

BERGEN COUNTY, NEW JERSEY
ORDINANCE NO. 1108-22

AMENDING CHAPTER 166-VEHICLES AND TRAFFIC, SECTION 6-ALL-NIGHT PARKING, TO:

PERMIT AND REGULATE ALL-NIGHT ON-STREET PARKING

WHEREAS, the Council of the Borough of Demarest has determined that, in order to afford greater convenience for residents, especially those with narrow driveways, multiple vehicles and/or other on-site parking restrictions, it is appropriate to permit all-night parking in the Borough subject to certain conditions and regulations.

NOW, THEREFORE, BE IT HEREBY ORDAINED by the Mayor and Council of the Borough of Demarest, County of Bergen and State of New Jersey as follows:

- 1. Amendment of Code.** Chapter 166-Vehicles and Traffic, Section 6-All-Night Parking of the Municipal Code of the Borough of Demarest shall be amended to read in its entirety as follows:

“§166-6(a) General Prohibition.

No person shall park or leave standing any motor vehicle in or along the following public roads in the Borough of Demarest between the hours of 2:00 a.m. and 6:00 a.m.:

- i.. any County road; or
- ii. any road which the Police Department of the Borough of Demarest, in its sole and absolute discretion, shall have determined is unsafe or otherwise unsuitable for all-night parking; and the Department shall maintain a list of such roads, shall post it on the Borough website, shall make it otherwise available to residents of the Borough upon request, and shall review such list and update it as appropriate at least annually.

§166-6(b) Conditions Applicable to All-Night Parking.

All-night parking shall be permitted on the public roads in the Borough of Demarest provided that:

- i. The vehicle is registered:
 - A) to a person residing at the address in immediate proximity thereto (i.e., the vehicle is parked directly in front of or directly across the street from the registration address); or
 - B) to an entity owned by or employing a person residing at the address in immediate proximity thereto; provided, however, that such ownership or employment relationship has theretofore been reported in writing to the Police Department of the Borough of Demarest; or

C) the houseguest of such resident for not more than two (2) consecutive nights, on notice to the Demarest Police Department.

ii. Such parking is not otherwise prohibited under §166-6(a) or any other provision of the Code.”

2. Administrative Provisions.

a. *Severability.* If any section, subsection, paragraph, sentence or other part of this Ordinance is adjudged unconstitutional or invalid, such judgment shall not affect or invalidate the remainder of this Ordinance, but shall be confined in its effect to the section, subsection, paragraph, sentence or other part of this Ordinance directly involved in the controversy with respect to which said judgment shall have been rendered, and all other provisions of this Ordinance shall remain in full force and effect.

b. *Inconsistent Ordinances Repealed.* All ordinances or parts of ordinances which are inconsistent with the provisions of this Ordinance are hereby repealed, but only to the extent of such inconsistencies.

c. *Effective Date.* This Ordinance shall take effect immediately upon final adoption and publication in the manner prescribed by law, subject to the preparation of a list of prohibited streets for overnight parking by the Demarest Police Department as set forth in Section 6(a)(ii) above, and its provisions shall apply to all rentals of residential properties with a rental inception date on or after the date of adoption and publication hereof as prescribed by law.

BOROUGH OF DEMAREST

By: _____
MELINDA IANNUZZI, Mayor

ATTEST:

Susan Crosman, RMC, Borough Clerk

Introduced: _____, 2022

Adopted: _____, 2022