

BOROUGH OF KENILWORTH

ORDINANCE 2018-03

AN ORDINANCE OF THE BOROUGH OF KENILWORTH AMENDING THE EXISTING CHAPTER 190 VEHICLES AND TRAFFIC, ADDING ARTICLE IVC COMBAT WOUNDED PARKING SECTION 25.4 TO THE CODE OF THE BOROUGH OF KENILWORTH, COUNTY OF UNION, STATE OF NEW JERSEY

BE IT HEREBY ORDAINED by the Borough Council of the Borough of Kenilworth in the County of Union and the State of New Jersey as follows:

190-25.4 Article IVC Combat Wounded Parking

Purpose:

The purpose of this Ordinance is to supplement Chapter 190 VEHICLES AND TRAFFIC, is to add Article IVC, Section 25.4.; the Borough Council seeks to promote the public safety and welfare within the Borough, by the creation of Combat Wounded Parking spaces/stalls within the Borough in the following locations:

Quantity	Location
• 2	Municipal Parking Lot on 21 st Street (Across from the Kenilworth VFW Hall)
• 1	Municipal Parking Lot on 23 rd Street (Across from Borough Hall)
• 1	238 N. 14 th Street - American Legion Parking Lot
• 1	401 Monroe Avenue – David Brearley Middle High School

- A. No person shall park a vehicle in a parking space/stall designated and established for Combat Wounded. A Combat Wounded parking space means an area of a public roadway or public parking lot designated for use by any Combat Wounded person as provided for and which is so marked by proper signage and roadway markings.
- B. A combat wounded veteran is **Any** person who served for **Any** length of time in **Any** military service branch; who experiences any level of hostility for any duration resulting from offensive, defensive or friendly fire military action involving a real or perceived enemy in any foreign theater and suffers injury or disability from same.
- C. No person shall park a vehicle in any of the designated parking stalls for parking for use by Combat Wounded persons in locations referred to in the ordinances of the Borough, unless such person is a Combat Wounded individual. Any vehicle parked in a parking stall reserved for Combat Wounded drivers pursuant to this chapter which does not display the official state license plate, or special identification sticker or placard from the Borough of Kenilworth or the Borough's designee, is presumed to have parked in such a stall unlawfully, and subject to the fines and penalties set forth in Title 39 of the New Jersey Statutes.

The Borough may designate the Commanders of the Kenilworth Veterans of Foreign Wars and or the Kenilworth American Legion as compliance officers in determining the eligibility of said Combat Wounded persons.

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D. Any person parking in the a restricted parking space without a special vehicle identification as stated above shall be liable for a fine of up to \$250.00 for the first offense and up to 90 days community service on such terms and in such form as the court shall deem appropriate, or any combination thereof.

Severability

If any section, subsection, paragraph, sentence, clause or phrase of this Ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance, which shall continue in full force and effect, and to this end, the provisions of this Ordinance are hereby declared to be severable.

Effective Date

This Ordinance shall take effect twenty (20) days after the first publication thereof after final passage as provided by law.

Approved: _____

Anthony DeLuca, Mayor

INTRODUCTION						COUNCILPERSON	FINAL ADOPTION					
Moved	Sec.	Aye	Nay	Abs.	NP		Moved	Sec.	Aye	Nay	Abs.	NP
	X	X				KAY CECERI						
		X				LARRY CLEMENTI						
		X				MARK DAVID						
		X				LINDA KARLOVITCH						
		X				GERRY LAUDATI						
X		X				ROBERT SCHIELKE						
Introduced: March 14, 2018			I hereby certify the above ordinance was adopted by the Borough Council of the Borough of Kenilworth, County of Union, State of New Jersey on the aforementioned date.									
Final Adoption: March 28, 2018			_____ Laura Reinertsen, Borough Clerk									