

## CITY OF ENGLEWOOD

### ORDINANCE #22-23

#### **AN ORDINANCE AMENDING CHAPTER 25, ARTICLE 15 OF THE CODE OF THE CITY OF ENGLEWOOD, HANDICAP PARKING**

**WHEREAS**, the City Council, by way of Chapter 25, Article 15, entitled, "Handicapped Parking" of the Code of the City of Englewood approved and established various areas and locations for designated handicapped parking spaces; and

**WHEREAS**, the City Council of the City of Englewood deemed it necessary to and in the best interest of its residents to establish procedures to expedite the process to provide for resident on-street handicapped parking.

**NOW THEREFORE BE IT ORDAINED** by the City Council of the City of Englewood that it hereby establishes fees for "Designated Handicapped Space."

#### **§ 25-56 Restricted Parking for Use by Handicapped Persons**

##### **C. Designated Handicapped Parking on Municipal Streets**

1. In accordance with the provisions of N.J.S.A. 39:4-197.6, the following on-street locations in front of private residences occupied by a handicapped person are designated as handicapped parking space for the exclusive use by the person issued the New Jersey license plate or permit shown below, if a windshield placard or wheelchair symbol license plates have been issued for a vehicle owned by the handicapped person, or by another occupant of the residence who is a member of the immediate family of the handicapped person, by the Division of Motor Vehicles pursuant to the provisions of N.J.S.A. 39:4-204 et seq., provided such parking is not otherwise prohibited and the permitting thereof would not interfere with the normal flow of traffic. No other person or motor vehicle shall be permitted to park in these spaces.

| Name of Street | Side      | Location    | Permit Number |
|----------------|-----------|-------------|---------------|
| Address        | Direction | Description | #####-##      |

2. Applications shall be made annually to the City Manager for such restricted handicapped parking space and permit therefor, and the applicant shall pay a nonrefundable application fee of \$10 and an annual permit fee of \$50 to cover the administrative costs of processing such application and individualized sign, made payable to the City of Englewood. The application shall request and the applicant shall present all information relevant to process the request. Upon receipt of a complete application, the Police Department shall review and make a recommendation to the City Manager regarding the designation of the handicapped parking space and permit therefor. In the event that the applicant fails to provide adequate documentation to verify his or her eligibility under this chapter, the application shall be denied. In addition, an application may also be

denied if permitting the designation would jeopardize the safe operation thereof by such person, or the permitting thereof would interfere with the normal flow of traffic and/or for the lack of adequate parking in the area.

3. The power to grant a designated handicapped parking space and permit shall be delegated and designated to the Parking Review Committee upon the recommendation of the Police Department. If the Committee so approves, a handicapped parking space in front of or near the residence of the applicant shall be established and a handicapped parking space permit shall be issued. Only the motor vehicle for which a valid permit has been issued is permitted to park in such space. The City Manager shall report to the City Council on, at the very least a semiannual basis, the names and locations of the approved designated handicapped parking spaces, who shall, in turn, review and amend the within chapter.
4. The term of the handicapped parking permit shall be for a period of one year, all of which shall run from March 1 to the last day of February. Applications for renewal of a permit shall be made to the City by November 30 for the following year. The application costs or the annual permit may be prorated on a monthly basis by the date of the application at the discretion of the City Manager.
5. There shall be a \$10 late fee for processing the applications received after November 30. The late fee may be waived by the City manager upon good cause shown by the applicant. In the event that an annual permit is not renewed pursuant to the within section of Chapter 25, the designated handicapped parking space shall be rescinded by the City Manager, and all signs and designated areas shall return to regular parking. In the event that an applicant reapplies for a designated handicapped parking space, there shall be an additional cost assessed to an applicant, in the event that an annual permit was not timely renewed and the designated parking space permit was rescinded by the City Manager, in the amount of \$50. The City Manager may waive said assessment upon good cause shown by the applicant.
6. The permit issued by the City of Englewood shall be prominently displayed within the vehicle when it is parked in the designated area so as to be seen from the middle of the street. Only motor vehicles which have such a permit properly displayed shall be permitted to be parked in the restricted parking zone indicated on such permit.
7. All persons with existing handicapped parking spaces shall be sent a letter by the City Manager to inform them of the new ordinance and the options to have a handicapped parking space specifically designated for their use in accordance with this Code of the City of Englewood.
8. A holder of a City of Englewood handicapped parking permit issued pursuant to this section must notify the City Manager within 30 days, if such person changes his or her residence or changes his or her vehicle registration number. If such person fails to notify the City Manager within the 30 days prescribed herein, a \$50 penalty will be imposed.

9. Handicapped parking spaces under this chapter will be designated as a tow-away zone. Parking a motor vehicle in a handicapped parking space designated by the City of Englewood as set forth herein without the special vehicle identification card specified herein will entitle the City of Englewood to authorize the immediate towing of the offending vehicle.
10. Any person parking a motor vehicle in a restricted parking space without a special vehicle identification card shall be subject to a penalty of \$100.
11. Violations and penalties.

Any person parking a motor vehicle in a restricted parking space, as outlined in § 25-56(C.), without a special vehicle identification card or medal, insignia or marker shall be liable to pay a penalty of \$250.

**ORDINANCE #22-23****AN ORDINANCE AMENDING CHAPTER 25, ARTICLE 15 OF THE CODE  
OF THE CITY OF ENGLEWOOD, HANDICAP PARKING****RECORD OF VOTE**

FIRST READING DATE: December 6, 2022

| COUNCIL    | MOTION | VOTE |
|------------|--------|------|
| Cobb       |        | Y    |
| Cohen      |        | Y    |
| Hamer      |        | Y    |
| Maron      | X      | Y    |
| Rosenzweig |        | Y    |

DATE PUBLISHED IN THE RECORD: December 11, 2022

DATES PUBLIC HEARINGS HELD: December 20, 2022

DATE SECOND READING HELD: December 20, 2022

| COUNCIL    | MOTION | OPEN | MOTION | CLOSE | MOTION | ADOPT |
|------------|--------|------|--------|-------|--------|-------|
| Cobb       |        |      |        |       |        |       |
| Cohen      |        |      |        |       |        |       |
| Hamer      |        |      |        |       |        |       |
| Maron      |        |      |        |       |        |       |
| Rosenzweig |        |      |        |       |        |       |

Y=YES

N=OPPOSED

A=ABSTAINED

AB=ABSENT

PRESENTED TO MAYOR:

APPROVED \_\_\_\_\_

REJECTED \_\_\_\_\_ (VETO)

DATE SIGNED: \_\_\_\_\_

MAYOR MICHAEL WILDES

I do hereby certify that the foregoing is a true and exact copy of an  
Ordinance adopted and approved by the Mayor and Council of  
the City of Englewood.

\_\_\_\_\_  
Yancy Wazirmas, RMC  
City Clerk