the following:*

(a) *The extent of the desire and need of the residents for residential permit parking.*

(b) *The extent to which motor vehicles registered to persons residing in the residential area cannot be accommodated by the number of available off-street parking spaces.*

**G. *Revocation of residential parking permits.***

*The Borough of Wharton Police Department is authorized to revoke the residential parking permit of any person found to be in violation of this Section and, upon written notification thereof, said person shall surrender such permit to the Borough of Wharton Police Department or its designee. Failure when so requested to surrender said permit shall constitute a violation of this Section.*

**H. Designated residential streets or parts of streets.**

**1. Kossuth Street – entire length**

**2. Orchard Street – entire length**

**3. Washington Street – entire length**

**First Reading: December 9, 2019  
Second Reading: December 30, 2019**

**ATTEST:**

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**Gabrielle Evangelista,  
Borough Clerk**

**BOROUGH OF WHARTON**

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**WILLIAM J. CHEGWIDDEN,  
MAYOR**