

**BOROUGH OF FREEHOLD**

**COUNTY OF MONMOUTH**

**#2023/31**

**ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 10 (VEHICLES AND TRAFFIC)**

WHEREAS, the Borough of Freehold (the "Borough") is a public body corporate and politic of the State of New Jersey; and

WHEREAS, the Borough has undertaken a review and analysis of parking procedures within the Borough; and

WHEREAS, it is necessary to amend rates, schedules and policies in the metered and time-limit parking areas specified herein.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Freehold as follows:

**Section I**

Title 10 "Vehicles and Traffic" of the Code of the Borough of Freehold shall be amended as follows; additions to the current ordinance are noted in underline; deletions struck out.

**10.14 Metered Parking**

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**10.14.060 Manner of parking.**

~~In municipal off-street parking lots, signs shall be erected indicating that "head-on in" parking only is permitted.~~ In on-street parking areas, vehicles shall park passenger side closest to the curb unless otherwise directed by erected signs indicating otherwise or if the street is on-way direction. In any event, a vehicle shall be parked within the lines marked on the pavement measuring such parking space.

\* \* \*

**10.14.080 Enforcement**

a. It shall be the duty of the police officers, ~~acting in accordance with instructions issued by the Chief of Police~~ or parking enforcement officers to report:

1. ~~The number of each parking meter which indicates that the vehicle occupying the parking space controlled by such parking meter is or has been parked in violation of any of the provisions of this article.~~
2. 1. The state license number of such vehicle occupying the parking space controlled by such a parking meter that is or has been parked in violation of any of the provisions of this article.
3. 2. That such vehicle is parked in violation of any of the provisions of this article.
4. 3. Any other facts, a knowledge of which is necessary to a thorough understanding of the circumstances attending such violation.

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## **Chapter 10.24 Permit Parking Areas**

### **10.24.010 ~~Business district.~~ Permit Parking Established**

~~There are established~~ Designated permit parking areas are established the following business permit parking areas within the public parking areas owned and operated by the borough where indicated.

- ~~A. Designated areas of the Broad and West Main Street Parking Lot;~~
- ~~B. Designated areas of the Market Yard Parking Lot;~~
- ~~C. Designated areas of the Court/Broad Street Parking Lot.~~

### **10.24.015 Parking permits. The following permits are hereby established:**

- A. Business/Employee, which are available to employees of businesses whose locations are contiguous to the Market Yard Parking Lot. These permits shall allow parking for eligible applicants in the designated areas in the Market Yard Parking Lot and the Court Street/Broad Street Parking Lot between the hours of 8:00 a.m. to 5:00 p.m.
- B. Overnight Business, which are available to businesses whose locations are contiguous to the Market Yard Parking Lot. These permits shall allow parking for eligible applicants in the designated areas 24 hours per day.
- C. Resident, which are available to persons residing in properties continuous to the Market Yard Parking Lot. These permits shall allow parking for eligible applicants in the designated areas in the Market Yard Parking Lot and the Court Street/Broad Street Parking Lot.

### **10.24.020 Issuance of permits.**

- A. The borough finance department clerk shall issue to eligible applicants, a numbered and color-coded parking permit which shall entitle the holder thereof to park a passenger motor vehicle

in the permit parking area specified on the permit in any space designated and reserved for permit parking, subject to the rules and regulations set forth in this chapter.

~~B. To be eligible to receive a parking permit for the permit parking areas in the Market Yard Parking Lot and the Court/Broad Street Parking Lot, an applicant must meet one of the following criteria:~~

- ~~1. Reside in an apartment in the central business district which does not have parking available at the site of the building, or which has inadequate parking available on site or adjacent to the site of the building;~~
- ~~2. Own and operate a business in the business district which does not have parking available at the business site or which has inadequate parking available at the business site;~~
- ~~3. Operate a business or be employed in a business which does not have adequate parking available at the business site or which has inadequate parking available at the business site;~~
- ~~4. Be assigned to or required to be at a location in the business district for business purposes for an extended period of time, provided that this business location does not have alternate parking available to its visitors and/or employees;~~
- ~~5. A business owner/operator may obtain one-day permits for visitors to his or her establishment requiring all-day parking for a specific event, if the parking at the business establishment is inadequate;~~
- ~~6. A group staging a special event/trip may obtain a special one-day parking permit for that specific event, provided it is shown that it is not feasible for the group to depart from or meet at another location. The group and/or event must benefit Freehold Borough residents or businesses.~~

B. Eligibility

1. Business/Employee Permits.

a. To be eligible to receive a Business/Employee parking permit for the permit parking areas, the applicant must own, operate, or be employed by a business that does not have adequate parking available at the business site or which has inadequate parking available at the business site.

b. All applicants shall provide proof of employment as noted by a copy of a Freehold Borough mercantile license or state/federal tax forms with a Freehold Borough address for the business (business owners) or current pay statements (two) from a Freehold Borough employer or a notarized statement from the Freehold Borough employer (employees).

c. Business owners/employers may purchase parking permits on behalf of their employees. A lease agreement for rented office or retail space may substitute proof of ownership of a commercial space for a Freehold Borough business.

d. Any permits issued pursuant to this section shall be used only by the owner or employee of said business. Any violation of this provision may be cause for revocation of any or all Business/Employee Permits issued to the business.

## 2. Overnight Business Permits.

a. To be eligible to receive an Overnight Business parking permit for the permit parking areas, the applicant must own a business directly contiguous to the Market Yard Parking Lot. Permits may only be obtained for commercial vehicles that are registered to that business. All vehicles must be parked in the designated parking spaces.

b. All applicants must provide copies of the registration.

## 3. Resident Permits.

a. To be eligible to receive a Resident parking permit for the permit parking areas, the applicant must reside in a property contiguous to the Market Yard Parking Lot. No commercial vehicles may be registered for a Resident parking permit.

b. All applicants must provide proof of residency, e.g., lease, copies of utility bills, etc.

c. All permittees must move the permitted vehicles once every twenty-four (24) hours.

~~C. The parking regulations as set forth in the zoning and site plan ordinances of the borough shall be the determinant of the number of parking spaces required for any applicant seeking parking permits. For the purpose of subsection (B)(1) through (3) of this section, inadequate parking shall be defined as fewer on-site parking spaces than stipulated in the zoning and site plan ordinances of the borough. The borough clerk may issue parking permits for a specific site that equal the total parking requirements of the zoning and site plan ordinances for that business/resident location, less the available parking provided on-site or at other facilities controlled by the applicant.~~

All permits will be assigned to specific vehicles.

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## **10.24.060 Application.**

Applications for business parking permits shall be submitted to the borough clerk on the prescribed forms, which forms shall include:

A. Name, resident address, and telephone number of applicant;

- B. Year, make and model of vehicle or vehicles which will be subject to the permit;
- C. Name, address and telephone number of the vehicle's registered owner;
- D. Applicant's business address and telephone number;
- E. Such other information as may be required from time to time.

Business owners and employees purchasing parking permits on a quarterly basis are required to provide updated proof of employment at each renewal of the permit.

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#### **10.24.080 Fees.**

A. Employee Permits may shall be obtained on either a quarterly or an annual basis upon payment of the appropriate fee noted herein. Overnight Business and Resident Permits shall be obtained on an annual basis. In the case of permits issued after the beginning of the annual period, which shall commence on January 1 of each year, the fee shall be prorated for each quarter remaining from the effective date of the permit to and including the last day of the annual period.

B. The Borough Council by resolution shall establish the fees associated with the permit; however, unless modified, the cost of the permit shall increase five (5%) percent per year.

1. Employee permits: Beginning in 2024, the annual fee is \$124.00 per permit; the quarterly permit fee is \$35.00 per permit.

2. Overnight Business permits: Beginning in 2024, the annual fee shall be \$10.00 per permit. There shall be a limit of three (3) permits per business.

3. Resident permits: Beginning in 2024, the annual fee shall be \$150.00 per permit.

C. No refunds shall be issued by the Borough.

1. Market Yard Parking Area: ninety-six dollars (\$96.00).

2. Court/Broad Streets Parking Area: ninety-six dollars (\$96.00).

3. Broad/West Main Streets Parking Lot:

Freehold Borough Resident: one hundred eighty dollars (\$180.00).

Non-Resident: Three hundred dollars (\$300.00).

B. Lost permits can be replaced upon payment of a five dollar (\$5.00) processing fee.

C. A special permit for one-day parking can be obtained at a cost of five dollars (\$5.00) per space.

~~D. A retired resident who lives on property adjacent to a designated parking lot which does not have available parking can have the permit fee waived upon application to the borough clerk.~~

~~E. In the case of permits issued after the beginning of the annual period, which shall commence on January 1 of each year, the fee shall be prorated for each quarter remaining from the effective date of the permit to and including the last day of the annual period. A quarter shall be as follows:~~

~~January, February, March~~

~~April, May, June~~

~~July, August, September~~

~~October, November, December~~

#### **10.24.090 Parking regulations**

[Deleted in its entirety]

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#### **10.28 PERMIT PARKING IN RESIDENTIAL AREAS**

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##### **10.28.020 Parking by permit only in designated residential areas.**

No vehicle shall be parked on the streets or parts of streets designated in Schedules A, B, or C or D set forth herein during the hours designated in said schedule, unless:

- A. The vehicle is owned or operated on a regular basis by a resident of that street; and
- B. The vehicle has displayed in a prominent location so as to be easily read by an examining officer, a current residential parking permit issued by the borough clerk; or
- C. The vehicle falls under one of the exceptions to the parking ban.

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#### **Schedule A**

[Deleted in its entirety]

#### **Schedule B**

[Deleted in its entirety]

## **Section II**

If any part of this Ordinance shall be deemed invalid such part shall be deemed severable and the invalidity thereof shall not affect the remaining part of this Ordinance.

## **Section III**

Any Ordinance or portions thereof which are inconsistent with the provisions of this Ordinance are hereby repealed and superseded.

## **Section IV**

This Ordinance shall take effect upon final passage and publication in accordance with Law.

Introduction: December 4, 2023

Public Hearing/Adoption: December 18, 2023