

**TOWN OF WEST NEW YORK
COUNTY OF HUDSON, STATE OF NEW JERSEY**

ORDINANCE #24/22

**AN ORDINANCE AMENDING CHAPTER 277 ARTICLE V ENTITLED
“COMMERCIAL VEHICLES”**

WHEREAS, pursuant to N.J.S.A. 40:48-2, a municipality may make, amend, repeal and enforce ordinances not contrary to the laws of this State or of the United States, as it may deem necessary and proper for order and protection of persons and property, and for the preservation of the public health, safety and welfare of the municipality and its inhabitants; and

WHEREAS, the Town of West New York (the “Town”), is a municipality as defined by Title 40 of the New Jersey Statutes; and

WHEREAS, commercial vehicles have increasingly been observed parking in areas wherein commercial vehicle parking is prohibited; and

WHEREAS, the unlawful parking of commercial vehicles reduces available spaces for lawful parking of vehicles and otherwise undermines the intent of Chapter 277 of the code of the Town of West New York; and

WHEREAS, the Town finds that it is in the best interest of the health safety, and welfare of its residents to amend Chapter 277 Article V entitled “Commercial Vehicles” to permit towing of commercial vehicles found in violation of the article.

NOW THEREFORE, BE IT ORDAINED by the Mayor and Board of Commissioners of the Town of West New York that:

SECTION ONE

Chapter 277 Article V entitled “Commercial Vehicles” Section 18 shall be deleted and replaced as follows:

§ 277-18 Violations and penalties.

Any person who violates any provision of this article shall, upon conviction thereof, be liable to a penalty of not more than \$500 for each violation. Each one hour that a particular violation continues shall constitute a separate offense. Commercial vehicles parked in prohibited areas as set forth in this article may be removed by towing the vehicle at the owner's or operator's expense.

SECTION TWO

Severability. The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remaining in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION THREE

Repealer. All Ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only however, to the extent of such conflict or inconsistency, it being the legislative intent that all Ordinances or part of ordinances now existing or in effect unless the same being conflict or inconsistent with any provision of this Ordinance shall remain in effect.

SECTION FOUR

In order to avoid accidental repeal of existing provisions, the Town Clerk and Corporation Counsel are hereby authorized to change any chapter numbers, article numbers and/or section numbers in the event that the codification of this Ordinance reveals that there is a conflict between those numbers and the existing Code.

SECTION FIVE

When Effective. This Ordinance shall take effect upon passage and publication as required by law.

SUMMARY OF ORDINANCE

This Ordinance amends Chapter 277 Article V entitled “Commercial Vehicles” to permit towing of commercial vehicles found in violation of the article.

Introduced: September 7, 2022

Adopted: September 28, 2022

Statement

The foregoing ordinance having been previously adopted for first reading and published was further considered by the Mayor and Board of Commissioners of the Town of West New York on **September 28, 2022** and at said date was duly and finally adopted after public hearing thereon.

Adelinny Plaza, RMC
Town Clerk

Commissioner Victor M. Barrera

Commissioner Cosmo A. Cirillo, PhD.

Commissioner Margarita A. Guzman

Commissioner Yoleisy Yanez

Mayor Gabriel Rodriguez
BOARD OF COMMISSIONERS

Attest: _____
Adelinny Plaza, RMC
Town Clerk