

ORDINANCE NO. 10-16

AN ORDINANCE AMENDING SECTIONS 84-4.1.B. AND 84-34 OF CHAPTER 84, VEHICLES AND TRAFFIC, OF THE CODE OF THE BOROUGH OF KINNELON

WHEREAS, pursuant to N.J.S.A.40:48-2, the governing body of a municipality may make, amend, repeal, and enforce such other ordinances, regulations, rules and by-laws not contrary to the laws of this state or of the United States, as it may deem necessary and proper for the good government, order and protection of person and property, and for the preservation of the public health, safety and welfare of the municipality and its inhabitants, and as may be necessary to carry into effect the powers and duties conferred and imposed by this subtitle, or by any law; and

WHEREAS, the Borough of Kinnelon desires to amend the regulations set forth in Section 84-4.1.B. of Chapter 84, Vehicles and Traffic, of the Code of the Borough of Kinnelon for the control of traffic within the portion of the Meadtown Shopping Center located in the Borough of Kinnelon; and

WHEREAS, the Borough of Kinnelon also desires to amend and supplement Section 84-34 of Chapter 84, Vehicles and Traffic, of the Code of the Borough of Kinnelon to designate Kiel Avenue, from the terminus at Meadtown Shopping Center to a point 120 feet west of the entrance to the Meadtown Shopping Center, as a one-way street.

NOW, THEREFORE, BE IT ORDAINED, by the Governing Body of the Borough of Kinnelon, County of Morris, State of New Jersey as follows:

SECTION ONE. Section 84-4.1.B. of Chapter 84, Vehicles and Traffic, of the Code of the Borough of Kinnelon, Morris County, New Jersey is hereby deleted in its entirety and replaced by the following:

B. Meadtown Shopping Center.

1. 1483 Rt. 23, Meadtown Shopping Center. Pursuant to written consent of UB Kinnelon I, LLC, the provisions of Subtitle 1 of Title 39 of the New Jersey Statutes and, unless otherwise provided herein, all pertinent municipal ordinances are applicable to the semipublic roads, streets, driveways and parking lots at 1483 Rt 23 (Block 45301, Lot 101), located in the Borough of Kinnelon, County of Morris, as approved by Kinnelon Planning Board, Application No. 804, and the following regulations shall be enforceable:

(a) This subsection B shall only be effective with respect to that portion of the shopping center located within the jurisdiction of the Borough of Kinnelon, that is Block 45301, Lot 101 on the Official Tax Map of the Borough of Kinnelon.

(b) The Borough of Butler is hereby requested to adopt a companion ordinance to this one making Title 39, Subtitle 1 applicable to that portion of the Meadtown Shopping Center located in the Borough of Butler.

2. Parking.

(a) All vehicles must park in designated areas/spaces and between the lines provided.

(b) No person shall stop or stand a vehicle upon any of the streets or parts of streets described below in areas covered by other parking restrictions.

Name of street	Sides	Hours
All Roads and Aisles	Both	All

(c) Handicapped parking. All stalls shall be 12 feet wide 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 handicapped parking permits by the Division of Motor Vehicles.

(d) Time Limit. Customer parking is limited to a maximum of three hours and no person shall stand or park any vehicle in excess of three hours without obtaining permission from one of the businesses in the Meadtown Shopping Center. Notice of these restrictions shall be posted at various locations within the parking area and such notice shall consist of signs not less than 18 inches by 24 inches upon which there shall be written words "three-hour parking for customers only".

3. Entrance and Exits.

(a) Entrance Only. The locations described are hereby designated as entrance only.

Name of street	At cross street
West Drive	Kiel Ave

(b) Exit Only. The locations described are hereby designated as exit only.

Name of street	At cross street
Middle Drive	Kiel Ave
East Drive	Kiel Ave

4. One-way streets. The following described streets or parts of streets are hereby designated as one-way streets in the direction indicated.

Name of street	Direction	Limits
West Drive	South	Kiel Ave to Main Drive

5. Stop intersections. The following described streets or parts of streets are hereby designated as stop intersections. Stop signs shall be installed as provided therein.

Intersection	Stop sign on
Middle Drive and Kiel Avenue	Middle Drive
West Drive and Main Drive	All 3 legs of intersection
West Drive and South Drive	West Drive
Main Drive and East Drive	East Drive (Northbound) and Main Drive (Eastbound)

Rear Drive and Kiel Avenue

Rear Drive

6. Speed limits.

(a) The speed limit for both direction of traffic in parking lots shall be 15 mph.

(b) The speed limit for both direction of travel on the following roadways are:

Name of street	Speed Limit (mph)	Limits
All roads and aisles	15	Entire length

(c) Regulatory and warning signs shall be erected and maintained regarding the designated speed limits, which were authorized by the Department of Transportation.

7. 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, pedestrian walkways, 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.

8. Load zones. The locations described are hereby designated as loading zones. No person shall park a vehicle in said location during times indicated, other than for the loading or unloading of goods and materials.

Name of street	Sides	Hours
Rear Driveway	Along west side of building	All

9. All signs, posts, or other necessary material must be installed and paid for by UB Kinnelon I, LLC. All signing shall conform to the current Manual on Uniform Traffic Control Devices, pursuant to N.J.S.A. 39:4-198 and N.J.S.A. 39:4-183.27.

10. Violations and penalties. Unless another penalty is expressly provided for by New Jersey Statute, all municipal ordinances, including 84-2 (violations and penalties), shall be fully applicable to the semipublic areas of 1483 Rt 23.

SECTION TWO. Section 84-34 of Chapter 84, of Chapter 84, Vehicles and Traffic, of the Code of the Borough of Kinnelon, Morris County, New Jersey is hereby deleted in its entirety and replaced by the following:

Section 84-34. Schedule VI- One-Way Streets.

In accordance with the provisions of Section 84-12, the following described streets or parts of streets are hereby designated as one-way streets in the direction indicated:

Name of Street	Direction	Limits
East Gate Road	Northbound	Between East Gate House and Spice Bush Road
Spice Bush Road	Westbound	Between East Gate Road and Stonehouse Road
Stonehouse Road	Southbound	Between Robbins Lane and East Gate House
Turnabout Road	Counter-Clockwise	Between East Gate Road and Stonehouse Road
Kiel Avenue	Westbound	From the terminus at Meadtown Shopping Center to a point 120 feet west of the entrance to Meadtown Shopping Center

SECTION THREE. All Ordinances of the Borough of Kinnelon which are inconsistent with the provisions of this Ordinance are hereby repealed as to the extent of such inconsistency.

SECTION FOUR. If any section, subsection, clause, or phrase of this Ordinance is for any reason held to be unconstitutional or invalid by any Court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

SECTION FIVE. This Ordinance shall take effect as provided by law.

ATTEST:

BOROUGH OF KINNELON

Karen M. Iuele, Deputy Borough Clerk

Robert W. Collins, Mayor

CERTIFICATION

I, Karen M. Iuele, Deputy Borough Clerk of the Borough of Kinnelon, County of Morris, State of New Jersey, do hereby certify the foregoing to be a true copy of an Ordinance introduced, read by title and passed on the first reading at the regular meeting of the Borough held on _____ and adopted by the Governing Body at a regular meeting of the Borough held on _____.

Karen M. Iuele, Deputy Borough Clerk