

**CITY COUNCIL**

**The City of Orange Township, New Jersey**

DATE \_\_\_\_\_

NUMBER 66-2022

**TITLE: AN ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF ORANGE TOWNSHIP, ESSEX COUNTY, NEW JERSEY, TO AMEND AND SUPPLEMENT CHAPTER 200 OF THE CODE OF THE CITY OF ORANGE TOWNSHIP ENTITLED "VEHICLES AND TRAFFIC".  
(Sponsored by Councilmember Tency A. Eason)**

**WHEREAS, N.J.S.A. 39:4-138 prohibits parking or standing a motor vehicle in front of public or private driveways, "[e]xcept when necessary to avoid conflict with other traffic or in compliance with the directions of a traffic or police officer or traffic sign or signal"; and,**

**WHEREAS, under N.J.S.A. 39:4-138.3, a municipality may, by ordinance, permit the parking of motor vehicles in front of private driveways under certain circumstances; and,**

**WHEREAS, the Code of the City of Orange Township ("Municipal Code") currently has no regulations in place governing parking or standing motor vehicles in relation to private driveways, which has led to confusion regarding who may park or stand a motor vehicle in front of a private driveway within the City; and,**

**WHEREAS, the Municipal Council of the City of Orange Township now seeks to amend and supplement the Municipal Code to include specific regulations regarding parking and/or standing motor vehicles in front of driveways; and,**

**NOW THEREFORE, BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE CITY OF ORANGE TOWNSHIP, ESSEX COUNTY, NEW JERSEY as follows:**

**Section 1 Amendment & Supplement to Municipal Code.**

Part II of the Municipal Code, as amended, is hereby further amended and supplemented as follows:


§ 200-10.9 Parking or standing in front of driveways prohibited; exceptions.

A. Except when necessary to avoid conflict with other traffic or in compliance with the directions of a traffic or police officer or traffic sign or signal, no operator of a motor vehicle shall park or stand said vehicle in front of any public or private driveway or any section thereof.

B. Notwithstanding the provisions of § 200-10.9(A), parking or standing a motor vehicle in front of a private driveway shall be permitted only as follows:

(1) whenever both the motor vehicle and private driveway involved are owned by the same party; or,

(UNDERScores ARE ADDITIONS, {BRACED-STRIKEOUTS} ARE DELETIONS)

  
A. M. Mizrahi

- (2) whenever the motor vehicle is owned by a member of the same household as the owner of the private driveway; or,
- (3) whenever the owner of the private driveway authorizes the parking of a motor vehicle in front of the private driveway;

and provided that parking or standing a motor vehicle is not otherwise prohibited and the permitting thereof would not interfere with the normal flow of traffic.

**Section 2 Severability of Ordinance Provisions.**

Each Section of this Ordinance is an independent Section and any part hereof found unconstitutional, void or ineffective for any cause shall not affect the validity or constitutionality of any other parts hereof.

**Section 3 Conflicts and Inconsistencies.**

All other Ordinances and parts of Ordinances that conflict or are inconsistent with this Ordinance are hereby repealed, but only to the extent of such conflict or inconsistency.

**Section 4 Effective Date.**

Following final passage, this Ordinance shall take effect upon the expiration of 20 days after publication, unless otherwise provided by the Municipal Council.

**PURPOSE:** To establish regulations governing parking and standing of motor vehicles in front of public and private driveways.

**FISCAL IMPACT:** None.

Adopted:

\_\_\_\_\_  
Joyce L. Lanier  
City Clerk

\_\_\_\_\_  
Tency A. Eason  
Council President

Approved:

\_\_\_\_\_  
Dwayne D. Warren, Esq.  
Mayor