

**BOROUGH OF BERLIN**

**ORDINANCE NO. 2016- 15**

**AN ORDINANCE CREATING CHAPTER 233 OF THE CODE OF THE BOROUGH OF BERLIN, ENTITLED RESIDENT PERMIT PARKING ONLY**

**WHEREAS**, the Borough of Berlin ("Borough") is a municipal entity organized and existing under the laws of the State of New Jersey and located in Camden County; and

**WHEREAS**, the Borough's Mayor and Council believe it to be in the best public interest and welfare to modify the Code of the Borough of Berlin to regulate parking on certain municipally owned streets through the creation of permit parking.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Borough Council of the Borough of Berlin, County of Camden, State of New Jersey, that the Code of the Borough of Berlin be amended as follows:

**Section 1: Chapter 233. Permit Parking.**

**Article I. Resident Permit Parking Only**

**§ 233-1. Berlin Borough Resident Permit Parking.**

At all times, the municipal streets of Berlin Borough set forth herein will be designated "resident permit parking only" as defined in § 233-2, or as indicated by local signage.

**§ 233-2. Resident permits.**

- A. A resident parking permit of a design specified by the Chief of Police of Berlin Borough is required of Berlin Borough residents for each motor vehicle with a gross weight of no more than 2.5 tons to park in designated resident permit parking areas.
- B. Proof of current residence in Berlin Borough must be presented when applying for a resident permit. As proof of residency, the applicant must provide a valid New Jersey driver's license reflecting a legal Berlin Borough address. If an address change decal has been affixed to the driver's license, additional proof of residency is required as described in § 233-2C (1) and (2).
- C. Proof of vehicle ownership or primary use by the individual seeking the permit must be presented when applying for a resident permit. As proof of ownership or

primary use, the individual must provide a current New Jersey vehicle registration for the vehicle to be permitted that shall reflect the same name and Berlin Borough address as the resident seeking said permit. If an address change decal has been affixed to the vehicle registration, proof of insurance shall also be provided in the same name as the resident seeking said permit. Alternatively, proof of vehicle ownership or primary use may be established by presenting one of the following combinations of documents:

(1) A valid vehicle registration in a company's name, a current pay stub with the company's name and the name of the individual seeking a residential permit, and a notarized letter from the fleet manager or other responsible authority at said company indicating that the vehicle has been issued to the individual seeking a residential permit for business and personal use.

(2) A valid New Jersey vehicle registration in leasing company's name, proof of insurance with same Berlin Borough address and name of the individual seeking the residential permit.

- D. The resident permit shall expire annually. For the purposes of renewal, proof of current residence and vehicle ownership or primary use, as described in § 233-2B and C, respectively, shall be submitted to the Chief of Police, or his designee, on an annual basis.
- E. The resident permit is to be placed on the driver's side, lower left-hand corner of the rear window of the permitted vehicle. For motorcycles, the permit shall be placed on the windshield, on the casing of the side mirror of the registered vehicle, or held on owner's person so long as the motorcycle's license plate is unobstructed and clearly visible.
- F. Effective 24 hours a day, seven days a week, both sides of every designated street will be designated resident permit parking only. These zones are valid only for vehicles displaying a valid resident parking permit and are indicated by signage.
- G. Only vehicles with current resident parking permits may park in a resident permit parking only area. Unless otherwise posted, other vehicles shall not park in these areas at any time or for any reason, with the exception of vehicles specifically endorsed by the Berlin Police Department to do so.
- H. The resident permit parking only areas, unless otherwise indicated by signage in said areas, include, but are not necessarily limited to:

<u>STREET</u>	<u>SIDE</u>	<u>LIMITS</u>	<u>LOCATIONS</u>
Chestnut Avenue	Both	24 Hours	From North Arlington Avenue to Old Franklin Avenue.
Malan Avenue	Both	24 Hours	From Chestnut Avenue to the White Horse Pike.
North Arlington Avenue	Both	24 Hours	From White Horse Pike until the dead end of North Arlington Avenue.

§ 233-3. Violations.

It shall be unlawful and a violation of this article for any person to park any vehicle in the designated locations without a valid permit issued by the Chief of Police of Berlin Borough or his designee.

§ 233-4. Removal of vehicle; payment of charges.

The Berlin Borough Police Department may remove from the designated parking areas any unattended vehicle parked without a validly issued permit consisting of a violation hereunder. When a vehicle is so removed from said designated parking area, the owner of said vehicle shall pay, before being entitled to the recovery or possession of said vehicle, all reasonable charges for towing, storage and other expenses incurred in the removal of said vehicle.

§ 233-5. Enforcement; penalty.

A. Enforcement procedures.

- (1) The provisions of this article shall be enforced by the Police Department of the Borough of Berlin and also as contemplated and permitted by law.
- (2) The Police Department and the governing body of the Borough of Berlin shall cause to be erected suitable and proper markers and signs in the area affected by this article in compliance with the laws of the State of New Jersey.

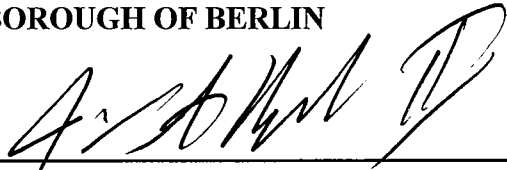
- B. Any person, firm or corporation violating any of the provisions of this article shall be subject to a fine of not more than \$50 or to imprisonment for a term not to exceed 15 days, or both, at the discretion of the court tribunal.

**Section 2:** All other Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

**Section 3:** If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such subdivision, clause or provision and the remainder of this Ordinance shall be deemed valid and effective.

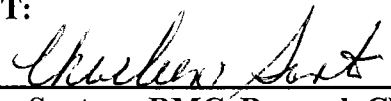
**Section 4:** This Ordinance shall take effect immediately upon final passage and publication as required by law.

**BOROUGH OF BERLIN**



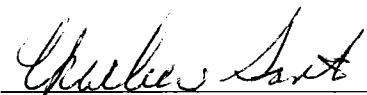
By: **James Bilella, Mayor**

**ATTEST:**



**Charleen Santora, RMC, Borough Clerk**

I, Charleen Santora, Clerk of the Borough of Berlin, hereby certify the foregoing to be a true and correct copy of an Ordinance adopted by the Mayor and Borough Council at their meeting of 6-16-16 2016, in the Municipal Building, 59 South White Horse Pike, Berlin, New Jersey.



**Charleen Santora, RMC, Borough Clerk**

**INTRODUCED** 5-12-16

**ADOPTED** 6-16-16