

ORDINANCE NO. 18-2011

**AN ORDINANCE OF THE BOROUGH OF HOPATCONG,
COUNTY OF SUSSEX AND STATE OF NEW JERSEY
REPLACING SECTION 120-13 OF THE CODE OF THE
BOROUGH OF HOPATCONG REGARDING FIRE LANES**

BE IT ORDAINED by the Mayor and Council of the Borough of Hopatcong, Sussex County, State of New Jersey, that Chapter 242 of the Code of the Borough of Hopatcong is hereby amended as follows:

Section 1

§ 120-13. Fire lanes violations and penalties.

A. Permanent Fire Lanes

1. The Chief of the Bureau of Fire Prevention of the Borough of Hopatcong, upon approval of the Mayor and Council in the form of a resolution, is authorized to establish fire lanes on property devoted to public use or to which the public is invited, including, but not by way of limitation, private lanes, private ponds, marinas, shopping centers, bowling alleys, churches, swimming pools and similar uses. These fire areas shall be established to ensure fire equipment and other emergency vehicles unobstructed means of ingress and egress to such properties and the building, persons and vehicles thereon, in case of fire or other emergency.

2. The Chief of the Bureau of Fire Prevention of the Borough of Hopatcong shall recommend the number, location, width, length and markings of proposed Fire Lanes for approval of the Mayor and Council by an appropriate resolution.

3. No persons shall park, stop or permit to stand any vehicle in whole or in part within any fire lane established in accordance with this chapter.

B. Temporary Fire Lanes. Nothing above shall preclude the Fire Marshal, Chief of Police or OEM Coordinator from establishing temporary "No Parking" areas as required without any prior notice to the public for periods of less than 24 hours. Such Locations shall be signed appropriately for the situation.

"EMERGENCY-NO PARKING;" "NO PARKING ANY TIME;" "NO STOPPING OR STANDING" or "NO PARKING – THIS SIDE." Each shall carry the same penalties as outlined in fire lane violations herein.

C. Penalties; Towing. Any person violating this section shall, upon conviction, be subject to a fine of not less than \$50 nor more than \$500 and/or community service for up to 30 days.. Each day that such violation continues may be construed for purposes of this action as a separate offense. In addition, in the event that any vehicle is parked in violation of the a posted fire lane, and, in the opinion of the Police Dept. or Chief of the Bureau of Fire Prevention, the vehicle would substantially impair the ability of Emergency Services to respond in the event of an emergency, the vehicle may be towed at the owner's expense.

Section II

All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistencies.

Section III

If any article, section, subsection, paragraph, phrase or sentence is, for any reason, held to be unconstitutional or invalid, said article, section, subsection, paragraph, phrase or sentence shall be deemed severable.

Section IV

This Ordinance shall be in full force and effect from and after its adoption and

any publication as may be required by law.

Introduced: June 1, 2011

Adopted: July 6, 2011

Sylvia Petillo, Mayor

Catherine Gleason, RMC

NOTICE

NOTICE is hereby given that the foregoing Ordinance was introduced to pass on first reading at a regular meeting of the Council of the Borough of Hopatcong held on June 1, 2011, at 7:30 p.m. and ordered published in accordance with the law. Said Ordinance will be considered for final reading and adoption at a regular meeting of the Borough Council to be held on July 6, 2011, at 7:30 p.m., or as soon thereafter as the Borough Council may hear this Ordinance at the Municipal Building, 111 River Styx Road, Hopatcong, New Jersey 07843, at which time all persons interested may appear for or against the passage of said Ordinance.

Catherine Gleason
Borough Clerk