CITY OF CAPE MAY, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

ORDINANCE NO. 581-2025

AN ORDINANCE AMENDING CHAPTER 7 OF THE CODE OF THE CITY OF CAPE MAY REGARDING ON-STREET PARKING PERMITS

WHEREAS, Section 7-56 of the City of Cape May Municipal Code establishes a permitting process for reserved on-street parking for persons that reside in the City; and

WHEREAS, the City Council of the City of Cape May has deemed it in the City's best interest to make amendments to the on-street parking permitting regulations.

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

SECTION 1. Section 7-56 of the City of Cape May Code is amended as follows (~~strikethrough~~ portions indicating deletions and underline portions indicating new language):

§ 7-56. Permit parking — On-street.[1] [Added 5-18-2010 by Ord. No. 204-2010]

§ 7-56.1. Qualifications and criteria.

A. ~~Any person who owns residential property or resides in the City and whose property has no off-street parking prior to June 16, 2010 (effective date of this ordinance), and who because of the present condition of the property on which the home is located does not have the ability under the zoning regulations to create at least one off-street parking space on the site, may be eligible for an on-street parking permit.~~An on-street parking permit may be issued to the owner or occupant of any residential property that does not have an existing off-street parking space and cannot, under current zoning regulations, create at least one off-street parking space on the site. No applicant shall be eligible for an on-street parking permit if the property is required to be licensed as a Short-Term Rental under Chapter 310, Article IV. For the avoidance of any doubt, a property may not simultaneously be licensed under Chapter 310 Article IV and hold an on-street parking permit under this section.

B. ~~In order to further meet the eligibility requirements, there must be a distance of no more than eight feet from the property line to the home on each side and no access to the rear of the home by vehicle.~~A property shall not qualify for an on-street parking permit if it has an area of at least nine feet by eighteen feet (9' x 18') usable for a conforming off-street parking space in the side yard beyond the front façade of the building, or if the property has vehicle access to the rear.

~~C. If the criteria in Subsection B. cannot be met and the only reason for not being able to park one vehicle on the site is a violation of the zoning regulations, the person seeking the permit must first seek relief from the Zoning Board and, if applicable, the Historic Preservation Commission, as a condition to qualification.~~

~~D.~~C. The space for which the permit is to be issued is in front of the person's home or, if there is no space in front of such home, ~~at such other location~~ the next appropriate closest space as determined by the City.

D. No more than one on-street permit may be issued for any one building or tax lot regardless of the number of residential units contained in the building. This shall include multi-family development within one building, apartment buildings, and apartments over detached garages (to the extent otherwise permitted under the zoning regulations). ~~There shall also be one space allocated for a business property that has one or more residential units within it, such as a tourist guest house, provided that it otherwise satisfies the requirements set forth in this section.~~

E. Any one homeowner or building or property cannot hold both an on-street parking permit and an on-street reserved handicapped parking permit simultaneously.

~~E.~~F. For the avoidance of any doubt, this section is not intended to provide on-street parking permits for commercial properties.

§ 7-56.2. Application for permit.

A completed application for a permit must be filed in the Office of the City Clerk by the person to whom the permit shall be issued. The application shall include the following information:

A. The name and address of the person who resides in the property for which the permit is to be issued;

B. The name and address of the owner of the property;

C. A copy of the applicant's driver's license;

D. ~~A copy of the vehicle registration card for the vehicle to which the permit is to be affixed pursuant to § 7-56.5A;~~Certification of ownership and acknowledgement that the property is not utilized for Short-Term Rental. This certification shall be required upon any renewal.

E. An accurate survey of the property; and

~~F. If applicable, proof that a request for a variance from the zoning regulations to allow on-site parking for one vehicle was denied.~~

~~G. If the application is for more than one dwelling unit occupying one tax lot, a resolution of the condominium association authorizing the application, in which case the permit will be issued to the association, which shall also specify which unit owner/tenant shall be entitled to utilize the permit during the year. See § 7-56.5B for additional regulations regarding condominium associations.~~

~~H.~~F. The permit shall be valid from ~~May~~ February 1 through ~~October 31~~January 31 and must be renewed annually.~~of each calendar year for which it is issued. Any qualified person shall also have the right to extend the permit for the full calendar year (January 1 through December 31) by paying an additional permit fee in the amount of $150, thus making the total permit fee, subject to any adjustments required under § 7-56.3C below, $500. The full calendar year permit shall also be subject to all other provisions contained in this entire § 7-56.~~ **~~[Amended 12-17-2013 by Ord. No. 272-2013]~~**

~~I.~~G. The permit shall be issued only on a calendar year basis and shall not create a right with respect to any property for which the permit is issued. Upon the transfer of any such property, the new owner shall be required to apply for a permit to be reviewed and, if acceptable, issued in accordance with the terms and conditions of this section. Upon transfer, the new owner

shall initially be required to only pay the non-refundable application fee. The City also reserves the right, in its governmental discretion, to repeal this § 7-56, in which case all permits issued shall automatically terminate.

§ 7-56.3. Application and permit fee.

A. A nonrefundable application fee of $25 shall be paid at the time that the application is filed to defray the cost of processing the application.

B. The application shall be reviewed by the ~~Police Chief~~Superintendent of Public Works (or his/her designee) and Zoning Officer and sent to the City Clerk with a recommendation for issuance or denial. Such recommendation shall be based solely on the qualifications and criteria set forth in this section and the state and local parking regulations. Unless there is reason stated by the Zoning Officer or ~~Police Chief~~Superintendent of Public Works (or his/her designee) for nonissuance, the permit shall then be issued by the City Clerk, subject to payment of the applicable permit fee.

~~C.~~ If approved, the permit fee shall ~~initially be $350, and shall be recalculated and determined by December 1 of each year by resolution of City Council for the next calendar year based upon the anticipated cost and lost revenue due to the issuance of parking permits in metered areas. It is the intent of this section to make the issuance of parking permits revenue neutral so that all lost revenue from the loss of metered parking and the costs incurred in implementing this program are paid solely by the persons to whom the permits are issued.~~ be categorized as follows:

1. Year-round Residential with no parking meter: $500 annually

2. Year-round Residential metered space: $750 annually

C. § 7-56.4. Renewal; expiration; revocation.

A. The on-street parking permit expires ~~at the end of each calendar year~~ February 1 annually and an application for renewal, meeting all of the requirements contained in § 7-56.2, and applicable permit fee shall be submitted ~~before any permit is reissued~~ by January 31 annually. If the applicable fee and renewal application are not paid and submitted in full prior to February 1 annually, a late charge of $150 will be assessed to the applicant ~~If there has been no change in the information provided in the previous year, the applicant can provide a certification to the City Clerk that there has been no change, in which case the application fee shall be waived.~~

~~B. Upon the renewal of any permit, the full annual permit fee for the entire calendar year shall be paid to the City Clerk.~~

~~C.~~B. If the holder of any permit for the property at which the permit is issued no longer meets the criteria and qualifications contained in this section, the permit shall be revoked. The filing of an application for a Short-Term Rental License for the property shall constitute cause for immediate revocation of the permit.

~~D.~~C. The permit may also be revoked for cause in accordance with the provisions and procedures contained in §§ 310-9 through 310-12~~, provided that there shall be no appeal rights to City Council~~. The provisions regarding Appeal to City Council pursuant to §310-13 shall not be applicable to a revocation under this Section.

§ 7-56.5. ~~Display of permit;~~ Ssignage.

~~A. The permit shall be in the form of a sticker that is to be affixed to the driver's side of the rear bumper of the vehicle identified in the application.~~

~~B. Only the vehicle listed on the application will be permitted to park in the reserved space and the parking permit sticker, once issued, shall not be used with any other vehicle for the entire calendar year. Each subsequent year the applicant shall be entitled to identify another vehicle owned by the applicant or someone in his/her household. Condominium associations shall be permitted to identify one vehicle owned by any of the unit owners (or year round residential tenants) or anyone in their respective households. Any applicant can change the designated vehicle one time during a calendar year by submitting a request form and vehicle registration card to the City Clerk with a processing fee of $25 provided that such vehicle otherwise satisfies the requirements of this subsection. The new permit parking sticker will then be issued subject to the applicant returning the previously issued permit parking sticker for the same year.~~

~~C.~~A. The City shall place signs at each reserved space identifying it as a reserved parking space and subjecting violators to fines and towing.

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

SECTION 3. Should any section, paragraph, sentence, clause or phase 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 provisions of this Ordinance are hereby declared to be severable.

SECTION 4. This Ordinance shall become effective 20 days after final passage and publication, according to law.

ATTEST:

_____
Erin C. Burke, City Clerk

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

BY: _____
Zachary M. Mullock, Mayor

NOTICE

Ordinance 581-2025 was introduced at a Regular meeting of the City Council of the City of Cape May, held on October 21, 2025 and was further considered for final passage during a Regular meeting of the City Council, held at the Cape May City Hall Auditorium, 643 Washington Street, Cape May, New Jersey, on November 17, 2025 at 5:30P.M. at which time a Public Hearing was held.

Erin C. Burke, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain	Motion	Second
Meier	X				X	
McDade	X					
Bodnar	X					
Baldwin	X					X
Mullock	X					

Introduced: October 21, 2025
1st Publication: October 29, 2025
2nd Reading & Adoption: November 17, 2025
Final Publication: November 26, 2025
Effective Date: December 16, 2025

cc: DPW
CMPD