

**CITY OF CAPE MAY, COUNTY OF CAPE MAY, STATE OF NEW JERSEY
ORDINANCE NO. 240 - 2011**

AN ORDINANCE AMENDING SECTION 7 OF THE CAPE MAY CITY CODE

WHEREAS, the City of Cape May (the "City") desires to amend Section 7 of the Cape May City Code entitled "Vehicles and Traffic" to waive parking meter fees for handicapped persons whose motor vehicles properly display a windshield placard or special license plate ("Properly Identified Vehicles");

WHEREAS, a handicapped person as defined in N.J.S.A. 39:4-204 is issued an identification card by the Director of the Division of Motor Vehicles pursuant to N.J.S.A. 39:4-205 which identifies the handicapped person and the registration number of the vehicle which will bear the windshield placard and/or wheelchair symbol license plate;

WHEREAS, N.J.S.A. 39:4-207.5 requires special parking privileges for handicapped persons to be applicable to handicapped persons with special license plates, placards, or parking permits issued by another state, district or territory of the United States, or by Canada;

WHEREAS, N.J.S.A. 39:4-207 prohibits penalties against owner/operator of Properly Identified Vehicles for overtime parking unless the Properly Identified Vehicle remains parked in one location for more than 24 hours;

WHEREAS, N.J.S.A. 39:4-207 allows for enforcing an initial payment for Properly Identified Vehicles parking in a metered parking space;

WHEREAS, the City Council of the City of Cape May desires to waive any payment for Properly Identified Vehicles parking in a metered parking space.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Cape May, County of Cape May, State of New Jersey, as follows:

1. Section 7 of the Cape May City Code (the "City Code") is hereby amended to add the following new subsection entitled "Exemptions from parking space fees"

§ 7-51.6. Exemptions from parking meter fees.

Handicapped persons shall mean a person as defined in N.J.S.A. 39:4-204. Handicapped persons properly displaying a special license plate or placard or parking permit issued by the State of New Jersey under N.J.S.A. 39:4-205 or any other state, district or territory of the United States, or by Canada in accordance with N.J.S.A. 39:4-207.5 shall not be required to pay parking meter fees.

A. Display of placard or wheelchair symbol license plate. The windshield placard must be clearly visible through the front windshield of the vehicle. The wheelchair symbol license plate must be attached to the rear and front (rear only for states or districts which only issue one license plate) of the vehicle for which the same are issued in a manner that they can be clearly and plainly seen.

B. Limits of applicability. Exemption from parking meter fees shall only apply to a vehicle properly displaying a placard and/or wheelchair license plate when the handicapped person to whom the same is issued is the driver or passenger.

C. Time limit. Any vehicle properly displaying a placard and/or wheelchair license plate may only remain parked in one location for up to 24 hours. Any vehicle remaining in one location in excess of 24 hours is subject to penalties.

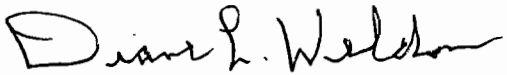
2. All other ordinances in conflict or inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

3. Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason, the remaining portions of this Ordinance shall not be affected thereby and shall remain in full force and effect, and to this end the provision of this Ordinance are hereby declared to be severable.

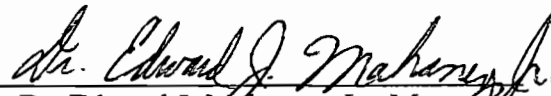
4. This Ordinance shall take effect within twenty (20) days of final passage and publication as provided by law.

ATTEST:

CITY OF CAPE MAY, a municipal corporation
of the State of New Jersey



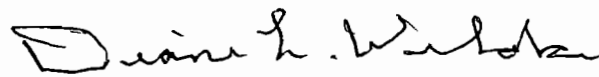
Diane L. Weldon, City Clerk

BY: 

Dr. Edward J. Mahaney, Jr., Mayor

NOTICE

Ordinance 240-2011 was considered on second reading by the City Council of the City of Cape May, New Jersey, and after public hearing, was adopted finally on October 18, 2011, and ordered to be published according to law.



Diane L. Weldon, City Clerk

Introduced:	September 20, 2011
First Publication:	September 28, 2011
2nd Reading & Adoption:	October 18, 2011
Final Publication:	October 25, 2011
Effective Date:	November 14, 2011