

ARTICLE 6. PARKING DURING SNOWSTORM, EMERGENCY

12-45. What Constitutes an Emergency.

When a snowstorm occurs, as hereinafter set forth, which constitutes a serious public hazard impairing transportation, the movement of food and fuel supplies, medical care, fire, health, police protection and other vital facilities of the Town, a State of Emergency shall be deemed to exist. A State of Emergency is hereby declared to exist within the municipal limits of the Town whenever there shall be a snowfall of three (3") inches or more, and such emergency shall be presumed to continue for a period of 72 hours after the cessation of said snowfall. (3-27-61 sl and 2)

12-46. Parking Prohibited for 72 Hours or Until Street Cleared.

In order to afford the Town the opportunity to clear its streets and highways of snow and to open the same during the period of the emergency aforesaid, no vehicle, however propelled, except as herein-provided, shall be allowed to stand or park, whether attended or not, upon any street or highway of the Town, except for picking up or discharging passengers or for picking up or delivering essential merchandise or other commodities, provided, however, that such emergency shall be terminated as to any street or highway when the snow has been plowed therefrom for the full width of the pavement. (3-27-61 s3)

12-47. Emergency to Continue on All Streets Until Cleared.

Such emergency shall continue beyond the 72-hour period above-provided on those streets or highways of the Town from which the snow has not been removed, and no vehicle shall be allowed to stand or park, whether attended or not, on such street or highway until the snow shall have been cleared therefrom. (3-27-61 s4)

12-48. Impounding of Parked Vehicles; Removal Fee; Storage Fee.

Whenever a vehicle has been parked or left standing in violation of the provisions of this Article, the Chief of Police or any police officer so designated by the Chief may move or cause the removal of such vehicle to such place as may be designated by the Chief of Police for the impounding until the person owning said vehicle shall pay the reasonable cost of such removal and storage. (9-24 15)

12-49. Removal by Tow Truck Operators.

The removal of vehicles as referred to in the aforementioned Section 12-48 to a designated place of impounding shall be carried out only by town truck operators listed on the rotating list maintained by the Police Department.

12-50. Sale of Unclaimed Vehicles After Six Months.

After any vehicle removed as aforesaid has been in the possession of either the Police Department or the Town of Hackettstown for a period of six (6) months, and the owner or owners cannot be found or refuse to receive and remove such vehicle and pay the storage costs thereof, then the Chief of Police may proceed to sell such vehicle in accordance with the provisions of the Laws of the State of New Jersey. (3-27-61 s7)

12-51. Definition of Vehicle.

"Vehicle" as used herein is defined to mean every device in, upon, or by which a person or property is or may be transported upon a highway. (3-27-61 58)

12-52. Violations. (6-30-11)

Any person who shall violate any provision of this Article shall, upon conviction thereof, be punished by a fine not exceeding One Thousand (\$1,000.00) Dollars.

12-53. Parking Prohibited When Streets Are Snow Covered. (9-12-13)

(a) In addition to the parking prohibition set forth in sections 12-46 and 12-47 there shall be no parking of a vehicle on any portion of a public road, street or highway whenever snow has fallen and the accumulation is such that it covers the public road, street or highway. However, parking shall be permitted during such times on Main Street only, between Stiger Street and Warren Street. (2-27 14)

(b) Said parking prohibition shall remain in effect after the snow has ceased, and, until the streets, roads or highways have been plowed and/or sanded sufficiently, and to the extent that parking will not interfere with the free flow of traffic.

(c) As used in this section, the term "snow" shall mean any precipitation depositing any accumulation on the surface of the street, roads or highways, including snow, sleet, hail, ice or freezing rain so that the streets are covered with the same.

(d) As per this section, regulatory and/or warning signs in accordance with N.J.S.A. 39:4-198 shall be erected and maintained.

12-54. Emergency Closing of Streets. (11-14-94)

The Mayor is authorized to close any street or portion thereof to traffic at anytime where in the opinion of the Mayor the closing is necessary to preserve the public safety, health and welfare (Sec. N.J.S.A. 40:67-16.9). Appropriate temporary signs shall be posted advising the public of any emergency closure.

12-55. Penalty and Removal.

Any person who shall violate paragraphs 12-53 by parking on a snow route shall be punished by a fine not exceeding One Thousand (\$1,000.00) Dollars, or by imprisonment in the County Jail for a term not exceeding ninety (90) days or both.

In addition, a vehicle parked or left standing in violation of paragraph 12-53 shall be subject to the impounding, removal and storage provisions of paragraph 12-48 above.

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ARTICLE 7. SIDEWALK CARE AND MAINTENANCE

12-60. Removal of Snow or Ice by Owner or Tenant.

The owner or tenant of lands abutting upon a public street of this Town shall and must remove, or cause to be removed, from the abutting sidewalks of said street all snow or ice within twelve (12) daylight hours after the same shall be formed or fall thereon. (3-27-22 sl)

12-61. Violations.

Any owner or tenant who shall violate the above Section 12-60 of this Article shall, upon conviction thereof, be punished by a fine not exceeding Fifty (\$50.00) Dollars, together with the costs of prosecution. (3-27-22 s2)

12-62. Removal by Street Commissioner.

In cases where the owner or tenant shall refuse or neglect to remove the same, in the manner

and within the time provided in Section 12-60 hereof, the Common Council may, by or under the direction of the Street Commissioner or other officer, cause the same to be done. (3-27-22 s3)

12-63. Cost of Removal by Town a Lien on Property.

In all cases where snow or ice is removed from the sidewalks under this Article by or under the direction of such Street Commissioner or other officer, such officer shall certify the cost thereof to the Common Council, which shall examine the certificate and, if found correct, shall cause the cost shown thereon to be charged against the lands abutting or bordering such sidewalk. The amount so charged shall forthwith become a lien upon such land and shall be added to and become and form a part of the taxes next to be assessed and levied upon such lands, the same to bear interest at the same rate as taxes, and shall be collected and enforced by the collector of taxes and in the same manner as other taxes.