ORDINANCE 2018-17

Borough of Metuchen
County of Middlesex
State of New Jersey

ORDINANCE TO AMEND CHAPTER 185 OF THE CODE OF THE BOROUGH OF METUCHEN TO PROVIDE FOR ADDITIONAL PAYMENT METHODS FOR PARKING

WHEREAS, the Parking Authority of the Borough of Metuchen has purchased new street parking meters for the Borough of Metuchen that will provide the ability to accept coins, credit and debit cards and other methods of payment for parking; and

WHEREAS, Section 185-12 of the Code of the Borough of Metuchen governs the installation and operation of parking meters in the Borough; and

WHEREAS, at the request of the Parking Authority, the Council of the Borough of Metuchen has determined to amend Section 185-12 to provide for the acceptance of coins, credit and debit cards and other methods of payment for parking.

NOW THEREFORE BE IT ORDAINED by the Mayor and Council of the Borough of Metuchen that the following subsections of Chapter 185-12 of the Code of the Borough of Metuchen, are hereby amended to state as follows:

D. Installation of parking meters. In said parking meter zones, the Parking Authority shall cause parking meters to be installed upon the curb, sidewalk or area immediately adjacent to the parking spaces provided in this section. No parking meters shall be installed in areas where parking is prohibited pursuant to the provisions of N.J.S.A. 39:4-138. The Parking Authority shall be responsible for the regulation, control, operation, maintenance and use of such parking meters. Each device shall be so set as to display a signal showing legal parking upon the deposit of the appropriate coin or currency, lawful money of the United States of America, credit or debit card or other acceptable method of payment as determined by the Parking Authority, for the period of time prescribed in this section. Each device shall be so arranged that upon the expiration of the lawful time limit, it will indicate by a proper, visible signal that the lawful parking period has expired, and in such case the right of such vehicle to occupy such space shall cease, and the operator, owner, possessor or manager thereof shall be subject to the penalties provided.

E. Operation of parking meters. Except in a period of emergency determined by an officer of the Police or Fire Department, or in compliance with the directions of a police officer or traffic control sign or signal, when any vehicle shall be parked in any parking space alongside or next to which a parking meter is located, the operator of such vehicle shall, upon entering said parking meter space, immediately deposit or cause to be deposited in said meter such proper coin or currency, lawful money of the United States
of America, credit or debit card or other acceptable method of payment as determined by
the Parking Authority as is required for such parking meter and as is designated by proper
directions on the meter, and when required by the directions on the meter, the operator of
such vehicle, after the deposit of the proper coin, or currency, or lawful money of the
United States of America, credit or debit card or other acceptable payment methods as
determined by the Parking Authority shall also set in operation the timing mechanism on
such meter in accordance with directions properly appearing thereon, and failure to
deposit such proper coin, currency, or lawful money of the United States of America,
credit or debit card or other acceptable payment method as determined by the Parking
Authority and to set the timing mechanism in operation when so required shall constitute
a violation of this chapter. Upon the deposit of such coin, currency, lawful money of the
United States of America, credit or debit card or other acceptable payment method as
determined by the Parking Authority (and the setting of the timing mechanism in
operation when so required), the parking space may be lawfully occupied by such vehicle
during the period of time which has been prescribed for the part of the street in which
said parking space is located, provided that any person placing a vehicle in a parking
meter space adjacent to a meter which indicates that unused time has been left in the
meter by the previous occupant of the space shall not be required to deposit a coin,
currency or other method of payment so long as his occupancy of said space does not
exceed the indicated unused parking time. If said vehicle shall remain parked in any such
parking space beyond the parking time limit set for such parking space and if the meter
shall indicate such illegal parking, then and in that event such vehicle shall be considered
as parking overtime and beyond the period of legal parking time, and such parking shall
be deemed a violation of this chapter.

I. Purpose of meter deposits. The coins, currency, lawful money of the United
States of America, credit or debit card or other acceptable payments required to be
deposited in parking meters as provided herein are hereby levied and assessed as fees to
provide for the proper regulation and control of traffic upon the public streets and also the
cost of supervising and regulating the parking of vehicles in the parking meter zones
created thereby, and to cover the cost of the purchase, supervision, protection, inspection,
installation, operation, maintenance, control and use of the parking meters described
herein.

J. Collection of coins, currency, lawful money of the United States of America,
credit or debit card or other acceptable payments from meters; disposition thereof. It shall
be the duty of the Borough Council to designate some proper person or persons to make
regular collections of the moneys deposited in said meters and/or other methods of
payments received, and to verify and record the same. It shall also be the duty of such
person or persons so designated to remove from the parking meters the locked containers
therein containing the coins, currency, lawful money of the United States or other
necessary payment method information so deposited or entered in said meters and to
deliver such locked containers to the Treasurer, or his/her designee who shall unlock
them, count and record the funds, so collected and arrange for the proper deposit of said
funds in the appropriate depository as approved by the Borough Council. In addition, said person or persons as designated by the Borough Council shall also verify and record the credit or debit card payment information or other approved payment method by the Parking Authority from the meters with the amount of funds deposited into the appropriate depository, as well as those retained by such Parking Authority approved third parties and to provide such record and accounting to the Treasurer, or his/her designee in the usual manner provided by law.

**BE IT FURTHER ORDAINED** by the Mayor and Council of the Borough of Metuchen that the following subsections of Chapter 185-12 of the Code of the Borough of Metuchen, is hereby added as follows:

K. For purposes of clarification, to the extent the term “Coin” and/or “Coins” is referenced in this Section of the Code as it relates to the deposit of monies in parking meters, the term shall include payments by coins or currency of the United States of America, credit or debit card payments or other payments as determined by the Parking Authority described on the parking meter.

**BE IT FURTHER ORDAINED** that the remaining sections of Chapter 185-12 of the Code of the Borough of Metuchen, not specifically referenced above shall remain in full force and effect; and

**BE IT FURTHER ORDAINED** that all Ordinances or parts thereof inconsistent herewith are hereby repealed or amended to the extent of such inconsistency; and

**BE IT FURTHER ORDAINED** that the provisions of this Ordinance are severable. If any part of this Ordinance is for any reason held to be invalid by any court of competent jurisdiction, such determination or judgment shall be limited in its effect only to the portion of the Ordinance actually adjudged invalid and shall not affect the operation or validity of the remaining portions of this Ordinance; and

**BE IT FURTHER ORDAINED** by the Mayor and Council of the Borough of Metuchen that this Ordinance shall take effect after passage and publication as required by law.

Introduction: June 28, 2018
Date of Publication: July 3, 2018

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X – INDICATES VOTE  AB- ABSENT  NV- NOT VOTING
I hereby certify the foregoing to be a true copy of an ordinance introduced by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a special meeting held on June 28, 2018

________________________
Susan D. Jackson, RMC
Borough Clerk

Adopted: July 16, 2018
Date of Publication: July 19, 2018

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I hereby certify the foregoing to be a true copy of an ordinance adopted by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on July 16, 2018

________________________________________
Susan D. Jackson, RMC
Borough Clerk

ATTEST: _________________________________
BOROUGH OF METUCHEN

_______________________________________
Susan D. Jackson, RMC
Borough Clerk

By: _________________________________
Jonathan M. Busch
Mayor