ORDINANCE 2024-2

AN ORDINANCE MAKING THE PROVISIONS OF SUBTITLE I OF TITLE 39 PURSUANT TO N.J.S.A. 39:5A-1 OF THE REVISED STATUTES OF NEW JERSEY APPLICABLE TO THE EXPRESS AUTO SPA (BLOCK 48, LOT 6)

WHEREAS, 297 S.R. 34, L.L.C. is the record owner of certain real property to be known as "Express Auto Spa" and designated as Block 48, Lot 6 on the Colts Neck Township Tax Map, in Colts Neck Township, County of Monmouth and the State of New Jersey (herein refereed to as the "Property"); and

WHEREAS, "Express Auto Spa" property (Block 48, Lot 6) was the subject of certain development application(s) to the Colts Neck Township Planning Board (ZB1093); and

WHEREAS, 297 S.R. 34, L.L.C. has filed a written request dated November 7, 2023 pursuant to N.J.S.A. 39:5A-1 with the Township Administrator of Colts Neck Township seeking application of the provisions of Subtitle I of Title 39 of the Revised Statues of New Jersey to the semi-public roads, streets, driveways and parking areas which are opened to or used by the public, tenants and/or employees at Express Auto Spa; and

WHEREAS, the Mayor and Township Committee, having considered same, now wish to make the provisions of Subtitle I of Title 39 of the Revised Statutes of New Jersey applicable to the Property.

NOW, THEREFORE, BE IT HEREBY ORDAINED by the Township Committee of Colts Neck Township, in the County of Monmouth and the State of New Jersey, that 297 S.R. 34, L.L.C. has filed a written consent dated November 7, 2023 with Colts Neck Township that the provisions of Subtitle I of Title 39 of the Revised Statutes of New Jersey be made applicable to the semi-public roads, streets, driveways and parking areas which are opened to and used by the public, tenants and/or employees at "Express Auto Spa" (Block 48, Lot 6), located in Colts Neck Township, County of Monmouth and the following regulations shall be enforceable:

A. Pursuant to the authority vested in Colts Neck Township pursuant to N.J.S.A. 39:5A-1 and pursuant to a request by 297 S.R. 34, L.L.C. dated November 7, 2023 the Township Committee hereby ordains that the subject premises Block 48, Lot 6 in the Colts Neck Township shall have all their semi-public or private roads, streets driveways, access isles and parking areas subject to subtitle I of Title 39 of the Revised Statues of New Jersey.

B. General Parking

1. All vehicles must park in designated areas and between the lines provided.

2. No person shall stop or stand a vehicle upon any of the streets or parts of streets described below:

Name of Street	Sides	Hours	Location
All Roads	Both	All	Entire Length

3. Handicapped Parking. All stalls shall be 12 feet wide as shown on the site plan on file in the Office of the Township Clerk and signed with the R7-8 and R7-8P (Reserved Parking Sign and Penalty Plate), in the designated parking areas for persons who have been issued the Handicapped Parking Permits by the Division of Motor Vehicles.

C. Speed Limits

1. The speed limit for both directions of traffic in the parking lot(s) shall be 15 miles per hour.

2. The speed limit for both directions of travel on the following roadways are:

Name of Street	Speed Limit (mph)	Limits
1. All Roads	25	Entire

3. Regulatory and warning signs shall be erected and maintained to affect the above designated speed limits authorized by the Department of Transportation.

D. Tow Away Zones

Any vehicle parked or standing as to obstruct or impede a normal flow of traffic, block entrances or exit ways, loading zones, oil fills, any grassy area, pedestrian walkway, or present in any way a safety or traffic hazard may be removed by towing the vehicle at the owner's or operator's expense.

E. Signs

All signs, posts or other necessary materials to be installed shall be paid for by the property owner. All signage shall conform to the current Manual on Uniform Traffic Control Devices, pursuant to N.J.S.A. 39:4-68 and N.J.S.A. 39:4-183.27.

F. Violations and Penalties

Unless another penalty is expressly provided by New Jersey Statute, every person convicted of a violation of this Article or any supplement thereto shall be liable to a penalty of not more than ($1,000) one thousand dollars or imprisonment for a term not exceeding (15) days or both.

G. Effect of Regulations

If any part of this regulation is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of the regulation.

BE IT FURTHER ORDAINED, that Chapter 222, "Vehicles and Traffic", of the "Code of Colts Neck Township" is hereby amended and supplemented in order to incorporate the provisions referenced herein under a new Article XI entitled "Express Auto Spa".

BE IT FURTHER ORDAINED that the traffic regulations established herein shall be enforceable under the new Article XI of Chapter 222 of the "Code of Colts Neck Township".

BE IT FURTHER ORDAINED, that all Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies.

BE IT FURTHER ORDAINED, that in the event that any portion of this Ordinance is found to be invalid for any reason by any court of competent jurisdiction, such judgment shall be limited in its effect only to that portion of the Ordinance actually adjudged to be invalid, and the remaining portions of the Ordinance shall be deemed severable therefrom and shall not be affected.

BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon final passage and publication in accordance with the law, but not before approval has been received from the New Jersey Department of Transportation.

I hereby certify the Ordinance foregoing to be a true copy of an Ordinance introduced by the Township Committee of the Township of Colts Neck on the 10th day of January, 2024. A public hearing will be held on January 31, 2024, 7:00 p.m. Town Hall, 1 Veteran's Way.

Frank Rizzuto, Mayor

Trina Lindsey, Township Clerk

RECORD OF VOTE										
	First Reading					Second Reading				
	January 10, 2024					January 31, 2024				
	M	S	Yes	No	NV	Ab	M	S	Yes	No	NV	Ab
Mayor Rizzuto			X						X			
Deputy Mayor Buss	M		X						X			
Viola			X						X			
Bartolomeo			X					S	X			
Fitzpatrick		S	X					M	X			

M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent