

VEHICLES AND TRAFFIC

Chapter 71

VEHICLES AND TRAFFIC

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§ 71-48. Traffic patterns for Railroad Avenue.

[HISTORY: Adopted by the Township Committee of the Township of Union (now Barnegat): Article I, 8-4-75 as Ord. No. 1975-22;¹ Article II, 10-4-76 as Ord. No. 1976-29; Article III, 4-3-78 as Ord. No. 1978-4; Article IV, 10-1-79 as Ord. No. 1979-28; Article V, 10-1-79 as Ord. No. 1979-29; Article VI, 11-3-80 by resolution; Article VII, 9-21-81 as Ord. No. 1981-30; Article VIII, 5-3-82 as Ord. No. 1982-8; Article IX, 11-15-82 as Ord. No. 1982-31; Article XII, 7-19-10 as Ord. No. 2010-17. Amendments noted where applicable.]

¹ Editor's Note: This ordinance was approved by the New Jersey Department of Transportation 10-10-75.

GENERAL REFERENCES

Motor vehicle junk dealers — See Ch. 57.

Unlicensed vehicles — See Ch. 72.

Be it ordained by the Township Committee of the Township of Barnegat, in the County of Ocean and State of New Jersey:

ARTICLE I

General Regulations

[Adopted 8-4-75 as Ord. No. 1975-22]

§ 71-1. Words and phrases defined.

Whenever any words and phrases are used in this Article, the meanings respectively ascribed to them in Subtitle 1 of Title 39 of the Revised Statutes of the State of New Jersey shall be deemed to apply to such words and phrases used herein.

§ 71-2. Official time standard.

Whenever certain hours are named in this Article, they shall mean either Eastern standard time or Eastern daylight saving time, as may be in current use in the Township of Barnegat.

§ 71-3. Stop intersections.

Pursuant to the provisions of N.J.R.S. 39:4-140, the intersections described in Schedule 1, attached to and made a part of this Article,² are hereby designated as stop intersections. Stop signs shall be installed at such intersections in accordance with the specifications and requirements of Title 39 of the Revised Statutes of the State of New Jersey.

§ 71-4. Yield intersections.

The intersections described in Schedule II, attached to and made a part of this Article,³ are hereby designated as yield intersections. Yield signs shall be installed at such intersections in accordance with the specifications and requirements of Title 39 of the Revised Statutes of the State of New Jersey.

§ 71-5. Through streets.

The streets or parts of streets described in Schedule III, attached to and made a part of this Article,⁴ are hereby designated as through streets. Stop signs shall be installed on the near right-hand side of each street intersecting the through street. Such signs shall be installed in accordance

² Editor's Note: Said schedule and amendments thereto are on file in the office of the Township Clerk.

³ Editor's Note: Said schedule and amendments thereto are on file in the office of the Township Clerk.

⁴ Editor's Note: Said schedule and amendments thereto are on file in the office of the Township Clerk.

with the specifications contained in Title 39 of the Revised Statutes of the State of new Jersey. [Amended 10-6-86 by Ord. No. 1986-30; 12-15-86 by Ord. No. 1986-33; 4-4-88 by Ord. No. 1988-14; 9-16-96 by Ord. No. 1996-46]

§ 71-6. One-way streets.

The streets or parts of streets described in Schedule IV, attached to and made a part of this Article,⁵ are hereby designated as one-way streets. One-way-street signs in conformity with the provisions of the Motor Vehicle Code of the State of New Jersey shall be installed in accordance with the Motor Vehicle Code of the State of New Jersey on such streets.

§ 71-7. Speed limits. [Added 5-3-76 by Ord. No. 1976-11]

The speed of motor vehicles on the streets or parts of streets described in Schedule V, attached to and made a part of this Article,⁶ are hereby regulated as and in the manner set forth in said schedule. Regulatory and warning signs shall be erected and maintained to effect the designated speed limits as authorized by the Department of Transportation in conformity with the statutes of the State of New Jersey and the regulations of the Department of Transportation of the State of New Jersey.

§ 71-7.1. Parking restrictions for vehicles over six thousand pounds. [Added 9-12-77 by Ord. No. 1977-31]

- A. No person, firm or corporation shall park a truck, tractor, trailer or omnibus on any street in the Township of Barnegat between the hours of 9:00 p.m. and 6:00 a.m., prevailing time, of any day.

⁵ Editor's Note: Said schedule and amendments thereto are on file in the office of the Township Clerk.

⁶ Editor's Note: Said schedule and amendments thereto are on file in the office of the Township Clerk.

- B. This section shall not apply to any vehicle hereinabove enumerated which has a curb weight, or a net vehicle weight exclusive of passengers and payload, of six thousand (6,000) pounds or less, and such vehicles shall be exempt.
- C. Nothing contained within this section shall be construed to prevent any such vehicle from making deliveries of merchandise or other property to the premises on the street along which said vehicle is so parked, nor to prevent the parking of any such vehicle by any public utility company in connection with the construction, installation, operation or maintenance of public utilities, nor to prevent the parking of vehicles attending to an emergency.
- D. Signs with the following specifications shall be posted on all streets and highways at the entrance to the township:
 - (1) The signs shall be in red letters on white background and reflectorized, incorporated on a single plate thirty (30) inches in width and twenty-four (24) inches in height, with the legend "COMMERCIAL TRUCKS" and "BUSES," lettering to be six (6) inches.
 - (2) On a plate below said "COMMERCIAL TRUCKS" and "BUSES," which plate shall be thirty-six (36) inches in height and thirty (30) inches in width, shall appear the legend "NO PARKING ANY STREET 9 P.M. — 6 A.M.," the lettering therefor to be five (5) inches for "NO PARKING" and four (4) inches for "ANY STREET 9 P.M.—6 A.M."
- E. For the purposes of this section, unless another meaning is clearly apparent, the classes of vehicles hereinabove enumerated shall be defined by the laws of the State of

New Jersey, Motor Vehicles and Traffic Regulations,
N.J.R.S. 39:1-1.

- F. Any person, firm or corporation violating any of the provisions of this section shall, upon conviction, be liable to a penalty of not more than fifty dollars (\$50.).

§ 71-7.2. Truck and bus exclusions. [Added 6-4-79 by Ord. No. 1979-15; amended 2-5-90 by Ord. No. 1990-1]

- A. Trucks over four (4) tons gross weight are hereby excluded from the streets or parts of streets described below except for the pickup and delivery of materials on such streets:

Name of Street	Location
Barnegat Boulevard South [Added 7-20-81 by Ord. No. 1981-24]	From West Bay Avenue to Gunning River Road
First Street (Windward) [Added 12-15-80 by Ord. No. 1980-33]	Entire length
Lighthouse Drive [Added 9-8-87 by Ord. No. 1987-20; Amended 2-16-88 by Ord. No. 1988-2]	From Harpoon Drive south to township border line with Stafford Township
Nautilus Drive [Added 9-8-87 by Ord. No. 1987-20]	From Harpoon Drive south to township border line with Stafford Township
Old Brookville Road	Entire length
Lighthouse Drive [Added 6-6-88 by Ord. No. 1988-22]	From West Bay Avenue south to township border line with Stafford Township

Name of Street	Location
Nautilus Drive [Added 2-16-88 by Ord. No. 1988-2; 6-6-88 by Ord. No. 1988-22]	From West Bay Avenue south to township border line with Stafford Township

- B. Commercial buses over four (4) tons gross weight are hereby excluded from the streets or parts of streets described below except for the pickup and delivery of passengers on such streets:

Name of Street	Location
Lighthouse Drive	From Harpoon Drive south to township border line with Stafford Township
Nautilus Drive	From Harpoon Drive south to township border line with Stafford Township

This section shall not apply to school buses. Additionally, it shall not apply to private or commercial buses that are discharging or picking up passengers upon the areas hereinabove described. [Added 2-5-90 by Ord. No. 1990-1]

- C. Commercial vehicles having an overall length in excess of twenty (20) feet or a height of more than nine (9) feet are prohibited from using Memorial Drive other than for deliveries and other business-related activities on Memorial Drive. [Added 6-4-01 by Ord. No. 2001-26]
- D. Violations and penalties. Any person who violates any one (1) or more sections of this chapter shall be subject to a fine of not more than one hundred dollars (\$100.) for each separate offense and/or confinement in the Ocean County Jail for a period of not more than fifteen (15) days. [Added 2-5-90 by Ord. No. 1990-1]

§ 71-7.3 No passing zones. [Added 8-18-00 by Ord. 1980-32]

- A. "No passing zones" are established and maintained along Lighthouse Drive in the Township of Barnegat as authorized by the New Jersey Department of Transportation in accordance with the sketch dated February 8, 1980, bearing Drawing Number NPZ-2880.
- B. "No passing zones" are established and maintained for both directions along County Road #105 pursuant to the provisions of N.J.S.A. 39:4-86. **[Added 5-19-86 by Ord. No. 1986-13]**
- C. "No passing zones" are established and maintained for both directions along Water Street pursuant to the provisions of N.J.S.A. 39:4-86. **[Added 5-19-86 by Ord. No. 1986-13]**
- D. "No passing zones" are established and maintained along Howardsville Road in the Township of Barnegat as authorized by the New Jersey Department of Transportation in accordance with the sketch dated September 19, 1990 bearing drawing number NPZ-3364A. **[Added 11-5-90 by Ord. No. 1990-33]**

§ 71-7.4. In-street pedestrian crossing right-of-way signs. [Added 7-3-06 by Ord. No. 2006-14]

- A. Purpose. The purpose of this ordinance is to create in-street pedestrian crossing on County Road #2, also known as Bay Avenue, Bay Shore Drive.
- B. Creation. In accordance with N.J.S.A. 39:4-8(d), in-street pedestrian crossing right-of-way signs shall be established and maintained at the locations described in Subsection C. of this ordinance by the Township of Barnegat.
- C. Designation. The following locations are hereby designated as in-street pedestrian crossing right-of-ways and shall be so designated by the placing of approved signs:

- (1) Barnegat Bathing Beach, Block 202 Lot 1, 373 Bay Shore Drive.
- (2) Barnegat Municipal Dock, Block 202 Lot 10, 427 East Bay Avenue.
- (3) Meadowedge Park, Block 208 Lots 32 & 33, 550 East Bay Avenue.

ARTICLE II

Stopping and Standing; Entrances and Exits
[Adopted 10-4-76 as Ord. No. 1976-29]**§ 71-8. Definitions.**

Whenever any words and phrases are used in this Article, the meaning respectively ascribed to them in Subtitle I of Title 39 of the Revised Statutes of New Jersey shall be deemed to apply to such words and phrases used herein.

§ 71-9. Stopping or standing prohibited.

No person shall stop or stand a vehicle at any time upon the following streets or parts of streets:

- A. That portion of West Bay Avenue (County Road 534) between a point seven hundred fifty (750) feet west of the most westerly curblines of Memorial Drive and a point five hundred (500) feet westerly therefrom.
- B. Along both sides of Bay Shore Drive from a point on the easterly curblines of U.S. Highway Route 9 to a point one hundred fifty (150) feet of said curblines. **[Added 8-17-81 by Ord. No. 1981-29]**
- C. Along both sides of Ravenwood Boulevard from the westerly curblines of Barnegat Boulevard to a point seventy five (75) feet westerly thereof. **[Added 2-7-00 by Ord. No. 2000-2]**

§ 71-10. Entrances and exits designated.

- A. The easterly driveway of St. Mary's Roman Catholic Church located on the south side of West Bay Avenue (County Road 534) between Memorial Drive and Hillside Avenue is hereby designated as an entrance and the westerly driveway as an exit.

§ 71-11. Violations and penalties.

Unless another penalty is expressly provided by New Jersey statute, every person convicted of a violation of a provision of this Article or any supplement thereto shall be liable to a penalty of not more than fifty dollars (\$50.) or imprisonment for a term not exceeding fifteen (15) days, or both.

§ 71-12. Severability.

If any part or parts of this Article are for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Article.

§ 71-13. Repealer.

All ordinances or parts of ordinances inconsistent with the provisions of this Article are hereby repealed but only to the extent of such inconsistencies.

§ 71-14. When effective.

This Article shall take effect upon approval by the Department of Transportation, final passage and publication as required by law and passage of a consenting resolution by the County of Ocean.

ARTICLE III

Parking**[Adopted 4-3-78 as Ord. No. 1978-4]****§ 71-15. Parking prohibited.**

- A. No person shall stop or stand a motor vehicle on the southerly side of Bay Avenue between the westerly curblineline of Route 9 and the easterly border of Memorial Drive, also known as Railroad Avenue.
- B. No person shall stop or stand a motor vehicle on the northerly side of Bay Avenue between the westerly curblineline of Route 9 and the easterly border of Memorial Drive, also known as Railroad Avenue.
- C. No person shall park a vehicle at any time along the curblineline of the roadways of the Crosswinds Homeowners Association area except for parallel parking at designated areas on Caribbean Court, South Seas Court and Chesapeake Court "Lolli-Pop" circles. Parking is also permitted at a ninety-degree angle within the painted lines in the indented areas in front of each condominium complex. **[Added 9-5-78 by Ord. No. 1978-32; Amended 8-21-89 by Ord. No. 1989-23]**
- D. No person shall park a vehicle at any time along the southerly curblineline of Schooner Avenue from a point on the northerly curblineline of Midship Drive to a point two hundred thirty (230) feet of said curblineline. **[Added 3-21-88 by Ord. No. 1988-12]**
- E. No person shall park their vehicle at any time upon the east side of Schooner Avenue between Village Drive and Nautilus Drive. **[Added 11-21-88 by Ord. No. 1988-42]**
- F. No person shall park a vehicle on the east side of Schooner Avenue from the north curblineline of Nautilus Drive north for a distance of one hundred (100) feet. **[Added 11-21-88 by Ord. No. 1988-42]**
- G. No person shall park a vehicle on the east side of Schooner Avenue from the south curblineline of Mast Drive

south a distance of one hundred twenty-eight (128) feet.
[Added 11-21-88 by Ord. No. 1988-42]

- H. No person shall park a vehicle on the east side of Schooner Avenue between Bowline Drive and Mast Drive. **[Added 11-21-88 by Ord. No. 1988-42]**
- I. No person shall park a vehicle on the west side of Schooner Avenue between Anchor Road and Village Drive. **[Added 11-21-88 by Ord. No. 1988-42]**
- J. No person shall park a vehicle on the west side of Schooner Avenue between Village Drive and Windward Drive. **[Added 11-21-88 by Ord. No. 1988-42]**
- K. No person shall park a vehicle on the west side of Schooner Avenue from the north curblin of Windward Drive north for a distance of one hundred forty-two (142) feet. **[Added 11-21-88 by Ord. No. 1988-42]**
- L. No person shall park a vehicle on the west side of Schooner Avenue between Capstan Street and Longboat Drive. **[Added 11-21-88 by Ord. No. 1988-42]**
- M. No person shall park a vehicle on the east side of Schooner Avenue from the south curblin from Ships Court south for a distance of one hundred nine (109) feet and from the north curblin of Ships Court north a distance of one hundred ten (110) feet. **[Added 11-21-88 by Ord. No. 1988-42]**
- N. No person shall park a vehicle on the east side of Old Main Shore Road for the entire length of the roadway. **[Added 4-21-03 by Ord. No. 2003-011]**
- O. No person shall park any motor vehicle, boat, bicycle, or trailer listed "For Sale" in any municipality owned parking lot, with the exception of municipally owned vehicles posted "For Sale" or public auction. **[Added 8-2-04 by Ord. No. 2004-35]**
- P. No person shall park any commercial vehicle, in any municipally owned parking lot, with the exception of municipally owned vehicles, overnight. **[Added 8-16-04 by Ord. No. 2004-41]**

§ 71-16. Violations and penalties.

Any person who shall violate this ordinance or any of the terms or provisions thereof or who shall do any act or thing in this ordinance prohibited or who shall neglect, refuse or fail to do any act or thing in this ordinance required to be done shall, upon conviction thereof, forfeit and pay such fine not exceeding the sum of fifty dollars (\$50.) or be imprisoned in the county jail for

such term not exceeding fifteen (15) days as shall be determined and imposed by the Magistrate or Municipal Judge before whom such person shall be tried; provided, however, that such Magistrate shall have power in his discretion to impose both fine and imprisonment not exceeding the respective maximum limits herein fixed.

§ 71-17. Repealer.

Any ordinance inconsistent herewith is hereby repealed to the extent of such inconsistency.

§ 71-18. Approval; posting of signs.

This ordinance shall take effect upon approval by the Department of Transportation, final passage and publication as required by law and the placing of parking signs in accordance with N.J.S.A. 39:4-183.27.

ARTICLE III-1

**Alternate side of the street parking
[Adopted 11-21-88 as Ord. No. 1988-42]**

§ 71-18A. Alternate side of the street parking.

Alternate side of the street parking prohibited from and after the effective date of this ordinance. Alternate side of the street parking shall be allowed in the following areas and at the times prescribed pursuant to the properly posted signs.

- A. Alternate side of the street parking shall be allowed at the times posted on Schooner Avenue from the south curblin of Anchor Road south for one thousand one hundred sixty-five (1,165) feet.
- B. Alternate side of the street parking shall be allowed on Schooner Avenue between Longboat Avenue and Deck Street.

- C. Alternate side of the street parking shall be allowed on Schooner Avenue between Stern Court and Starboard Avenue.

ARTICLE IV

Snow Emergencies

[Adopted 10-1-79 as Ord. No. 1979-28]

§ 71-19. Parking prohibited on certain streets.

- A. Whenever snow has fallen and the accumulation is such that it covers the street or highway, an emergency shall exist, and no vehicle shall be parked on the following streets or highways or portions thereof.

Name of Street	Location
Barnegat Boulevard [Added 9-21-81 by Ord. No. 1981-31]	Gunning River Road to West Bay Avenue
Beverly Drive	Entire length
Bowline Street	Entire length
Fresno Street	Entire length
Georgetown Boulevard	Entire length
Pomona Drive	Entire length
Schooner Avenue	Entire length
Starboard Avenue [Added 9-21-81 by Ord. No. 1981-31]	Entire length
Village Drive	Entire length
Windward Drive [Added 9-21-81 by Ord. No. 1981-31]	Entire length

- B. The above parking prohibitions shall remain in effect after the snow has ceased until the streets have been plowed sufficiently and to the extent that parking will not interfere with the normal flow of traffic.

§ 71-20. Removal of vehicles.

Any unoccupied vehicle parked or standing in violation of this ordinance shall be deemed a nuisance and a menace to the safe and proper regulation of traffic, and any police officer may provide for the removal of such vehicle. The owner shall pay the reasonable costs of the removal and storage which may result from such removal before regaining possession of the vehicle.

§ 71-21. Posting of signs.

The effectiveness of this ordinance is contingent on signs being erected as required by law.

(Cont'd on page 7109)

§ 71-22. Violations and penalties.

Unless another penalty is expressly provided by New Jersey statute, every person convicted of a violation of a provision of this ordinance or any supplement thereto shall be liable to a penalty of not more than fifty dollars (\$50.) or imprisonment for a term not exceeding fifteen (15) days, or both.

ARTICLE V**Emergency No-Parking Signs**

[Adopted 10-1-79 by Ord. No. 1979-29]

§ 71-23. Authorization to declare emergency and prohibit parking.

- A. Upon the declaration of an emergency, there shall be no parking upon streets or sections of streets where temporary emergency no-parking signs are displayed. The Chief of Police or, in his absence, the ranking police officer is authorized to declare an emergency and to direct the posting of said emergency no-parking signs when weather conditions, accidents, fires or public celebrations dictate or require the avoidance of hazards or other conditions which interfere with the free flow of traffic.
- B. Notification that the emergency no-parking signs are being or will be posted shall be given to the operator or owner of any vehicle which has been parked prior to the posting of the signs.

§ 71-24. Removal of vehicles.

Any unoccupied vehicle parked or standing in violation of this ordinance shall be deemed a nuisance and a menace to the safe and proper regulation of traffic, and any police officer may provide for the removal of such vehicle. The owner shall pay the reasonable costs of the removal and storage which may result from such removal before regaining possession of the vehicle.

§ 71-25. Posting of signs.

The effectiveness of this ordinance is contingent on signs being erected as required by law.

§ 71-26. Violations and penalties.

Unless another penalty is expressly provided by New Jersey statute, every person convicted of a violation of a provision of this ordinance or any supplement thereto shall be liable to a penalty of not more than fifty dollars (\$50.) or imprisonment for a term not exceeding fifteen (15) days, or both.

ARTICLE VI**Bus Stops**

[Adopted 11-3-80 by resolution]

§ 71-27. Designation of bus stops.

The following described locations are hereby designated as bus stops in the Township of Barnegat:

A. Along Route 9, northbound on the easterly side thereof at:

- (1) Georgetown Boulevard, far side; beginning at the prolongation of the northerly curblineline of Georgetown Boulevard extended and extending one hundred (100) feet northerly therefrom.
- (2) Gunning River Road, far side; beginning at the prolongation of the northerly curblineline of Gunning River Road extended and extending one hundred (100) feet northerly therefrom.
- (3) County Road 554 (Bay Avenue), near side; beginning at the southerly curblineline of County Road 554 (Bay Avenue) and extending one hundred five (105) feet southerly therefrom.
- (4) Bayshore Drive, far side; beginning at the northerly curblineline of Bayshore Drive and extending one hundred (100) feet northerly therefrom.

- B. Along Route 9, southbound on the westerly side thereof at:
- (1) Bayshore Drive, near side; beginning at the prolongation of the northerly curbline of Bayshore Drive extended and extending one hundred five (105) feet northerly therefrom.
 - (2) County Road 554 (Bay Avenue), far side; beginning at the southerly curbline of County Road 554 (Bay Avenue) extending one hundred (100) feet southerly therefrom.
 - (3) Gunning River Road, far side; beginning at the southerly curbline of Gunning River Road and extending one hundred (100) feet southerly therefrom.
 - (4) Georgetown Boulevard, near side; beginning at the northerly curbline of Georgetown Boulevard and extending one hundred five (105) feet northerly therefrom.

ARTICLE VII

Parking Restrictions

[Adopted 9-21-81 as Ord. No. 1981-30]

§ 71-28. Enumeration of restricted areas.

No person shall park a vehicle at any time except in designated areas and between white lines in the following areas:

A & P Shopping Center

Jersey Shore Savings and Loan Association

§ 71-29. Handicap parking areas. [Amended 6-4-01 by Ord. No. 2001-23; 11-3-03 by Ord. No. 2003-38; 12-15-03 by Ord. No. 2003-44]

- A. Identification. No persons shall park a vehicle in any parking space designated and marked as being set aside

for the physically handicapped in any parking facility unless the operator of the vehicle is the holder of an identification card issued pursuant to N.J.S.A. 39:4-205 and the operator's vehicle shall have affixed thereto an identification certificate or marker issued by the New Jersey Director of the Motor Vehicle Commission, or temporary permits issued for one hundred eighty (180) days by the Police Chief for handicapped individuals upon verification by physician.

- B. It will be unlawful for any vehicle to park at the designated handicapped parking space in front of 9 Village Drive, in the Settler's Landing area of Barnegat Township unless the vehicle owner has been issued the Handicapped Designated Identification from New Jersey Motor Vehicle Commission. This handicapped parking space designation shall be renewed yearly during the month of July by submission of the following criteria: Letter addressed to the Township Administrator for the renewal of handicapped parking space designation that has been signed by the owner of 9 Village Drive along with an updated doctor's certification that the owner remains totally disabled as of the date of the letter of renewal. Failure to submit annual request letter and doctor's certificate establishes this section null and void. **[Amended 7-6-09 by Ord. No. 2009-18]**
- C. Any vehicle permitted to park in accordance with this section shall display a windshield placard or wheelchair symbol license plate corresponding to the handicapped person identification card.
- D. Any person parking a motor vehicle in a restricted parking space without a special vehicle identification card shall be liable for a fine of two hundred fifty dollars (\$250.) for the first offense and for subsequent offenses, a fine of at least two hundred fifty dollars (\$250.) and up to ninety (90) days community service on such terms and in such form as the Court shall deem appropriate, or any combination thereof.

§ 71-30. Signs.

Signing shall conform to state standards.

§ 71-31. When effective.

This ordinance shall take effect upon final adoption and publication as provided by law.

ARTICLE VIII
Regulations In and Around Public School Areas
[Adopted 5-3-82 as Ord. No. 1982-8]

§ 71-32. No parking certain hours.

No person shall park a vehicle between the hours specified upon any of the following streets or parts of streets:

Street	Side	Hours	Days	Location
Barnegat Boulevard	Both	7:00 a.m. to 4:00 p.m.	School days	From Gunning River Road to a point 300 feet west of the west- erly curblin of the westerly drive of Barnegat Boulevard School

§ 71-33. No stopping or standing certain hours.

No person shall stop or stand a vehicle at any time upon any of the following streets or parts of streets:

Street	Side	Hours	Days	Location
Village Drive	Both	7:00 a.m. to 4:00 p.m.	School days	From Barnegat Boulevard to Tiller Drive

§ 71-34. Stopping or standing on school grounds.

No person shall stop or stand a vehicle, between the hours of 7:00 a.m. and 4:00 p.m. on school days, upon the grounds of the

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following-named schools, except in designated areas and between the painted lines, as shown on the current sketch attached to and made a part of this ordinance.¹ All vehicles so parked shall be properly identified.

Barnegat Boulevard School
Cecil Collins School

§ 71-35. One-way streets on school grounds.

No person shall move a vehicle on the following school grounds except in the direction indicated as shown on the current sketch attached to and made a part of this ordinance:¹

Barnegat Boulevard School
Cecil Collins School

§ 71-36. Posting of signs.

The effectiveness of this ordinance is contingent upon signs being erected as required by law.

§ 71-37. Violations and penalties.

Unless another penalty is expressly provided by New Jersey statute, every person convicted of a violation of a provision of this ordinance or any supplement thereto shall be liable to a penalty of not more than fifty dollars (\$50.) or imprisonment for a term not exceeding fifteen (15) days, or both.

§ 71-38. Repealer.

Any ordinance inconsistent herewith is hereby repealed to the extent of such inconsistency.

¹ Editor's Note: Said sketch in on file in the office of the Township Clerk.

§ 71-39. When effective.

This ordinance shall take effect upon approval by the Department of Transportation, final passage and publication as required by law.

ARTICLE IX**Turn Prohibitions**

[Adopted 11-15-82 as Ord. No. 1982-31]

§ 71-40. Left turn prohibitions.

No person shall make a left turn at any of the locations described in Schedule I attached to and made a part of this ordinance.

§ 71-41. Schedule I, Left Turn Prohibitions.

In accordance with the provisions of § 71-40, no person shall make a left turn at any of the following locations:

Name of Street	Direction	Location
State Highway No. 9 [Amended 5-21-84 by Ord. No. 1984-12]	Westbound	From the shopping center driveway location on the east side of Route No. 9 within 200 feet north of Bayshore Drive
State Highway No. 9 [Added 3-19-84 by Ord. No. 1984-5; amended 5-21-84 by Ord. No. 1984-13]	Westbound	From the Pebble Beach Shopping Center Drive- way location on the east side of Route 9 within 200 feet

Name of Street	Direction	Location
West Bay Avenue [Added 3-19-01 by Ord. No. 2001-8]	Westbound	From the Gunning River Mall located at 849 West Bay Avenue, Block 114, Lot 6 onto West Bay Avenue

(Cont'd on page 7115)

ARTICLE X
Applicability of Subtitle 1 of Title 39 of the
New Jersey Revised Statutes to Semi-Public
Roads, Streets and Driveways
[Adopted 6-17-96 by Ord. No. 1996-24]

§ 71-42. Pheasant Run Subdivision.

- A. Provisions adopted. The Township of Barnegat does hereby adopt the provisions of Subtitle 1 of Title 39 of the New Jersey Revised Statutes to be applicable to the semi-public roads, streets, driveways and parking lots at the Pheasant Run Subdivision located in Barnegat Township. This ordinance is further based upon the written consent filed with the Township requesting said Title 39 enforcement.
- B. General parking.
- (1) All vehicles must park in designated areas between the lines provided.
 - (2) Handicapped parking. All stalls shall be twelve (12) foot wide as shown on the attached site plan and signed with 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. Through streets.
- (1) The following streets or parts of streets are hereby designated as Through Streets. Stop signs shall be installed on the near right side of each street intersecting the through street except where yield signs are provided for in the designation:

Name of Street	Limits
Pine Oak Boulevard	Entire length
Hemlock Drive	Entire length

D. Speed limits.

- (1) The speed limit for both directions of traffic in the parking lot(s) shall be fifteen (15) miles per hour.
- (2) The speed limit for both directions of travel on the following roadways are:

Name of Roadway	MPH	Limits
All roadways	25	Entire length

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

D. Tow away. 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. Penalty. Unless another penalty is expressly provided by New Jersey Statute, every person convicted of the violation of this ordinance or any supplement thereto shall be liable to a penalty of not more than two hundred dollars (\$200.) or imprisonment for a term not exceeding fifteen (15) days or both.

ARTICLE XI
Operation of Certain Motor Vehicles
[Adopted 5-20-02 as Ord. No. 2002-15]

§ 71-43. Definitions.

As used in this section.

MOTORCYCLE — Any two (2)-wheeled, motor-propelled apparatus licensed by the State of New Jersey Department of Motor Vehicles for operation upon the public highways.

MOTORIZED BICYCLE — A pedal bicycle having a helper motor characterized in that either the maximum piston displacement is less than fifty (50) cc. or said motor is rated at no more than one and one-half (1.5) brake horsepower and said bicycle is capable of a maximum speed of no more than twenty-five (25) miles per hour on a flat surface.

MOTORIZED SPORTBIKE:

- A. Any two (2), three (3) or four (4) wheeled bicycle or similar apparatus motor propelled or having a helper motor and commonly referred to, among other designations, as a moped, minibike, go-cart, all-terrain vehicle, trailbike, or the like, which by its nature is not authorized to be licensed by the State of New Jersey Department of Motor Vehicles for use upon the public highways, notwithstanding the fact that licensing of the same in some instances may not be required for operation upon the public roadways.
- B. A snowmobile and any similar sport vehicle which is motor propelled and traverses the terrain by means of treads, tracks or the like, all as contrasted to wheels.

PRIVATE PROPERTY — All lands in the Township of Barnegat not defined as public property or part of the road system as accepted hereinbefore.

PUBLIC PROPERTY — Lands owned or leased by the Township of Barnegat, the Board of Education of the Township of Barnegat, or any other equivalent public body, but specifically excluding therefrom any roadways being used for public transportation and being part of the accepted road system of the township, the county or the State of New Jersey.

UNLICENSED OPERATOR — The operator of any motor vehicle who does not hold a special license issued by the State of New Jersey Department of Motor Vehicles, permitting the operation of a motorcycle on the public

highways, or the operator of any motorized sportbike who is in violation of Section 71-44B. of this Article. Unlicensed operator shall also mean the operator of any watercraft required to be licensed by Federal or State regulations.

WATERCRAFT — Any boat, canoe, personal watercraft, vessel, motorized or otherwise, which is capable of transporting persons or objects over water.

§ 71-44. Acts Prohibited.

It shall be unlawful to:

- A. Operate a motor vehicle of any type, a motorized sportbike, motorcycle, motorized bicycle or watercraft, as defined herein, upon public or private property, with or without permission of the landowner, during the period of one (1) hour after sunset or one (1) hour before sunrise.
- B. Operate a motorized sportbike, motorcycle, motorized bicycle or watercraft, as a licensed or unlicensed operator, on private property other than with the written consent of all of the owners of the property. When such written consent has been obtained, the operator shall keep the same on his person for display to the authorities. The failure to disclose such written consent shall constitute a violation hereunder.
- C. Operate a motorized sportbike, motorcycle, motorized bicycle or watercraft on public or private property other than in accordance with the general regulation set forth in Section 71-45 of this Article.
- D. Operate a motorized sportbike, motorcycle, motorized bicycle or watercraft on public or private property in such a way as to harass, worry or disturb farm animals, domestic livestock or further or destroy or damage crops or cropland.

- E. Operate a motorized sportbike, motorcycle, motorized bicycle or watercraft on public or private property without the same being in "proper operating condition," which is hereby defined as the presence of all original operating equipment specified therefor by the original manufacturer, with the same in operating condition at least equal to the manufacturer's requirements for the proper operation thereof or the equivalent thereof.
- F. Operate a motorized sportbike, motorcycle, motorized bicycle or watercraft on public or private property in a careless, reckless or negligent manner so as to endanger the safety or property of any person or public or private property.

§ 71-45. General Regulations.

The following regulations shall apply to the operation of a motorized sportbike, motorcycle, motorized bicycle or watercraft operated on public or private property, other than the property of the immediate family of which the operator is a member.

- A. No person operating a motorized sportbike, motorcycle, motorized bicycle or watercraft shall ride without maintaining full control of such motorized sportbike, motorized bicycle, motorcycle, or watercraft or remove both hands from the handlebar.
- B. No person operating a motorized sportbike, motorcycle, motorized bicycle or watercraft shall carry any other person, except in a place designated therefor and equipped therefor as part of the original manufacture for the purpose, and in no event shall a rider be carried on the handlebar thereof.
- C. It shall not be unlawful for any public employee or other party with an appropriate permit to operate motor vehicles, motorized sportbikes, motorcycles, motorized

bicycles or watercraft, as defined herein, in the locations for the purpose of maintaining, repairing or doing work upon the lands for the public good.

- D. This section shall not be applicable to any recognized organization which has obtained permission from the township administration to use the lands for the sole purpose of holding organized and supervised rallies, races and/or meets.
- E. It shall be unlawful for any person to operate any vehicle equipped with a muffler cutout, muffler bypass or similar device.

§ 71-46. Impoundment; Duration; Cost.

Any police officer may, at his discretion:

- A. Impound any motorized sportbike, motorcycle, motorized bicycle or watercraft operated on public or private property alleged to be a violation of this section, either by virtue of its operation and use contrary to the provisions of this section or by virtue of its operation by an unlicensed operator.
- B. Impound any motorized sportbike, motorcycle, motorized bicycle or watercraft operating on the public roadways or waterways in violation of any then-applicable State statute or any regulation validly promulgated by any State agency having jurisdiction. The period of impoundment shall be from the date of the alleged violation until the disposition of the alleged offense by such court of competent jurisdiction as shall hear the same, and the owner thereof shall pay the reasonable cost of the removal and storage constituting impoundment, which is hereby deemed to be four dollars (\$4.) per day. The Chief of Police or his designee may authorize early release. The expense of impoundment shall be in addition to any other fine or penalty levied or collected under the terms of this Article.

**§ 71-47. Violations and Penalties. [Amended 10-21-02 by
Ord. No. 2002-27]**

Any person, partnership, corporation or other entity who violates any provision of this Article shall be subject to one (1) or more of the following penalties: a fine of not less than five hundred dollars (\$500.) but not to exceed one thousand two hundred fifty dollars (\$1,250.) or imprisonment not exceeding ninety (90) days or a period of community service not exceeding ninety (90) days. In the event that the statutes of the state are amended to provide greater penalties, this section may be construed to authorize and permit the imposition of the maximum fine, imprisonment or community service. The purpose of this penalty clause is to provide the maximum penalty permitted by law.

ARTICLE XII

**Traffic Patterns for Railroad Avenue
Between West Bay Avenue and Burr Street
[Adopted 7-19-10 by Ord. No. 2010-17]**

§ 71-48. Traffic patterns for Railroad Avenue.

Railroad Avenue is a divided roadway which extends to the north from West Bay Avenue to Burr Street. The westerly side of Railroad Avenue extends in a straight line from West Bay Avenue to Burr Street while the easterly side of Railroad Avenue extends to the north for a distance of approximately three hundred (300) feet at which point it turns to the west and forms a 3-way intersection with the westerly side of Railroad Avenue. One-way traffic in a northbound direction shall be permitted on the easterly side of Railroad Avenue. On the westerly side of Railroad Avenue, two-way traffic shall be permitted between Burr Street and the intersection with the easterly side of Railroad Avenue. From the 3-way intersection of the westerly side of Railroad Avenue with the easterly side of Railroad Avenue to the intersection with West Bay Avenue, one-way traffic in a southbound direction shall be permitted.