

1-2012

NOTICE OF ADOPTION

**ORDINANCE AMENDING CHAPTER 59, SECTION 20 OF
THE CODE OF THE BOROUGH OF CLAYTON
(FIRE LANES)**

The foregoing Ordinance was finally adopted by the Mayor and Council of the Borough of Clayton on February 9, 2012.

Christine Newcomb
Borough Clerk

NOTICE OF INTRODUCTION

**AN ORDINANCE AMENDING CHAPTER 59, SECTION 20 OF
THE CODE OF THE BOROUGH OF CLAYTON
FIRE LANES**

TAKE NOTE that the foregoing ordinance was introduced at a meeting of the Mayor and Council of the Borough of Clayton held on January 12, 2012 and was then read for the first time. The said ordinance will be further considered for final passage by the Mayor and Council at the Municipal Building, 125 N. Delsea Drive, Clayton, New Jersey, at a meeting beginning 7:00 p.m. on February 9, 2012, at which time and place, or any time and place to which such meeting be adjourned, all persons interested will be given an opportunity to be heard concerning such ordinance.

BY ORDER of the Mayor and Council of the Borough of Clayton.

Christine Newcomb
Borough Clerk

ORDINANCE 1-12

ORDINANCE AMENDING CHAPTER 59, SECTION 20 OF THE CODE OF THE BOROUGH OF CLAYTON FIRE LANES

BE IT ORDAINED by the Mayor and Council of the Borough of Clayton as follows:

- A. Requirement; Designation. Fire Lanes shall be designated as follows for the efficient and effective use of fire apparatus, for fire fighting, police vehicles and ambulances, and/or the egress of occupants.
1. Where needed and certain considerations.
 - a. The Fire Official of the local enforcing agencies, with the approval of the Chief Officer of the Fire Department, may establish fire areas on property devoted to public and private use, in accordance with N.J.A.C. 5:703.2(a) 503.1 including, but not by way of limitation schools, shopping centers, strip malls, bowling alleys, drive-in theater, houses of worship, swimming pools, warehouses, factories, restaurants, night clubs, etc., and similar uses.
 - b. The number, location, width, length, and markings shall be at the discretion of the Fire Official, when the markings detailed cannot be strictly complied with.
 - c. Consideration is to be given to the size, type, and location of the building or buildings, the number of persons using and occupying the premises, existing means of egress and ingress, the total area of the property including the size of the parking lot or lots, and all other relevant factors.
 2. Concurrent jurisdiction. Clayton Police department shall have the concurrent jurisdiction with the Bureau of Fire Prevention to enforce the provisions of this section for the designated fire lanes approved by the Fire Official.
 3. Existing Fire Lanes. Any and all fire lanes created by prior ordinance are hereby continued in effect, and when repairs or modifications are made to such fire lanes, they shall be brought into the conformity with this code, as much as shall be practical in the Fire Officials' judgement. The standard for exercise of said judgement shall conform to those contained in subsection A (1) above.
- B. Markings. The owner shall, within 30 days of being given a notice to do so by the Fire Official, mark the lane(s) as follows:
1. Signs, with minimum dimensions of 12 inches by 18 inches, constructed of metal and with raised red letters a minimum of 2 inches in size on a white background shall be posted at a level of at least 7 feet above grade, indicating "No Parking Any Time", "Parking in designated stalls only" or "No stopping or standing", at the fire officials' discretion after giving due consideration to the needs of the fire service and the public. Immediately under these signs shall be another sign with a minimum dimension of 12 inches by 6 inches, saying "Fire Lane Vehicle Towed at Owner's Expense", or "Fire Lane No On-Street Parking, Vehicle Towed at Owner's Expense". Spacing of signs shall be even with a minimum of one (1) sign for every 50 feet of fire lane or part thereof, or as ordered by the Fire Official. All signs and markings

must be unobstructed and visible for a distance of at least 100 feet when viewed from a position approximately 5 feet above ground while in the fire lane.

2. The area of a fire lane on improved areas shall be delineated along its entire length with yellow lines 18 inches in width. Between the yellow lines shall be marked "No Parking Fire Lane" in yellow letters 18 inches in height. The number of times this working is to be repeated shall be at the discretion of the Fire Official, with the recommended spacing to be at 100 foot intervals and spaced so as to be between and alternate with the metal signs required above. If the designated fire lane abuts a curb, the curbing shall be yellow in color where it abuts the fire lane.

- (C) Definitions. For the purposes of fire lane enforcement, the following terms are defined:

Fire Area – The same as "Fire Lane"

Fire Lane – An area necessary to provide safety for the public or to provide proper access for emergency vehicles in the event of an emergency

No On-Street Parking – A vehicle may not be parked along the street unless loading or unloading passengers or materials with a limit of 5 minutes

No Parking Any Time – A vehicle may not be parked within the designated area unless loading or unloading passengers or materials with a time limit of 5 minutes

No Stopping or Standing – No vehicle may be stopped within the designated zone, whether or not attended or unattended, with or without motor running or brakes set

Parking In Designated Stalls Only – A vehicle may only be parked within an area so designated for parking

- (D) Size. Fire Lanes for vehicle access shall be a minimum of 18 feet in width or as approved by the Fire Official. Fire Lanes for egress of occupants shall be minimum of at least the width of the exitway served.
- (E) Notification. Once a Fire Lane has been designated by the Fire Official, approved as provided above and properly marked by the owner of the premises, the appropriate Fire Official shall notify the police department, construction office, code enforcement department and municipal court clerk in writing of the existence and location of the designated fire lane(s).
- (F) Unpaved Areas. Unpaved fire lanes installed on public or private property shall comply with the "Fire Lane Typical Details" installation methods and be approved by the Fire Official. Signs and markings shall be provided as required by the fire official and this code.
- (G) Restricted Areas. Gates, chains or other approved method utilized to prevent unauthorized access to installation, provided such restrictions will not impede access by fire-fighting apparatus or other emergency vehicles. The Fire Official shall determine whether any changes or deviations from the appropriate method may be utilized.
- (H) Installation; Maintenance. Fire Lanes shall be installed and maintained by the owner of the premises or a designee in conformity with the provisions of this section. Fire lane in

existence prior to enactment of this section shall be required to conform to the provisions herein at the discretion of the Fire Official. Fire lanes must be accessible for fire apparatus at all times.

(I) Parking, Standing and Obstruction Prohibited.

1. Designated fire lanes shall be maintained free of snow and obstructions, including vehicles, at all times.
2. The Fire Official, his designee, or a police officer of the Borough of Clayton shall have the authority to remove or have removed such obstructions or vehicles as may violate any section of this code, at the expense of the owner of the premises in the case of obstruction or at the expense of the owner of the vehicle. The presumption of ownership may be overcome by proof furnished to the satisfaction of the municipal court or Superior Court, Law Division, that some other person was the actual offender.
3. It shall be a separate violation of this code for any driver or operator of any motor vehicle to fail to present a driver's license and/or vehicle registration upon demand of any person authorized to enforce this section when requested as part of the enforcement procedure.

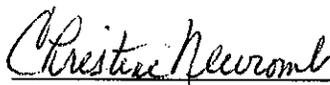
(J) Notice of Violation. The Fire Official or police officer may complete a municipal summons or a notice of violation, and a said summons or notice of violation shall be issued to all offenders by personally serving same upon any offender, or if the offender is not in attendance to the vehicle, the notice shall be left under the windshield wiper or otherwise attached to the vehicle in a manner reasonably calculated to ensure that the offender received said notice upon his or her return to the vehicle.

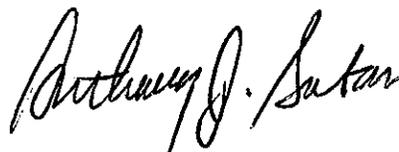
(K) This section shall supersede any and all provisions of any other ordinance promulgated for the enforcement of parking in fire lanes. Enforcement shall only be done by personnel from either the Bureau of Fire Prevention and Safety or the local Police Department. Personnel enforcing these provisions shall be either uniformed or carry appropriate identification.

BOROUGH OF CLAYTON

THOMAS BIANCO, Mayor

ATTEST:


CHRISTINE NEWCOMB, Clerk


Council President