

ORDINANCE #18-15

**AMENDING SECTION 7-3 (“PARKING”) OF CHAPTER VII (“TRAFFIC”) OF THE REVISED
GENERAL ORDINANCES OF THE BOROUGH OF KEYPORT TO PROHIBIT THE PARKING OF
MOTOR VEHICLES IN FRONT YARDS**

WHEREAS, Section 7-3 of the Revised General Ordinances of the Borough of Keyport regulate parking within the Borough of Keyport; and

WHEREAS, for the health, safety and welfare of residents of the Borough, and specifically to promote neighborhood aesthetics and the safer flow of vehicles onto roadways and across sidewalks, curbs and road shoulders, the Mayor and Council desire to prohibit the parking of motor vehicles in the front yards of residential properties within the Borough.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Keyport as follows:

Section 1. Amendments. There shall be created Section 7-3.14 to be entitled “No Parking in Front Yards”, said section to provide as follows:

a. *Definitions:*

Any words or phrases used in this Section 7-3.14 shall have the same meanings as those given to them in Subtitle 1 of Title 39 of the Revised Statutes of the State of New Jersey, and the New Jersey Administrative Code, specifically N.J.A.C. 5:21 et seq.

“Driveway” means a defined paved or improved surface providing vehicular access to a street. A driveway is not a road, street or highway, nor is a driveway a walkway or sidewalk.

“Front yard” means the area between the street and the front building line of a residential dwelling unit, except for the portions of such area that are improved by a driveway or an improved surface parking area. For a corner property, “front yard” also includes the area from the sideline of the residential dwelling unit to the side property line, except for the portions of such area that are improved by a driveway or an improved surface parking area.

“Improved surface parking area” is a parking area for one or more motor vehicles constructed of concrete, asphalt, paving stones or other hard material, exclusive of any walkway or sidewalk.

“Motor vehicle” means every motorized device in, upon or by which any person or property is or may be transported or drawn or moved upon a road, street or highway and shall include any automobile, bus, truck, tractor, motor house, farm machinery, motorcycles, scooters, mopeds, all-terrain vehicles, recreational vehicles, golf carts, go-carts, trailers, fifth wheel trailers, campers, semi-tractor trailers, and mobile homes. This definition does not include non-motorized bicycles, small engine lawn mowers and devices of similar scale.

b. *Prohibition.* No person shall park any motor vehicle upon any front yard.

c. *Snow Event Exception.* In the case of a snow event, the prohibition stated in subsection (b) above shall be suspended, beginning 12 hours before the event or emergency and ending 24 hours after the event or emergency. If any on-street parking is not immediately available thereafter, the suspension shall remain in effect until 24 hours after such on-street parking becomes available.

d. *Warnings; Summons.* For the first 60 days following the adoption of this Ordinance, the Keyport Police Department is hereby authorized to issue warnings to the registered owner(s) of any and all motor vehicles in violation of this Ordinance and to affix same to the driver side windshield of any and all motor vehicles. Thereafter, the Keyport Police Department shall be authorized to issue summons to the registered owner(s) of any and all motor vehicles in violation of this Ordinance and to affix same to the driver side windshield of any and all motor vehicles.

e. *Violation; Penalty.* Any person violating the provisions of this section shall be subject to a fine not to exceed one hundred dollars (\$100). If the violation is of a continuing nature, each and every day during which it continues will constitute a separate and distinct offense.

Section 2. All Ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed.

Section 3. Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

Section 4. This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

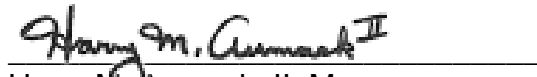
Introduced: October 20, 2015

Public Hearing: November 10, 2015

Adopted: November 10, 2015



Valerie T. Heilweil, RMC
Borough Clerk
Borough of Keyport



Harry M. Aumack, II, Mayor
Borough of Keyport