

Ordinance #2017-18

AN ORDINANCE BY THE MUNICIPALITY OF PRINCETON CONCERNING OVERNIGHT PARKING AND APPLICABLE PERMIT CRITERIA, AND AMENDING THE “CODE OF THE BOROUGH OF PRINCETON, NEW JERSEY, 1974” AND “CODE OF THE TOWNSHIP OF PRINCETON, NEW JERSEY, 1968.”

WHEREAS, the Borough of Princeton and Township of Princeton pursuant to the provisions of the New Jersey Municipal Consolidation Act, *N.J.S.A. 40:43-66.35* consolidated as Princeton on January 1, 2013; and

WHEREAS, pursuant to *N.J.S.A. 40:43-66.64*, the Princeton Council on January 1, 2013 adopted a Resolution continuing in effect Ordinances of the former Borough of Princeton and the former Township of Princeton as a new Code for Princeton is prepared; and

WHEREAS, the Council’s Code Subcommittee, in consultation with the Engineering Department, recommends the adoption of updated provisions governing overnight parking in the consolidated municipality; and

WHEREAS, the Princeton Council wishes to adopt said Code revisions which will become a part of the new Princeton Code at a future date.

NOW, THEREFORE, BE IT ORDAINED by the Princeton Council as follows:

Section 1. Subsection 19-20(d) of the “Code of the Borough of Princeton, New Jersey, 1974” (“Code”), governing overnight parking, is hereby DELETED.

Section 2. Section 19-22 of the Code, entitled “No parking zones,” is hereby amended by adding a NEW section (g) as follows:

Sec. 19-22. No parking zones.

(g) No parking between 2:00 A.M. and 6:00 A.M.

(1) No person shall park a vehicle between the hours of 2:00 A.M. and 6:00 A.M. on any day on any portion of the following streets (entire length, both sides) or parts of streets (as may be specifically identified) without a permit:

Aiken Avenue

Alexander Street, from Mercer Street South to 620 feet south of the centerline of the University Place/Alexander Street roundabout.

Allison Road

Armour Road

Bainbridge Street

Bank Street

Birch Avenue

Boudinot Street

Branch Avenue

Campbelton Circle

Campbelton Road

Cedar Lane, from Route NJ 27 (Nassau Street) to Prospect Avenue.

Chambers Street

Chambers Terrace

Charlton Street

Chestnut Street

Cleveland Lane

Dickinson Place

Edgehill Street

Edwards Place

Erdman Avenue

Evelyn Place

Ewing Street, from North Harrison Street to Franklin Avenue.

Fisher Avenue

Forester Drive

Franklin Avenue, south side, from Tee-Ar Place to 400 feet east of the east curb line of Walnut Lane.

Franklin Avenue, north side, from Tee-Ar Place to Walnut Lane.

Franklin Avenue, from Witherspoon Street to Moore Street.

Green Street

Greenview Avenue

Hamilton Avenue

Harriet Drive

Harris Road

Harrison Street North, from Franklin Avenue to Route NJ 27 (Nassau Street).

Harrison Street, from Route NJ 27 (Nassau Street) to Prospect Avenue.

Hawthorne Avenue

Hibben Road

Hodge Road

Honor Lane

Houghton Road

Hulfish Street

Humbert Street

Hunter Road

Ivy Lane

Jefferson Road

John Street

Lafayette Road

Leavitt Lane, from Hamilton Avenue to Erdman Avenue.

Leigh Avenue

Library Place

Lilac Lane

Lincoln Court

Linden Lane, from Route NJ 27 (Nassau Street) to Franklin Avenue.

Lovers Lane

Lytle Street

Maclean Street

Madison Street

Maple Street

Markham Road, from Sergeant Street to Patton Avenue.

Mercer Street, from Lovers Lane to Route NJ 27 (Nassau Street).

Moore Street

Moran Avenue

Morven Place

Murray Place, from Aiken Avenue to Prospect Avenue.

North Tulane Street

Olden Street

Orchard Circle

Palmer Square East

Palmer Square South

Palmer Square West

Park Place

Patton Avenue

Paul Robeson Place

Pelham Street

Pine Street

Princeton Avenue, from Aiken Avenue to Prospect Avenue.

Prospect Avenue, from Riverside Drive West to Washington Road.

Quarry Street

Race Street

Riverside Drive West, from Route NJ 27 (Nassau Street) to Prospect Avenue.

Robert Road

Roper Lane

Scott Lane

Sergeant Street

Shirley Court

Snowden Lane, from Route NJ 27 (Nassau Street) to Franklin Avenue.

South Tulane Street

Spring Street

Spruce Street

Stanley Avenue

Sturges Way

Sylvia Beach Way

Tee-Ar Place

University Place

Vandeventer Avenue

Walnut Lane, from Hamilton Avenue to Guyot Road.

Washington Road, from Route NJ 27 (Nassau Street) to Ivy Lane.

Westcott Road

Wiggins Street

William Street

Wilson Road, from Westcott Road to Westerly Road.

Wilton Street, from Sergeant Street to Patton Avenue.

Witherspoon Lane

Witherspoon Street, from Route NJ 27 (Nassau Street) to Birch Avenue.

Section 3. Subsection 19-31(a) of the Code, entitled “Overnight parking on certain streets,” is hereby amended as follows (additions are underlined and deletions are [bracketed]):

Sec. 19-31. Parking permits.

- (a) Overnight parking on certain streets.

(1) Eligibility.

a. Bona fide residents of Princeton [Borough] who meet the following criteria are eligible to apply for an overnight parking permit to park on [borough]municipally-controlled streets:

1. They reside in dwelling units that are located in the R1, R2, R3, [and] R4 and R-9 districts. A dwelling unit for the purpose of this section shall be defined as a building, or entirely self-contained portion thereof, [containing complete housekeeping facilities for only one family, including any domestic servants employed on the premises, and having no cooking, food preparation or sanitary facilities in common with other dwelling units and no common and closed space, other than vestibules, entrances, porches, laundry, heating and air conditioning rooms and equipment] providing complete, independent living facilities for one or more persons living as a single housekeeping unit, including permanent provisions for living, sleeping, eating, cooking and sanitation. This definition shall not include a [boarding house, convalescent home, dormitory, fraternity, sorority house,] hotel, motel or other guest house [or similar home and other similar building or secondary residence]. In addition, multi-family dwelling structures that contain ten or more units are specifically excluded from this definition.

2. On-site parking on the premises of the applicant is physically impossible due either to physical restrictions of the property and/or restrictions imposed under [borough]municipal ordinance.

3. The dwelling unit of the applicant is in compliance with all applicable local, county and state laws or ordinances and is not the subject of zoning approvals that require the owner to provide parking.

4. A resident of the dwelling unit which is located on state or county roads, private streets or streets of another municipality is not eligible for an overnight parking permit.

b. Exceptions. The following categories of residents shall be exempted from the eligibility requirements as set forth above for the issuance of an overnight parking permit, and in accordance with the following, shall be able to apply for parking permits to park on municipal streets:

1. Bona fide residents of the Princeton [Borough] Housing Authority's Hageman Homes Project[shall be exempted from the eligibility requirements as set forth above for issuance of an overnight parking permit]. Upon application to the [borough]municipal clerk, and the payment of the appropriate fee [of thirty dollars per quarter], the clerk shall be authorized to issue to the verified resident an overnight parking permit.

2. Current owners of record having fee title to any property with a dwelling unit thereon within the “residential permit parking district” established by section 11-19.5 of the “Code of the Township of Princeton, New Jersey, 1968,” subject to satisfaction of the requirements of this subsection. Upon application to the municipal clerk, verification of ownership and payment of the appropriate fee, the clerk shall be authorized to issue to the owner one overnight parking permit if the property has off-street parking or two overnight parking permits if the property does not have off-street parking. No more than one overnight parking permit (if the property has off-street parking) or two overnight parking permits (if the property does not have off-street parking) shall be given per dwelling unit in the “residential permit parking district”. The owner or tenant of any business operating or other non-residential use within the above-referenced “residential permit parking district” with or without off-street parking shall not be

eligible to receive overnight parking permits hereunder. All remaining provisions in sections 11-19.4 through 11-19.8 of the “Code of the Township of Princeton, New Jersey, 1968” not otherwise regulating parking between the hours of 2:00 A.M and 6:00 A.M. shall remain in full force and effect, to the extent not inconsistent herewith. The intent of the exception is to enable persons owning property with a dwelling unit in the “residential permit parking district,” as of January 1, 2018, to have the ability to receive one overnight parking permit if the property has off-street parking or two overnight parking permits if the property does not have off-street parking. This exception shall not apply to persons who take ownership of a property after January 1, 2018; those subsequent owners and residents shall only be authorized to purchase overnight parking permits in accordance with section 19-31(a)(1)a. above.

(2) Application for parking.

a. A bona fide resident of Princeton [Borough] who meets the above-described criteria may make application to the [borough] municipal clerk in writing on forms supplied by the [borough] clerk for a permit to allow overnight parking between the hours of 6:00 P.M. and 9:00 A.M. Prior to the issuance of a permit by the [borough] clerk, the zoning officer shall verify that the premises in question meet the requirements set forth in this section. Upon the zoning officer's verification to the clerk, the clerk shall provide identification to the applicant. This form of identification shall be affixed to the driver's side, side rear window of the vehicle. Except as may otherwise be provided above, [T]the permits shall be issued quarterly[, beginning April 1, 1991]. Application for an overnight parking permit shall be accompanied by payment of a fee of thirty dollars per quarter, except as may otherwise be provided below. The clerk is authorized to reissue a duplicate form of identification on reasonable proof by the applicant that same has not been lost or destroyed under intentional act of the applicant. Such permit shall not be transferable.

The permit fee for the following categories of residents shall be fifteen dollars per quarter: residents who participate in the Pharmaceutical Assistance to the Aged and Disabled (PAAD) program; residents who receive General Assistance (WorkFirst NJ); residents who participate in the Temporary Assistance for Needy Families (TANF) program; residents who receive Medicaid; residents who qualify as Disabled Military Veterans; residents who live in Housing and Urban Development (HUD) housing; and residents who receive assistance through Mercer County's Low Income Home Energy Assistance Program (LIHEAP). Residents seeking a reduced fee shall verify their qualifications for same at the time of applying for a permit with the clerk's office.

b. Except as may otherwise be provided above, o[O]nly one overnight parking permit shall be issued for each dwelling unit. Holders of overnight parking permits will be entitled to park overnight only on the [borough] street on which they reside, unless modified by a permit condition, and may park in any legal parking spot on the particular street. An exception to this requirement may be granted by mayor and council to permit a physically disabled resident to park on an adjacent street when such a resident lives on a street that does not permit any overnight parking. The mayor and council may also grant an exception to this requirement when the factual circumstances support permitting a resident to park on an adjacent street to the street on which the resident lives, and when necessary to further the intent of this subsection.

(3) This section does not replace or modify requirements otherwise established under Princeton [Borough] Ordinances for on-site parking. The availability of overnight parking permits may not be used to satisfy any parking requirements set forth elsewhere in the Princeton [Borough] Ordinances.

(4) Declaration of snow emergency.

a. Whenever snow has fallen and the snow is such that it covers the street or highway, [an emergency shall exist and] no vehicle shall be permitted to park overnight on [borough] municipal streets regardless of whether the person holds a permit for overnight parking. This parking prohibition will remain in effect after the snow has ceased and until the snow has been plowed sufficiently and to the extent that parking will not interfere with the normal flow of traffic or impede the passage of [fire apparatus]emergency vehicles. During this period of parking prohibition, holders of overnight parking permits, issued pursuant to this chapter, may park overnight in municipal parking yards.

Section 4. All ordinances and resolutions or parts thereof inconsistent with this Ordinance are repealed.

Section 5. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portion thereof.

Section 6. This Ordinance shall take effect on January 1, 2018. The provisions of this Ordinance shall be applicable within Princeton upon taking effect and shall become a part of the new Princeton Code once completed and adopted.

This ordinance is part of the ongoing process of merging and harmonizing the code provisions of former Princeton Borough and former Princeton Township into a new code for the consolidated municipality of Princeton. This ordinance updates the provisions of both the former Township and Borough in reference to overnight parking on municipal streets by: deleting the provision allowing parking up to one hour between 2 a.m. and 6 a.m., specifying which streets parking is prohibited between 2 a.m. and 6 p.m. and

designating where parking is permitted between 2 a.m. and 6 p.m. by residents with permits purchased through the clerk's office. This ordinance also allows existing owners in the former Township's "Residential Parking Permit District" to receive two permits when the property does not have on-street parking, but requires subsequent owners thereof to comply with the new provisions of the ordinance. The ordinance goes into effect on January 1, 2018.

The foregoing ordinance was introduced at a meeting of the Mayor and Council of Princeton held on April 3, 2017 and will be further considered for final passage after a public hearing thereon at a meeting of said Mayor and Council to be held at the Princeton Municipal Complex, 400 Witherspoon Street on April 24, 2017 which begins at 7:00 p.m.



Kathleen K. Brzezynski
Municipal Clerk