

**TOWNSHIP OF LITTLE FALLS**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING AND REGULATING  
THE OVERNIGHT PARKING OF MOTOR VEHICLES  
IN THE CODE OF THE TOWNSHIP OF LITTLE FALLS**

**BE IT ORDAINED** by the Township Council of the Township of Little Falls in the County of Passaic and the State of New Jersey as follows:

**Section 1 - Overnight Parking.**

- A. No person shall park a vehicle between the hours of 2:00 a.m. and 6:00 a.m. on any day, upon any street or any part of street, unless otherwise provided for in this ordinance.
- B. Violations and Penalties. Any person convicted of a violation of this ordinance shall be liable for a fine of \$50.00 and Court costs. No appearance shall be required for the payment of this fine, penalty and costs.
- C. Due to the lack of off-street parking facilities, overnight parking shall be exempt from prohibition and allowed on the following streets or parts of streets:

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
Woodcliff Avenue	North	Entire length
Brookside Avenue	East	Entire length
Warren	North	Entire length

- D. Excluded vehicles. The following vehicles are excluded from the overnight parking prohibition:
  - (1) Federal, state, county and local emergency services vehicles
  - (2) Vehicles engaged in public works services
  - (3) Vehicles marked as owned or operated by a public utility
- E. Temporary parking permit. Any person may apply to the Little Falls Township Police Department for an exception to the overnight parking prohibition for a short-term need, an emergency or other good cause shown, subject to the following requirements:
  - (1) Only those persons residing in a one-family, two-family or three-family dwelling or those persons visiting such dwelling shall be eligible for a temporary parking permit.

- (2) Only private passenger vehicles are eligible for temporary parking permits.
- (3) An applicant person is eligible to receive up to a maximum of five (5) temporary parking permits for each request and such permits, if granted, shall only be valid for up to a maximum of five (5) consecutive day(s).
- (4) A request for a temporary parking permit must be made to the Police Department for each night, with a maximum of five (5) consecutive nights.
- (5) The Chief of Police or his designee shall consider each request on a case-by-case basis and his decision shall be final.
- (6) A person applying for a temporary parking permit shall provide: proof of residency in Little Falls Township or a written correspondence from a Little Falls Township resident indicating applicant is visiting his or her residence; a copy of a valid New Jersey motor vehicle registration and a copy of valid certificate of insurance coverage for the vehicle for which the permit is sought; a fee of \$1.00 for each requested permit and the reason indicating that no off-street parking is available on a temporary basis.
- (7) If a temporary parking permit is granted, such permit insignia/hang tag must hang on the rear view mirror of the private passenger vehicle.
- (8) If a temporary parking permit is granted, such permit will only be valid parked legally where there is no Title 39 violation.
- (9) If a temporary parking permit is granted, the vehicle shall be parked legally and in compliance with all applicable Title 39 statutes.

F. Annual parking permit. Any person may apply to the Little Falls Township Police Department for an exception to the overnight parking prohibition in case of a hardship, subject to the following requirements:

- (1) Only those persons residing in a one-family, two-family or three-family dwelling shall be eligible for an annual parking permit.
- (2) Only private passenger vehicles are eligible for annual permits.
- (3) If granted, annual parking permits shall be in effect from January 1 to December 31 during the year said permit is issued.
- (4) Annual parking permits shall be issued to the resident of the applying residence/household.

- (5) A request for an annual parking permit shall be made to the Little Falls Township Police Department and must include the following information:
- a. Proof of residency in Little Falls Township
  - b. Copy of a valid Certificate of Insurance for all vehicles registered at applicants address.
  - c. \$20.00 fee for each permit
  - d. Evidence that there exists a real hardship for off-street parking:
    - i. The lot upon which the dwelling does not contain a driveway or adequate space for the installation of a driveway.
    - ii. The premises is not possessed of an easement that allows use of a neighboring property or driveway so that vehicles can reach the rear of the premises in question where parking can occur.
    - iii. The lot upon which the dwelling does not contain a garage or adequate space for the installation of a garage.
    - iv. The number of vehicles registered to the occupant of the dwelling exceeds the driveway capacity.
    - v. The owner or occupant of the property qualifies for a New Jersey State issued Handicap Permit.
    - vi. The owner or occupant of the property is an approved first responder. Upon satisfactory proof of same to the Little Falls Police Chief and Little Falls Fire Chief, an annual parking permit shall be issued to said first responder without fee. Said annual parking permit shall be renewed and reviewed by the Little Falls Police Chief and Little Falls Fire Chief annually.
- (6) The Little Falls Township Police Department will investigate each annual parking permit applicant to determine if he or she qualifies.
- (7) The Chief of Police or his designee shall consider each request on a case-by-case basis and his decision shall be final.
- (8) The Township of Little Falls will not be responsible for lost or stolen permits, and the cost of replacement is \$5.00.

- G. Notwithstanding any of the exceptions to the overnight parking prohibition, in the event the Township declares a state of emergency or if there is a snow accumulation that requires plowing and removal, all vehicles must be removed from every Township street until the emergency is over or until the Township completes snow plowing and removal.
- H. Any permits issues prior to this amended Ordinance to commercial vehicles or other unauthorized vehicles are hereby rescinded.

**Section 2 - Severability.**

If any section, paragraph, subdivision, clause, sentence, phrase or provision of this ordinance is declared unconstitutional or invalid by a Court of competent jurisdiction, such decision shall not affect the remaining portions of this ordinance.

**Section 3 - Repealer.**

All township ordinances and parts or ordinances inconsistent with this ordinance are hereby repealed.

**Section 4 - Effective Date.**

This ordinance shall take effect after twenty (20) days of its final passage by the Township Council, upon approval by the Mayor, and publication as required by law.

INTRODUCED: \_\_\_\_\_

ADOPTED: \_\_\_\_\_

By: \_\_\_\_\_  
MAYOR MICHAEL DE FRANCISI

ATTEST: \_\_\_\_\_  
WILLIAM E. WILK, TOWNSHIP CLERK