

**ORDINANCE NO. 04-2022**  
**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 201,**  
**“VEHICLES AND TRAFFIC”, OF THE CODE OF**  
**THE BOROUGH OF SEA BRIGHT.**

BE IT ORDAINED by the Borough Council of the Borough Sea Bright in the County of Monmouth, State of New Jersey, as follows:

SECTION ONE: Chapter 201, “Vehicles and Traffic”, of the Code of the Borough of Sea Bright, be and the same is hereby amended and supplemented to read, in full, as follows:

“Chapter 201. Vehicles and Traffic

**Article I. Traffic**

**§ 201-1. One-way streets.**

The following roadways are hereby established as one-way streets:

<b>Name of Street</b>	<b>Direction of Travel</b>	<b>Location</b>
Beach Street	Westbound	Entire length
East Ocean Avenue	Northbound	Between Rt. 36 (Ocean Ave) and East Surf Street
East Surf Street	Eastbound	Entire length
Front Street	Northbound Surf Street	Between Beach Street and
Front Street	Southbound Surf Street	Between Beach Street and
New Street	Westbound	Entire length
Riverview Place Extension	Eastbound and Ocean Avenue	Between Riverview Place
Surf Street	Eastbound	Entire length
Tradewinds Lane	Southbound	Entire length
Village Road	Counterclockwise	Entire length
Wayne Street	Southbound Borough Hall	From East Surf Street to the north perimeter of the parking lot behind
West Ocean Avenue	Southbound Center Street	Between Surf Street and Center Street

**§ 201-2. Regulations governing Route 36.**

- A. No stopping or standing is permitted along both sides of Route 36 from County Road 520 North to the Bridge and Center Street South to Monmouth Beach. No stopping or standing is permitted along one side, northbound easterly, of Route 36 from the northerly curb line of River Street to County Road 520 and the from the northerly cub line of Center Street to the southerly curb line of East Church Street.
- B. Bus stops:
  - (1) Northbound Route 36 at curb south of River Street, no parking in designated area.
- C. Speed limits. The rate of speed designated for State Highway Route NJ 36/Ocean Avenue in Sea Bright Borough shall be established and adopted as the maximum legal rate of speed:
  - (1) For both directions of traffic from September 15 to May 15 annually:
    - (a) Zone 1: 40 miles per hour between the Monmouth Beach Borough-Sea Bright Borough corporate line and Marius Lane (approximate mileposts 8:00 to 8:82).

- (b) Zone 2: 30 miles per hour between Marius Lane and 500 feet north of Rumson Road (County Road 520) (approximate mileposts 8:82 to 9:38).
- (c) Zone 3: 40 miles per hour between 500 feet north of Rumson Road (County Road 520) and the Sea Bright Borough-Highlands Borough corporate line (approximate mileposts 9:38 to 11.68).

(2) For both directions of traffic from May 15 to September 15 annually:

- (a) Zone 1: 35 miles per hour between the Monmouth Beach Borough-Sea Bright corporate line and Marius Lane (approximate mileposts 8.00 to 8.82).
- (b) Zone 2: 30 miles per hour between Marius Lane and 500 feet north of Rumson Road (County Road 520) (approximate mileposts 8.82 to 9.38).
- (c) Zone 3: 35 miles per hour between 500 feet north of Rumson Road (County Road 520) and the Sea Bright Borough-Highlands Borough corporate line (approximate mileposts 9.38 to 11.68).

**§ 201-2.1 Violations and penalties.**

A. Any violation of § 201-2(A) shall result in the offending person being subject to a fine in the amount of \$125.00

**§ 201-3. Regulations governing East Ocean Avenue & West Ocean Avenue**

A. Angle parking. Angle parking shall be established on the following streets:

Name of Street	Side	Type	Location
East Ocean Avenue	East	45°	Between Rt. NJ 36 (Ocean Avenue) and East Surf Street
West Ocean Avenue	West	45°	Surf Street to Center Street

B. Stop intersections. The following described intersections are hereby designated as stop intersections. Stop signs shall be installed as provided herein.

Intersection	Stop Sign(s) On
East Ocean Avenue and East New Street	East New Street
East Ocean Avenue and East Church Street	East Ocean Avenue (both approaches)
West Ocean Avenue and Center Street	Center Street

C. Speed limits.

(1) The speed limit for both directions of travel on the following roadways shall be:

Name of Street	Speed limit (mph)	Limits
East Ocean Avenue	15	Entire length
West Ocean Avenue	15	Entire Length

- (2) Regulatory and warning signs shall be erected and maintained to affect the above-designated speed limits.

D. All signs, posts or other necessary materials installed by the Borough shall conform to the current Manual on Uniform Traffic Control Devices, pursuant to N.J.S.A. 39:4-198 and 39:4-183.27.

#### **§ 201-4. Mid-Block Crosswalks**

##### **§ 201-4.1. Mid-block crosswalks designated.**

The following mid-block crosswalks are established in the locations indicated:

1. 1566 Ocean Avenue, by northern entrance.
2. Islandview Way, northern corner of intersection.
3. Imbrie Place, northern corner of intersection.
4. 1340 Ocean Avenue & Tradewinds Lane. Northern entrance to 1340.
5. Village Road, southern entrance.
6. New Street, southern corner of intersection.
7. Church Street, southern corner of intersection.
8. Peninsula Avenue, southern corner of intersection.
9. 960 Ocean Avenue Lot, by southern entrance.
10. Sands Beach Club, 825 Ocean Avenue.
11. Ship Ahoy Beach Club, 801 Ocean Avenue,
12. 700 Ocean Avenue.
13. Riverview Place, southern intersection with Ocean Avenue.
14. Shrewsbury Way, northern corner of intersection.
15. Beach Way, southern corner of intersection.
16. 344 Ocean Avenue, by northern entrance.
17. 280 Ocean Avenue, old Quay.
18. Mountainview Way, southern corner of intersection.

##### **§ 201-5 Enforcement.**

- A. The Sea Bright Police Department shall have the authority to issue summonses for violations of this article.
- B. The Sea Bright Police Department may remove and impound any vehicles which are parked in violation of this article. The cost of said removal shall be borne by the vehicle owner or lessee.
- C. Enforcement of this article shall be under the jurisdiction of the Sea Bright Police Department.

#### **Article II. Parking Regulations**

##### **§ 201-6. Prohibited parking.**

- (A) No person shall park a vehicle at any time on the following described streets or parts thereof on the side designated:

<b>Name of Street</b>	<b>Side</b>	<b>Location</b>
Bellevue Place	Both	Entire length
East Surf Street	Both	Entire length
Front Street	West	Entire length

Mountainview Way	Both	Entire length
Sandpiper Lane	Both	Entire length and cul-de-sac
South Street	South	Entire length
Surf Street	North	Entire length
Village Road	Both	North section
Village Road	Both	South section
Village Road	West	East section
Waterview Way	Both	From westerly end of street eastward to intersection of North Way
Wayne Street	East	Entire length
Willow Way	Both	Entire length

(B) No vehicle shall be parked in the Borough except in designated areas and between the lines provided.

(C) Tow-away zones. Any vehicle parked or standing so as to obstruct or impede a normal flow of traffic, block entrances or exit ways, fire zones, loading zones, oil fills, any grassy area or pedestrian walkway, or to present in any way a safety or traffic hazard may be removed by towing the vehicle at the owner's expense.

**§ 201-7 Violations and penalties.**

- A. Any person who violates § 201-6(A) above shall be subject to a fine in the amount of \$125.00
- B. Any person who violates § 201-6(B) above shall be subject to a fine in the amount of \$125.00
- C. Any person who violates § 201-6(C) above shall be subject to a fine in the amount of \$125.00

**§ 201-8 Prohibited parking of certain vehicles.**

- A. The parking of vehicles on either side of any side street of the Borough of Sea Bright shall be limited to types of vehicles commonly referred to as private passenger automobiles, motorcycles, motor scooters and light commercial vehicles not in excess of 25 feet in length. It shall be unlawful to park any other vehicle on any side street.
- B. No vehicle over 17 feet long and six feet seven inches in width shall be parked on either side of any side street of the Borough of Sea Bright between the hours of 6:00 p.m. and 6:00 a.m. on any day of the week.
- C. For the purpose if this Article the term "side street" shall mean all streets in the Borough with the exception of State Highway 36 (Ocean Avenue).
- D. "Vehicle," as used in this section, shall mean any motor vehicle that is required by law to bear a license plate for passenger car use. Any motor vehicle which, by reason of a characteristic, coloring or marking exceeding one square foot in area, is identified or commonly associated with any business, industry or public agency shall be considered a vehicle within the terms of this section. A passenger car used for business purposes shall be considered a "vehicle" for purposes of this section.

**§ 201-9 Violations and penalties.**

A. Any person who violates § 201-8 above shall be subject to a fine in the amount of \$125.00

**§ 201-10 Parking Regulated by Time Limitations.**

A. Established Time Regulated Parking Areas.

(1) No person shall park a vehicle for longer than the following designated time limit, upon any of the streets or parts of streets described below:

<b>Street</b>	<b>Sides</b>	<b>Time Limit</b>	<b>Location</b>
East Ocean Avenue,	East	thirty-minutes, 10:00 a.m. to 6:00 p.m., May 1 to October 1	From East New Street to East Surf Street
Route 36,	North Bound, Eastern Side	thirty-minutes, 10:00 a.m. to 6:00 p.m., May 1 to October 1	Beginning at the northernly curb line of East Church Street Extending 220 feet northernly therefrom.
Route 36,	South Bound, Western Side	thirty-minutes, 10:00 a.m. to 6:00 p.m., May 1 to October 1	Beginning at a point 395 feet south of the southernly curb line of Rumson Road (County Road 520) and extending to the northernly curb line of Surf Street.
West Ocean Avenue,	South Bound, Western Side	thirty-minutes, 10:00 a.m. to 6:00 p.m., May 1 to October 1	Surf Street to Center Street.
Municipal-Parking Lot,	South	fifteen-minutes, 08:30 a.m. to 4:30 p.m., Monday through Friday	Four (4) spaces directly north and in front of the main entrance to the Municipal Complex.

**§ 201-11 Violations and penalties.**

A. Any person who violates § 201-10 above shall be subject to a fine in the amount of \$75.00

**§ 201-12 Loading and unloading.**

- A. All loading and unloading of trucks and delivery vehicles shall be made with such trucks or vehicles parked parallel with the curb line.
- B. Loading zones. The locations described below are hereby designated as loading zones. No person shall park a vehicle in said location during the times indicated other than for the loading or unloading of goods and materials.

<b>Streets</b>	<b>Time</b>	<b>Sides</b>	<b>Location</b>
Beach Street	7:00 a.m. to 3:00 p.m.	South	From Ocean Avenue to a point 135 Feet west.
East Surf Street	8:00 a.m. to 6:00 p.m.	South	25 feet east from the apex (corner) of East Ocean Avenue and East Surf Street
East Surf Street	8:00 a.m. to 6:00 p.m.	South	25 west from the apex (corner) of Wayne Street and East Surf Street

- C. Any person who violates § 201-12 above shall be subject to a fine in the amount of \$125.00

**§ 201-13 Pay to Park Areas.**

- A. No person shall park a vehicle in municipality regulated pay to park areas without paying the required parking fee.
- B. Parking of vehicles in municipally regulated pay to park areas shall be permitted at such rates for paid parking as set forth in rules and regulations adopted by Resolution of the Mayor and Council.
- C. Any person who violates § 201-13 above shall be subject to a fine in the amount of \$48.00

**Article III. Handicapped Parking**

**§ 201-14 Definitions.**

As used in this article, the following terms have the following meanings:

**HANDICAPPED PARKING SPACE**

Any parking space marked with a white striped outline and designated by a sign that contains the reserved parking with universal handicapped symbol in accordance with the R7-8 and R7-8P reserved parking sign and penalty plate of the current Manual on Uniform Traffic Control Devices.

**§ 201-15 Handicapped parking spaces to be provided.**

The Borough of Sea Bright shall maintain handicapped parking spaces at the following locations:

<b>Parking Area</b>	<b>Spaces provided</b>
East Ocean Avenue Municipal Parking Lot	Three (3) handicapped parking spaces.
Main/Peninsula-House Municipal Lot	Elven (11) handicapped parking spaces.

Wayne Street Municipal Parking Lot Two (2) handicapped parking spaces.

West Ocean Avenue

One (1) handicapped parking space.

960 – Anchorage Lot

Two (2) handicapped parking spaces.

East Ocean Avenue on the northbound easterly side, first parking stall south of East Church Street; East Ocean Avenue on the northbound easterly side stalls four and five south of Wayne Street to be designated as one "Handicap/Van Accessible."

#### **§ 201-16 Handicapped Parking Space Designation.**

All stalls shall be 12 feet wide and signed with the R7-8 and R7-8P (reserved parking sign and penalty plate) in the designated parking areas for persons who have been issued the handicapped parking permits by the Motor Vehicle Commission.

#### **§ 201-17 Construction guidelines; signs.**

Parking spaces for the handicapped shall be constructed and marked with signs in accordance with the Uniform Construction Code of the State of New Jersey, Barrier Free Subcode.

#### **§ 201-18 Parking prohibited without identification marker.**

No person shall park a vehicle in any parking space designated and marked as being set aside for the handicapped in any public or private parking facility unless said vehicle shall have affixed thereto an identification certificate or marker issued by the New Jersey Motor Vehicle Commission. Parking in a handicapped space without the aforesaid identification shall create a rebuttable presumption that use of the space was not for the handicapped.

#### **§ 201-19 Violations and penalties.**

- A. Any person who parks in violation of this section shall be subject to a penalty as prescribed by N.J.S.A. 39:4-197(3)c.

#### **§ 201-20 through § 201-21 (Reserved)**

### **Article IV. Municipal Parking**

#### **§ 201-22 Definitions**

For purposes of this article, the following definitions shall apply:

#### **MUNICIPAL PARKING AREAS**

Shall include:

- A. The municipal parking lot owned and operated by the Borough of Sea Bright situated on the easterly side of Ocean Avenue adjacent to the police and fire stations and on which the Beach Pavilion/Library and the Municipal Complex are situated.

- B. The Peninsula-House Lot which shall mean the municipally owned parking lot owned and operated by the Borough of Sea Bright situated on the easterly side of Ocean Avenue north of the municipal parking lot but directly contiguous to it.
- C. The Anchorage lot.
- D. The municipal parking lot located behind the Borough buildings at the intersection of East Center Street and Wayne Street.
- E Any other municipal parking lot owned or operated by the Borough of Sea Bright.

**§ 201-23 Parking regulations.**

The Chief of Police shall cause lines or appropriate markings to be painted upon the surface of the municipal parking areas, outlining and designating each parking space, and each and every vehicle shall be parked within said lines or markings. It shall be unlawful for any operator to park any vehicle outside of said lines or markings or to park any vehicle in such a position that it shall not be entirely within the space designated by such lines or markings. Parking within the Peninsula-House Lot, which generally does not have painted designated parking areas, shall be at the direction of a representative of the Police Department when the lot is used for parking purposes. It shall be illegal to park any vehicle within the Peninsula-House Lot in a manner inconsistent with the direction of a representative of the Police Department.

**§ 201-24 Type of vehicles; parking allowed.**

- A. The parking of vehicles in any of the municipal parking areas covered by this article shall be limited to the types of vehicles commonly referred to as private passenger automobiles, motorcycles, motor scooters and light commercial vehicles not in excess of 25 feet in length. It shall be unlawful to park any other vehicle thereon.
- B. No recreational vehicles shall be permitted in any Borough-owned parking lot or "side street" between the hours of 6:00 p.m. and 6:00 a.m.

**§ 201-25 Prohibited hours for parking; exceptions.**

No parking shall be allowed within the municipal parking areas from May 1 to October 1, other than for emergencies, between the hours of 2:00 a.m. and 7:00 a.m.

**§ 201-26 Reserved Parking for Borough Employees & Sea Bright Emergency Service Volunteers.**

The following parking spaces shall be reserved as indicated in the municipal parking lot:

- A. Nine (9) reserved parking spaces for Borough Employee parking, Monday through Friday, 7:00 a.m. to 5:00 p.m.
- B. Three (3) reserved parking spaces for Sea Bright Emergency Service Volunteer Members.
- C. Six (6) reserved parking spaces for Sea Bright Police Vehicles and Police Department Staff.

**§ 201-27 Violations and penalties.**

Any person who violates this Article shall be be subject to a fine in the amount of \$125.00



## Article V. Residential Permit Parking

### § 201-28 Rules and regulations.

- A. Resident parking permit restrictions shall be established on streets where there has been demonstrated an ongoing, excessive and daily problem which creates a hardship and public safety issues for residents of a municipal street. The purpose of the residential permit parking program is to establish a residential parking program in those areas of the Borough in order to facilitate and make more convenient parking within the Borough for persons who reside in those residential areas; to protect residential areas from excessive traffic and parking demand caused by the entry of vehicles from outside that residential neighborhood; to protect residents from unreasonable burdens in gaining access to their residences; and to identify the areas of the Borough where residential parking is preserved so as to not interfere with the provision of parking for the general public. The streets and portions of streets identified in § 201-33 are hereby designated as "residential permit parking only" parking zones.
- B. A residential parking permit of a design specified by the Sea Bright Police Department will be issued to residents of Sea Bright who own or lease a motor vehicle.
- C. Application for residential parking permits shall be made on a form issued by the Sea Bright Police Department. Proof of residency of the owner or lessee of a vehicle must be presented when applying for a permit. The following is proof of residency: a copy of a valid New Jersey driver's license reflecting an address on a street upon which the permit parking restrictions are imposed in the Borough of Sea Bright, and a copy of a valid New Jersey motor vehicle registration for which the permit is sought, showing an address on a street upon which the permit parking restrictions are imposed. In the case of a vehicle claimed to be leased and used by a Sea Bright resident, a copy of the automobile lease shall be presented to the Borough in lieu of the New Jersey motor vehicle registration. Completed applications shall be submitted to the Sea Bright Police Department. Applications submitted without a copy of a driver's license and vehicle registration or lease shall not be processed.
- D. Permit applications shall be available at the Sea Bright Police Department.
- E. The resident's placard is to be placed on the rear view mirror and shall be visible at all times while parked in a Permit Zone.
- F. There shall be no visitor permits issued.
- G. The possession of a residential parking permit does not exempt the resident from obeying all traffic rules, regulations and ordinances, including but not limited to parking too close to stop signs or intersections.
- H. The sale or transfer of a permit is prohibited by anyone other than the Sea Bright Police Department.
- I. There shall be a maximum of two parking permits issued for each residential dwelling unit.
- J. The issuance of a resident parking permit does not guarantee parking.

### § 201-29 Abuse of permit.

Residential parking permits are subject to revocation for the following:

- A. If any such permit is used on any vehicle to which it is not registered under this section.

- B. Willfully providing any false or inaccurate information for the purpose of obtaining a permit hereunder.

**§ 201-30 Reproduction of residential parking permits prohibited.**

- A. No person, unless authorized by the Borough of Sea Bright, shall:
  - (1) Copy, reproduce or otherwise create a resident parking permit.
  - (2) Create a facsimile or counterfeit resident parking permit.
  - (3) Display or use a residential parking permit knowing the same to have been copied, reproduced or otherwise created in violation of this section.
- B. No person shall furnish false information or fraudulent documents in connection with an application for a residential parking permit.

**§ 201-31 Term of permits.**

Residential parking permits shall be valid from May 1 thru October 1 of each year as indicated on the parking permit placard. Any vehicle bearing an expired residential parking permit and parking on a street posted as "Residential Permit Parking Only" shall be subject to the penalty as a vehicle parked on the street without a resident permit as set forth herein.

**§ 201-32 Exemptions.**

The prohibition set forth in § 201-16.6 below shall not apply to the following:

- A. Contractor/service and delivery vehicles. Contractor, service and deliver vehicles bearing the name and address of a commercial business may park adjacent to the residential premises where they are working without a permit during the times they are rendering service.
- B. Emergency and utility vehicles. Emergency vehicles, municipal vehicles, gas, electric, telecommunications and other similar vehicles may park within the Borough during times they are rendering service or repairs within the Borough.
- C. Health care providers. Health care providers may park their vehicles within the Borough during the times they are rendering assistance or health care service to residents of the Borough. "Health care provider" is defined as a nurse, home health aide, physical therapist or any other medical professional. A health care provider can obtain a badge to display on his or her windshield from the Sea Bright Police Department. Such a badge is not transferrable to another health care provider. Such badges may be issued on a daily or monthly basis by the Sea Bright Police Department.

**§ 201-33 Residential permit parking designated.**

- A. No person shall park or cause to be parked any vehicle on streets or parts of streets as described herein unless an appropriate and current parking permit issued by the Borough of Sea Bright is displayed on said vehicle:

<b>Name of Street</b>	<b>Side</b>
Beach Street	North/South
Beach Way	North
Center Street	North/South
Church Street	North/South

East Church Street	North/South
East New Street	South
Front Street	East
New Street	North/South
Normandy Place	East

- B. Effective 24 hours a day, seven days a week, from May 1 to October 1, the side or sides of every designated street shall be limited to resident permit parking only.

**§ 201-34 Violations and penalties.**

- A. Any person who parks a vehicle on a street posted "residential permit parking only" without a valid residential parking permit shall be subject to a fine in the amount of \$125.00
- B. Any person violates § 201-29 above shall be subject to a fine in the amount of \$150.00 for a first offense and \$300.00 for each subsequent offense.
- C. The possession of a residential parking permit does not exempt the resident from obeying all traffic rules, regulations and ordinances, including but not limited to parking too close to stop signs or intersections.
- D. Any person who violates the provisions of § 201-30 herein shall be subject to a fine not to exceed \$300.00 and shall forfeit the right to receive or use a residential parking permit for a period of three years.
- E. No residential parking permit shall be issued to a person with three or more outstanding summonses for violations of this Chapter.

**Article VI. Ocean Avenue Residential Permit Parking**

**§ 201-35 Rules and regulations.**

- A. Ocean Avenue Resident parking permit restrictions shall be established for certain residences where there has been demonstrated an ongoing, excessive and daily problem which creates a hardship and public safety issues for residents of particular locations. The purpose of the Ocean Avenue Resident Permit Parking program is to establish a residential parking program in those certain locations within the Borough in order to facilitate and make more convenient parking within the Borough for persons who reside in those certain residential areas and to protect residents from unreasonable burdens in gaining access to their residences. The residential addresses identified in § 201-40 are hereby designated as eligible for "Ocean Avenue Resident Parking Permits".
- B. A Ocean Avenue resident parking permit of a design specified by the Sea Bright Police Department will be issued to residents of Sea Bright who own or lease a motor vehicle.
- C. Application for Ocean Avenue resident parking permits shall be made on a form issued by the Sea Bright Police Department. Proof of residency of the owner or lessee of a vehicle must be presented when applying for a permit. The following is proof of residency: a copy of a valid New Jersey driver's license reflecting an address on a street upon which the permit parking restrictions are imposed in the Borough of Sea Bright, and a copy of a valid New Jersey motor vehicle registration for which the permit is sought, showing an address which, per § 201-40, is authorized to received

Ocean Avenue resident parking permits. In the case of a vehicle claimed to be leased and used by a Sea Bright resident, a copy of the automobile lease shall be presented to the Borough in lieu of the New Jersey motor vehicle registration. Completed applications shall be submitted to the Sea Bright Police Department. Applications submitted without a copy of a driver's license and vehicle registration or lease shall not be processed.

- D. Permit applications shall be available at the Sea Bright Police Department.
- E. The Ocean Avenue resident's placard is to be placed on the rear view mirror and shall be visible at all times while parked in the permit parking areas.
- F. There shall be no visitor permits issued.
- G. The possession of a Ocean Avenue resident parking permit does not exempt the resident from obeying all traffic rules, regulations and ordinances, including but not limited to parking too close to stop signs or intersections.
- H. The sale or transfer of a permit is prohibited by anyone other than the Sea Bright Police Department.
- I. There shall be a maximum of two parking permits issued for each residential dwelling unit.
- J. Though valid Ocean Avenue resident parking permits allow for vehicles to be parked within municipality regulated pay to park areas without payment and not, under normal circumstances, within areas, per § 201-33, established as "residential permit parking only". Due to the high traffic volume and parking demand within Sea Bright Borough, particularly during the summer months, circumstances may arise where Ocean Avenue resident parking permit holders are unable to park vehicles due to absence of parking spaces within the municipality regulated pay to park areas. In this particular case where parking is not available within the municipality regulated pay to park areas due to vehicle volume, special events, or emergency service activity Ocean Avenue resident parking permits shall allow for vehicles to be parked within "residential permit parking only" areas. The Sea Bright Police Department shall have the authority to determine if circumstances permit the use of "residential permit parking only" areas for vehicles displaying valid Ocean Avenue resident parking permits and retains authority to issue summonses for violations of § 201-16.6.
- K. The issuance of a Ocean Avenue resident parking permit does not guarantee parking.

#### **§ 201-36 Abuse of permit.**

Ocean Avenue resident parking permits are subject to revocation for the following:

- A. If any such permit is used on any vehicle to which it is not registered under this section.
- B. Willfully providing any false or inaccurate information for the purpose of obtaining a permit hereunder.

#### **§ 201-37 Reproduction of Ocean Avenue residential parking permits prohibited.**

- A. No person, unless authorized by the Borough of Sea Bright, shall:
  - (1) Copy, reproduce or otherwise create a Ocean Avenue resident parking permit authorized by § 201-35 above.
  - (2) Create a facsimile or counterfeit resident parking permit.

(3) Display or use a Ocean Avenue residential parking permit knowing the same to have been copied, reproduced or otherwise created in violation of this section.

B. No person shall furnish false information or fraudulent documents in connection with an application for a Ocean Avenue resident parking permit.

#### § 201-38 Term of permits.

Ocean Avenue Residential parking permits shall be valid from May 1 thru October 1 of each year as indicated on the parking permit placard. Any vehicle bearing an expired Ocean Avenue resident parking permit and parking within a designated pay to park area or, under defined circumstances, on a street posted as "Residential Permit Parking Only" shall be subject to the penalty as a vehicle parked on the street without a resident permit as set forth in § 201-41 below.

#### § 201-39 Exemptions.

The prohibition set forth in § 201-33, **Resident permit parking**, above shall not apply to the following when providing service to eligible residences listed within § 201-40 below:

- A. Contractor/service and delivery vehicles. Contractor, service and deliver vehicles bearing the name and address of a commercial business may park on streets designated, **per § 201-33 as Resident permit parking**, which are in close proximity to the Ocean Avenue residential premises where they are working without a permit during the times they are rendering service.
- B. Emergency and utility vehicles. Emergency vehicles, municipal vehicles, gas, electric, telecommunications and other similar vehicles may park within the Borough during times they are rendering service or repairs within the Borough.
- C. Health care providers. Health care providers may park their vehicles within the Borough during the times they are rendering assistance or health care service to residents of the Borough. "Health care provider" is defined as a nurse, home health aide, physical therapist or any other medical professional. A health care provider can obtain a badge to display on his or her windshield from the Sea Bright Police Department. Such a badge is not transferrable to another health care provider. Such badges may be issued on a daily or monthly basis by the Sea Bright Police Department.

#### § 201-40 Ocean Avenue resident permit parking designated.

A. The following residences shall be elidable to apply for an Ocean Avenue Resident Parking Permit.  
**Addresses**

1 South Street  
1062 Ocean Avenue  
1064 Ocean Avenue  
1066 Ocean Avenue  
1070 Ocean Avenue  
1072 Ocean Avenue  
1090 Ocean Avenue

#### § 201-41 Violations and penalties.

A. Any person who violates § 201-36 shall be subject to a fine in the amount of \$150.00 for a first offense and \$300.00 for each subsequent offense.

- B. The possession of a Ocean Avenue resident parking permit does not exempt the resident from obeying all traffic rules, regulations and ordinances, including but not limited to parking too close to stop signs or intersections.
- C. Any person who violates § 201-37 shall be subject to a fine not to exceed \$300.00 and shall forfeit the right to receive or use a Ocean Avenue resident parking permit under this Chapter for a period of three years.
- D. No Ocean Avenue resident parking permit shall be issued to a person with three or more outstanding summonses for violations of this chapter.

## **Article VII. Business Permit Parking**

### **§ 201-42 Rules and regulations.**

- A. The purpose of the business permit parking program is to establish a parking program in those business areas of the Borough in order to facilitate and make more convenient parking within the Borough for persons who work in the commercial areas of the Borough; to protect residential areas from excessive traffic and parking demands caused by the entry of business vehicles from outside the residential neighborhood; and to identify the areas of the Borough where business parking is preserved so as to not interfere with the provision of parking for the general public.
- B. Application for business parking permits shall be made on a form issued by the Sea Bright Police Department. All applicants shall identify the location of their business in the Borough, as well as the vehicles that may utilize the parking permit. The businesses that do not have on-site parking that are located in the B-1 Central Business District area of the Borough shall be eligible to apply for a business parking permit provided they show proof of a valid mercantile license for the current year. The issuance of a business parking permit is not a representation by the Borough of a guaranteed parking space for the business that is issued such a parking permit. Completed applications shall be submitted to the Sea Bright Police Department.
- C. The business parking permits shall be issued by the Sea Bright Police Department. Applicants shall supply the following information: business name, address and telephone number; a copy of a valid mercantile license for the current year; number of permits requested; license plate and owner of vehicles who are employed at the business who shall be the sole users of these permits; and such other information as deemed necessary by the Sea Bright Police Department. A vehicle that is not properly registered and licensed in the State of New Jersey shall not be permitted to use a business parking permit. Permitted vehicles shall be private passenger automobiles, motorcycles, motor scooters and light commercial vehicles not in excess of 25 feet in length. It shall be unlawful to park any other vehicle.
- D. Permit applications shall be available at the Sea Bright Police Department.
- E. The business parking permit placard is to be placed on the rear-view mirror of the vehicle for the business that has been issued the permit.
- F. The cost of the permit shall be \$75.00 per permit. The fees collected shall be used to offset the cost of administering this program.
- G. The sale or transfer of a permit is prohibited by anyone other than the Sea Bright Police Department. Permits are only valid for the business they are issued to by the Borough Police Department.

- H. There shall be a maximum of five parking permits issued for each business applicant without on-site parking available.

**§ 201-43 Abuse of business parking permit.**

Business parking permits are subject to revocation for the following:

- A. If any such permit is used on any vehicle that it is not regulated to the business to which the permit was issued.
- B. Willfully providing any false or inaccurate information for the purpose of obtaining a permit hereunder.

**§ 201-44 Reproduction of business parking permits.**

- A. No person, unless authorized by the Borough of Sea Bright, shall:
  - (1) Copy, reproduce or otherwise create a business parking permit authorized by § 201-42 above.
  - (2) Create a facsimile or counterfeit resident parking permit.
  - (4) Display or use a business parking permit knowing the same to have been copied, reproduced or otherwise created in violation of this section.
- B. No person shall furnish false information or fraudulent documents in connection with an application for a business parking permit.

**§ 201-45 Term of permits.**

Business parking permits shall be valid from May 1 to October 1 in each year. Any vehicle bearing an expired business parking permit and parking in a parking space posted as "business permit parking only" shall be subject to the penalty as set forth in § 201-48 below.

**§ 201-46 Parking Prohibited.**

No person should park or cause to be parked any vehicle in a designated business parking space unless a current, valid parking permit is displayed on such vehicle.

**§ 201-47 Exemptions.**

The prohibition set forth in this Article above shall not apply to emergency and utility vehicles. Emergency vehicles, municipal vehicles, gas, electric, telecommunications and other similar vehicles may park within the Borough during times they are rendering service or repairs within the Borough.

**§ 201-48 Violations and penalties.**

- A. Any person who parks a vehicle in a space/area posted "business permit parking only" without a valid business parking permit shall be subject to a fine in the amount of \$125.00.
- B. Any person who violates § 201-43 above shall be subject to a fine in the amount of \$150.00 for a first offense and \$300.00 for each subsequent offense.
- C. Any person who violates the provisions of § 201-44 shall be subject to a fine not to exceed \$300.00 and shall forfeit the right to receive or use a Ocean Avenue resident parking permit under this chapter for a period of three years.

- D. The possession of a business parking permit does not exempt the vehicle operator from obeying all traffic rules, regulations and ordinances, including but not limited to parking too close to stop signs or intersections.

### **Article VIII. Sea Bright/Rumson Bridge Attendant Parking**

#### **§ 201-49 Parking Spaces Reserved**

- A. Parking spaces shall be reserved, 24 hours a day, seven days a week, for S-32, Sea Bright/Rumson bridge attendants within the municipal parking area located south of the S-32 bridge.
- B. Appropriate signage shall be present indicating which spaces are reserved for bridge attendants.

#### **§ 201-50 Violations and penalties.**

- A. Any unauthorized person parks in a reserved space shall subject to a fine in the amount of \$125.00

### **Article IX. Street Cleaning**

#### **§ 201-51 No parking on streets designated for street cleaning.**

There shall be no parking upon streets or sections of streets signs are posted indicating no parking as designated for street cleaning.

#### **§ 201-52 Violations and penalties.**

- A. Any person who violates this Article shall be subject to a fine in the amount of \$45.00

### **Article X. Emergency Street Clearance**

#### **§ 201-53 Declaration of emergency.**

Upon declaration of an emergency, there shall be no parking upon streets or sections of streets where temporary emergency no-parking signs are displayed. The Chief of Police or, in his absence, the ranking police officer is authorized to declare an emergency and to direct the posting of said emergency no-parking signs when weather conditions, accidents, fires or public celebrations dictate or require the avoidance of hazards or other conditions which interfere with the free flow of traffic. Notification that the emergency no-parking signs are being or will be posted shall be given to the operator or owner of any vehicle which has been parked prior to the posting of the signs.

#### **§ 201-54 Removal of illegally parked vehicles; redemption fee.**

Any unoccupied vehicle parked or standing in violation of this Article shall be deemed a nuisance and a menace to the safe and proper regulation of traffic, and any police officer may provide for the removal of said vehicle. The owner shall pay the reasonable cost of the removal and storage which may result from such removal before regaining possession of the vehicle.



## § 201-55 Signs.

The effectiveness of this Article is contingent upon signs being erected as required by law.

## § 201-56 Removal of Vehicles for Plowing of Streets

- A. Parking is prohibited on all streets in the Borough where signs have been erected indicating such prohibition for purposes of snowplowing by the Borough.
- B. Any unoccupied vehicle parked or standing in violation of this article shall be deemed a nuisance and any police officer may provide for the removal and subsequent storage of said vehicle. The owner shall pay the reasonable costs incidental to said removal and storage before regaining possession of the vehicle.

## § 201-57 Violations and penalties.

- A. Any person who violates this Article shall be being subject to a fine in the amount of \$75.00

## § 201-58 through § 201-78 (Reserved)

## Article XI. Fire Zones

### § 201-79 Fire zones designated.

- A. The following fire zones are established:
  - (1) Any and all fire hydrants shall be covered under Title 39, New Jersey State Motor Vehicle Statute.
  - (2) Waterview Way - from the end of street bulkhead to a point 49 feet east.
  - (3) Via Ripa - from the end of street bulkhead to a point 51 feet east to include the paper street proceeding to South Way.
  - (4) South Way - from the end of street bulkhead to a point 43 feet east.
  - (1) Beach Way - from the end of street bulkhead to a point 25 feet east.
  - (2) Atlantic Way - from the end of street bulkhead to a point 72 feet east along south side curb line. South to north distance shall be 12 feet in width.
  - (7) Willow Way - from the end of street bulkhead to a point 86 feet east. From the north side bulkhead south to a distance of 50 feet.
  - (8) Shrewsbury Way - from the end of street bulkhead to a point 18 feet east. All other fire zones should be removed and new no parking or two zones should be created.

- (9) Riverview Place - from the corner of Shrewsbury Place to a point 40 feet south on the east side of the street; from the corner of Shrewsbury Place to a point 36 feet south on the west side of the street.
- (10) River Way - from the end of street bulkhead to a point 26 feet east.
- (11) Peninsula Ave - from the end of street bulkhead to a point 36 feet east.
- (12) River Street - from the end of street bulkhead to a point 21 feet east.
- (13) Church Street - from the end of street bulkhead to a point 80 feet east; from the north side curb line to a point 25 feet south.
- (14) Beach Street - from the end of street bulkhead to a point 24 feet east.
- (15) Center Street - from the end of street bulkhead to a point 41 feet east.
- (16) Osborne Place - from the end of street bulkhead to a point 36 feet east.
- (17) Islandview Way - from the end of street bulkhead to a point 25 feet east; must be painted and new signs placed.
- (18) Imbrie Place - from the end of street bulkhead to a point 27 feet east.
- (19) Tradewinds Lane - the entire length of the east side.
- (20) Sandpiper Lane - end of street turnaround shall be zoned fire lane.

B. Bureau of Fire Prevention. Upon the finding that such action is necessary for public safety, the Bureau of Fire Prevention in the Borough of Sea Bright may require the owner or owners of any shopping center, commercial structure, place of public assembly, multiple dwelling groups, or industrial park office buildings to designate "fire zone" in the driveways of the premises leading to and from the parking area to the above-type buildings or structures, public streets or rights-of-way. Such fire zones, also known as "fire lanes," shall be no less than 10 feet nor more than 50 feet in width and shall be outlined and lettered in yellow on a paved surface, such lettering to remain legible at all times. Metal "fire zone" signs, the lettering of the same to be legible at all times, shall be provided, erected and maintained by said owner or owners and placed at the discretion of the Bureau of Fire Prevention. Said signs are to be of a design and quality and lettered in accordance with applicable state law and approved by the Bureau of Fire Prevention.

#### **§ 201-80 Violations and penalties.**

- (1) Any person who parks a vehicle in, obstructs, or allows the obstruction of a designated fire lane who is found to be in violation of the provisions of this article shall be subject to the penalties as provided in Chapter 1, General Provisions, Article I.
- (2) Any vehicle or object obstructing a designated fire lane, whether public or private, may be towed or removed without prior notification of the owner, and at the owner's expense.
- (3) The registered owner of the vehicle parked in the fire lane shall be responsible for all penalties issued and any towing or related charges accruing hereunder.

**§ 201-81 Removal and storage of vehicles; responsibility for fees and fines.**

If any vehicle is parked in any parking lot or area, as herein referred, in violation of any of the provisions of this article, the Police Department may cause such vehicle to be removed to such place as is designated by the Chief of Police or his designee. The owner or operator of any such vehicle so removed shall be responsible for the reasonable costs and expenses of such removal and storage which may result therefrom, and any person, firm or corporation desiring to claim such motor vehicle may do so by first paying the parking fine and then paying the costs and expenses of such removal and storage.

**Article XII. Abandoned Vehicles**

**§ 201-82. Prohibited**

It shall be unlawful to abandon a motor vehicle on any public street or highway of the Borough of Sea Bright or on any property which is owned, leased or maintained by the Borough of Sea Bright or to abandon, permit or suffer the abandonment of any motor vehicle on any private property unless garaged.

**§ 201-83 Definitions**

As used in this chapter, the following terms shall have the meanings indicated:

**ABANDON**

Includes:

- A.** With respect to public streets, public highways and public property, any motor vehicle which:
  - (1) Is parked without the current year's registration or identification markers, as required by law; or
  - (2) Is so disabled as to constitute an obstruction to traffic, and the driver or person owning or in charge thereof neglects to move the same to a place where it will not obstruct traffic; or
  - (3) Is found to be mechanically inoperative; or
  - (4) Is found without one or more tires.
- B.** With respect to private property, any motor vehicle which:
  - (1) Is parked out of doors without the current year's registration or identification markers, as required by law, for a period of 30 days; or
  - (2) Is parked out of doors and found to be mechanically inoperative for a period of 30 days; or
  - (3) Is parked out of doors and found without one or more tires for a period of 30 days.

**MOTOR VEHICLE**

Includes automobile, omnibus, road tractor, trailer, truck, truck tractor and vehicles as defined in N.J.S.A. 39:1-1.

#### **§ 201-84 Removal of abandoned vehicles**

Whenever any member of the Borough Police Department finds any motor vehicle abandoned on any public street or public highway or public or private property, he shall take possession thereof by removing or securing its removal to such place as may be designated by the Chief of Police. Such taking of possession shall be reported immediately to the Chief Administrator of the Motor Vehicle Commission on a form prescribed by the Chief Administrator for verification of ownership.

#### **§ 201-85 Recovery of vehicle**

At any time, the owner or other person entitled thereto may reclaim possession of the motor vehicle upon payment of the reasonable cost of removal and storage and any fine or penalty and court costs assessed against him for a violation which gave rise to the seizure or taking possession of said vehicle and upon producing valid registration.

#### **§ 201-86 Junk title certificate; fee**

If the Borough Police Department shall, in its report thereof to the Chief Administrator of the Motor Vehicle Commission, certify on an application prescribed by the Chief Administrator that such motor vehicle is incapable of being operated safely or of being put in safe operational condition, except at a cost in excess of the value thereof, the Motor Vehicle Commission shall, without further certification or verification, issue to the Borough for a fee as charged by the Motor Vehicle Commission a junk title certificate thereto, with proper assignment thereon, which shall be assigned and delivered to the purchaser of the vehicle at public sale.

#### **§ 201-87 Application for certificate of ownership; fee**

Upon the sale of any motor vehicle for which no junk certificate shall have been issued, the Borough shall execute and deliver to the purchaser an application for certificate of ownership prescribed by the Chief Administrator of the Motor Vehicle Commission, in the same form and manner as provided in N.J.S.A. 39:10-15, which shall also contain the name and address, if known, of the former owner. Such application shall be accepted by the Chief Administrator of the Motor Vehicle Commission for issuance of a certificate of ownership for a fee as charged by the Motor Vehicle Commission.

#### **§ 201-88 Violations and penalties**

- A. Penalties for violations of this Article shall be as provided in Chapter 1, General Provisions, Article 1, unless otherwise specified in this chapter.

#### **§ 201-89. Enforcement.**

- A. The Sea Bright Police Department shall have the authority to issue summonses for violations of this Article.
- B. The Sea Bright Police Department may remove and impound any vehicles which are parked/abandoned in violation of this Article. The cost of said removal shall be borne by the vehicle owner or lessee.
- C. Enforcement of this Article shall be under the jurisdiction of the Sea Bright Police Department.

**SECTION TWO:** All Ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistencies.

**SECTION THREE:** If any section, subsection, paragraph, sentence or other portion of this Ordinance be adjudged by a Court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance.

**SECTION FOUR:** This Ordinance shall take effect immediately upon its passage and publication according to law and upon filing with the Monmouth County Planning Board.

**I HEREBY CERTIFY** this to be a true and correct Ordinance of the Mayor and Borough Council of the Borough of Sea Bright, introduced on May 3, 2022 and will be further considered after a Public Hearing held on May 17, 2022 at the Municipal Building at 7:00 pm.

INTRODUCED: May 3, 2022  
PUBLIC HEARING: May 17, 2022  
ADOPTED: May 17, 2022

**Witness**

  
CHRISTINE PFEIFFER, CLERK

**BOROUGH OF SEA BRIGHT**

  
BRIAN KELLY, MAYOR