**CITY OF NORTH WILDWOOD**

**COUNTY OF CAPE MAY, NEW JERSEY**

**ORDINANCE NO. 1647**

**AN ORDINANCE PROVIDING FOR THE REGULATION OF THE PARKING OF TRAILERS UPON THE STREETS OF THE CITY OF NORTH WILDWOOD**

**BE IT ORDAINED,** by the Mayor and City Council of the City of North Wildwood in the County of Cape May and State of New Jersey as follows:

**Section One. Definitions.**

Trailer - Shall mean “Trailer,” as defined in N.J.S.A. 39:1-1.

 Storage Trailer – Includes, but is not limited to, any trailer that is used in connection with landscaping, grass-cutting, construction, sales and food vending which commonly is used for the storage of tools, materials, food, equipment, sales information or supplies and equipment for persons, contractors or vendors.

Jobsite Trailer – Includes, but is not limited to, any trailer that is used for the storage of construction or demolition tools, materials or supplies for contractors engaged in construction or demolition activities upon a construction jobsite or a demolition jobsite.

Mobile Office Trailer – Includes, but is not limited to, any trailer commonly used as a mobile or temporary office in connection with construction or demolition activities at a construction jobsite or a demolition jobsite.

Watercraft Trailer- Includes, but is not limited to, any trailer that is designed or used for carrying, hauling or transporting powerboats, sailboats, wave runners, jet skis or any other type of craft that is used in or on the water.

**Section Two. Parking of Trailers.**

1. Whenever, under the terms of this Article, it is permissible to park a trailer upon the streets of the City of North Wildwood the trailer shall be parked in accordance with all standards and requirements that are set forth in the New Jersey Motor Vehicle Code, N.J.S.A. 39:1-1, *et. seq.*
2. No person shall purposely, knowingly, recklessly or negligently damage any street or public property or allow damage to be caused to any street or public property by the placement of a trailer upon a street or public property. It shall be no defense to a prosecution for an offense under this section that a permit or mercantile license for placement of a trailer was obtained from the City or that timber or other material had been placed under the wheels of the trailer, it being the responsibility of the user of the trailer to provide for further protective measures to the street or public property if the timber or other material proves to be insufficient to adequately protect the street or public property from damage by reason of the weight of the trailer or any other factor or cause

**Section Three. Parking of Storage Trailers.**

1. Except as otherwise set forth in this paragraph, beginning on the Friday immediately preceding the Monday on which Memorial Day is observed through and including the Monday next following Labor Day each year, it shall be unlawful to park or permit to be parked a storage trailer upon any street within the City of North Wildwood, except that, during such period of time, landscapers and grass cutters, in the performance of their duties and only during the period of time when the particular landscaper or grass cutter actually is engaged in work, are permitted to park a storage trailer in front of and adjacent to their work site.
2. During such periods of time when the parking of storage trailers upon the streets is permitted, to the extent possible, they shall be located on the work site for which the storage trailer is being used rather than on the street. In such cases where the only practical location for such storage trailer is on the street or highway, then the storage trailer shall be parked in front of the work site or any property owned by the storage trailer owner and only during the period of time when the particular owner, contractor, landscaper or storage trailer owner or operator actually is engaged in working on the project. All storage trailers shall be removed from the site, street or highway immediately following the completion of the construction, work, landscaping, grass cutting or other project on which a particular contractor or person was engaged.
3. Under no circumstances shall any storage trailer that is used in connection with sales of goods or merchandise or in connection with the vending of food be parked or permitted to be parked on any street at any time unless the storage trailer is being used in connection with a special event that has been approved in accordance with the provisions of Chapter 382, Article VII of the Code of the City of North Wildwood and/or connection with an activity for which a mercantile license has been issued by the City Clerk.

**Section Four. Parking of Watercraft Trailers.**

1. **May 16 – September 30 Prohibition.** No person shall park or permit the parking of watercraft trailers of any type or description, regardless of whether such watercraft trailer is licensed and/or registered by any governmental authority and regardless of whether a boat or other watercraft is situate upon the watercraft trailer, on any street between May 16 and the next following September 30.
2. **October 1 – May 15.** Between October 1 and the next following May 15 the owner of a watercraft trailer that is less than 26 feet in length may park the Watercraft trailer directly in front of, and immediately adjacent to, the curb or property line of any property that is owned by the owner of the watercraft trailer. If the watercraft trailer owner occupies the property as a tenant under a written lease then, prior to parking the watercraft trailer upon a street as permitted by this paragraph, the owner of the watercraft trailer shall have obtained the written consent of the property owner allowing the watercraft trailer to be parked directly in front of, and immediately adjacent to, the curb or property line of the leased property. If the subject property has been developed with a multi-family residential dwelling, then prior to parking the watercraft trailer upon a street as permitted by this paragraph, the owner of the watercraft trailer shall have obtained the written consent from the association of owners responsible for administration of the multi-family dwelling complex and if no such association exists then from the owner of each unit in the multi-family dwelling which specifically authorizes the parking of such watercraft trailer to be parked directly in front of, and immediately adjacent to, the curb or property line of the subject property. Between the period of October 1 and the next following May 15 no watercraft trailer shall not be parked upon the streets, collectively, in excess of five consecutive days (120 consecutive hours).

**Section Five. Parking of Jobsite Trailers and Mobile Office Trailers.**

1. Beginning on the Friday immediately preceding the Monday on which Memorial Day is observed through and including the Monday next following Labor Day each year, it shall be unlawful to park or permit to be parked a jobsite trailer or a mobile office trailer upon any street within the City of North Wildwood.
2. During such periods of time when the parking of jobsite trailers and mobile office trailers upon the streets is permitted, to the extent possible they shall be located on the construction jobsite or demolition jobsite rather than on the street. In such cases where the only practical location for such trailers is on the street, then the trailer shall be parked immediately in front of and adjacent to the construction jobsite or demolition jobsite, but only during the period of actual construction or demolition and only during the period of time when the particular contractor utilizing the trailer actually is engaged in working on the construction or demolition project. All such trailers shall be removed from the site or street immediately following the completion of the construction or demolition project or that particular portion thereof on which a particular contractor was engaged.

**Section Six. Violations.** A person who is convicted of a violation of this chapter shall be subject to a fine not to exceed $1250.00 or imprisonment in the county jail for a period of not more than 90 days, or both for each violation. Each day said violation is continued shall constitute a separate offense. In addition to a fine, a person who has been convicted of a violation of this chapter may be sentenced to make restitution to the City of North Wildwood in the event that a street or any public property has been damaged by reason of placement of a trailer thereon.

**Section Seven.** If any portion of this Ordinance is determined to be invalid by a court of competent jurisdiction, that determination shall have no effect upon the remainder of this Ordinance, which shall remain valid and operable.

**Section Eight.** All Ordinances or parts of Ordinances inconsistent with this Ordinance, to the extent of such inconsistencies only including all ordinances or parts of ordinances that have been codified in the Code of the City of North Wildwood at §202-12 and at Chapter 418, Article XII, be and the same hereby are repealed.

**Section Nine.** This Ordinance shall take effect immediately upon final passage and publication as provided by law.

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 Patrick T. Rosenello, Mayor

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W. Scott Jett, City Clerk

Introduced: April 15, 2014

Advertised: April 23, 2014 Herald

Public Hearing/Final: May 6, 2014

Advertised: May 14, 2014 Herald