

TOWNSHIP OF MAHWAH

ORDINANCE NO. 1910

AN ORDINANCE AMENDING SECTION 7-13.3 AND SCHEDULE XXC OF THE CODE OF THE TOWNSHIP OF MAHWAH ENTITLED "HANDICAPPED PARKING ON PRIVATE PROPERTY OPEN TO THE PUBLIC."

WHEREAS, N.J.S.A. 39:4-197, 39:4-197.5 and N.J.S.A. 40:48-2.6 authorize municipalities to establish restricted parking spaces in shopping and business districts for use by persons who have been issued special vehicle identification cards by the Division of Motor Vehicles pursuant to the provisions of Section 2 of P.L. 1949, c.280 (C. 39:4-20).

NOW THEREFORE, BE IT ORDAINED by the Township Council of the Township of Mahwah as follows:

Section 1. Section 7-13.3 of the Code of the Township of Mahwah is amended in its entirety to read:

7-13.3 Handicapped Parking on Private Property Open to the Public

a. In accordance with the provisions of N.J.S.A. 40:48-2.46, 39:4-197 and 39:4-197.5, no person shall stand or park any vehicle on private property open to the public in any area or parking space which has been designated as a parking area or space for "Parking for Handicapped Persons Only" unless the vehicle has a special vehicle identification certificate, license plate, identification card or marker issued by the Division of Motor Vehicle attached to or displayed on the vehicle.

b. Parking for "Handicapped Persons Only" signs as required by statute shall be posted at the parking area or spaces designated under this section.

c. Any person parking or standing a motor vehicle in a place restricted under this Township Code Section 7-13.3 without the required special vehicle identification shall be liable for a fine of \$250.00 for the first offense and, for subsequent offenses, a fine of at least \$250.00 and up to 90 days' community service on such terms and in such form as the court shall deem appropriate, or any combination thereof.

Section 2. Chapter 7, Schedule XXC Handicapped Parking – Private Property Open to the Public and to which the Public is Invited is hereby deleted.

Section 3. Severability

If any section, paragraph, sub-section, clause or provision of this ordinance shall be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this ordinance as a whole or any part thereof.

Section 4. Repealer

All ordinances or parts of ordinances of the Township heretofore adopted that are inconsistent with any terms and provisions of this ordinance are hereby repealed to the extent of such inconsistency.

Section 5. Effective Date

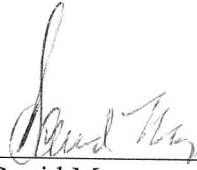
This Ordinance shall take effect as provided by law.

Ordinance No. 1910

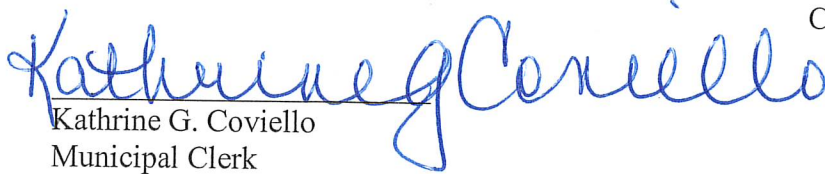
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Dated: July 30, 2020

Attest



David May
Council President



Kathrine G. Coviello
Municipal Clerk

I, Kathrine G. Coviello, Municipal Clerk of the Township of Mahwah, hereby certify that the within Ordinance was passed and adopted at a meeting of the Township Council held on the 9th day of July, 2020.



Kathrine G. Coviello, RMC/CMC/MMC
Municipal Clerk