

**AN ORDINANCE RESTRICTING THE PARKING OF BICYCLES  
WITHIN THE MAIN STREET RIGHT OF WAY  
BETWEEN 2:00 A.M. AND 6:00 A.M.**

BE IT ORDAINED by the Mayor and Council of the Borough of Manville, in the County of Somerset, and State of New Jersey, as follows:

**SECTION 1. RESTRICTION ON BICYCLE PARKING**

A. No person shall, between the hours of 2:00 am. and 6:00 a.m., secure, lock, attach, or in any manner fasten a bicycle to a post, pole, street sign, traffic signal, tree, or any other fixed object within the public right of way of Main Street, or in or upon any public sidewalk adjacent thereto; nor shall any person, having so secured, locked, attached, or fastened a bicycle at any other time, allow or permit the same to remain so secured, locked, attached or fastened between the hours of 2:00a .m. and 6:00 a.m.

B. Any bicycle found parked in violation of this ordinance shall be subject to seizure by the police and disposition in accordance with the provisions of N.J.S.A. 40A:14-157 unless the bicycle is claimed by the owner thereof and an administrative fee of \$25.00 paid to the Borough.

**SECTION 2. CONSTRUCTION**

Where consistent with the context in which used in this ordinance, words importing the singular shall include the plural; words importing the plural shall include the singular; and, words importing one gender shall include all other genders.

**SECTION 3. INCONSISTENCY**

Should any provision of this ordinance be inconsistent with the provisions of any prior ordinances, the inconsistent provisions of said prior ordinances are hereby repealed, but only to the extent of such inconsistencies.

**SECTION 4. SEVERABILITY**

In the event that any provision of this ordinance, or the application thereof to any person or circumstance is declared invalid by a court of competent jurisdiction, such declaration of invalidity shall not affect any other provision or application of this ordinance which may be given effect, and, to realize this intent, the provisions and applications of this ordinance are declared to be severable.

**SECTION 5. PENALTY**

Upon conviction for violation of any provision of this ordinance the maximum penalty shall be one (1) or more of the following: a fine not to exceed One Thousand Two Hundred Fifty (\$1,250.00) Dollars, imprisonment in the County Jail for a period not to exceed ninety (90) days, and/or a period of community service not to exceed ninety (90) days. Each and every day upon which a violation of any provision of this ordinance exists shall constitute a separate violation.

**SECTION 6. PURPOSE OF CAPTIONS**

Captions contained in this ordinance have been inserted only for the purpose of facilitating reference to the various sections, and are not intended and shall not be utilized to construe the intent and meaning of the text of any section.

**SECTION 7. EFFECTIVE DATE**

This ordinance shall be effective immediately upon final adoption, approval and publication in accordance with law.

Borough of Manville

Angelo Corradino, Mayor

ATTEST:

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Philip E. Petrone, Borough Clerk

**STATEMENT OF PURPOSE**

The purpose of this ordinance is to prohibit the parking of bicycles overnight in, upon, or along Main Street.

**ORDINANCE #2002-977**

**FIRST READING:**

**ROLL CALL**

Introduced	Seconded	Council	Yes	No	Abstain	Absent
		ALLAN	√			
		ASHER	√			
		PETROCK	√			
		POLAK	√			
√		WEISS	√			
	√	WIERZBA	√			
		MAYOR CORRADINO				

**PASSED** this 15<sup>th</sup> day of October, 2002

Attest:

Philip E. Petrone, Borough Clerk

**SECOND READING:**

**ROLL CALL**

Introduced	Seconded	Council	Yes	No	Abstain	Absent
		ALLAN	√			
		ASHER	√			
√		PETROCK	√			
		POLAK	√			
		WEISS	√			
	√	WIERZBA	√			
		MAYOR CORRADINO				

**ADOPTED** this 11<sup>th</sup> day of November, 2002.

Attest:

Philip E. Petrone, Clerk