

**TOWN OF WEST NEW YORK  
COUNTY OF HUDSON, STATE OF NEW JERSEY**

**ORDINANCE #19/19**

**AN ORDINANCE OF THE TOWN OF WEST NEW YORK, IN THE COUNTY OF  
HUDSON, STATE OF NEW JERSEY, CREATING A  
PARKING SERVICES AGENCY IN THE TOWN**

**WHEREAS**, the Town of West New York, in the County of Hudson and State of New Jersey (the “Town”) has heretofore adopted an ordinance dissolving the Parking Authority of the Town of West New York (the “WNYPA”) and an ordinance creating a parking utility in the Town for budgetary and accounting purposes; and

**WHEREAS**, in accordance with N.J.S.A. 2B:12-30, the Administrative Office of the Courts of the State of New Jersey provided for the procurement and maintenance of hand-held data entry devices and related equipment for use by the New Jersey parking authorities or agencies in connection with the Parking Authority Tickets System (the “PATs System”); and

**WHEREAS**, the WNYPA participated in the PATs System and the continued viability of the PATs System in the Town is essential to the administration of parking enforcement in the Town; and

**WHEREAS**, the Town desires that, effective immediately upon the dissolution of the WNYPA, the PATs System will be continued in the Town’s Parking Utility under the supervision of the Parking Services Agency which is hereby created in the Town as an agency of the Town.

**NOW, THEREFORE, BE IT ORDAINED**, by the Mayor and Board of Commissioners of the Town of West New York, in the County of Hudson and State of New Jersey, as follows:

**SECTION 1. Creation of Parking Services Agency.** There shall be a Department of the Town to be known as the “Parking Services Agency”. The Parking Services Agency shall have oversight over and control of the Town's parking system that consists of on-street parking and parking within Town lots and garages, as well as equipment owned, leased or otherwise under the control of the Town of West New York.

**SECTION 2. Function of Agency.** The functions of the Parking Services Agency shall be to manage parking within the Town, including, but not necessarily limited to, on-street parking and parking within Town lots and garages, as well as and equipment owned, leased or otherwise under the control of the Town of West New York and used for parking regulation enforcement.

**SECTION 3. Employees.** The Parking Services Agency shall be managed by the Parking Agency Supervisor who will report to the Director of the Department of Public Safety. The Department shall include the Parking Agency Supervisor, Parking Enforcement Officers and such additional support, maintenance and enforcement staff as may be approved from time to time by the governing body upon at the recommendation of the Director of the Department of Public Safety.

**SECTION 4. Enforcement Responsibilities.** Enforcement of parking regulations in the Town, including but not limited to time limits and general prohibitions, shall be by the Parking Agency Supervisor, the Parking Enforcement Officers and Town Police Officers.

**SECTION 5. Positions Established.**

1. There is hereby established the position of Parking Agency Supervisor for the Town of West New York.
2. Pursuant to N.J.S.A.40A:9-154.7, there is hereby established the positions of Parking Enforcement Officers for the Town of West New York. Parking Enforcement Officers shall have the full power and authority to issue parking tickets, serve and execute process for any parking offence and to cause any vehicle to be towed to the full extent permitted by subsections (a), (b) and (c) of N.J.S.A.40A:9-154.7.

**SECTION 6. Qualifications.**

1. The Parking Agency Supervisor must have at least three (3) years of work experience with the Town of West New York, or another comparable governmental unit, and must be familiar with the parking regulations in the Town and must possess the administrative and organizational skills to oversee employees involved in the efficient enforcement of the parking regulations of the Town.
2. Parking Enforcement Officers minimum qualifications for appointment shall be as prescribed by N.J.S.A. 40A:9-154.9. The Police Department of the Town shall assist in the hiring and training of Parking Enforcement Officers, including assistance with the fingerprinting of applicants for Parking Enforcement Officers as required by N.J.S.A. 40A:9-154.10(a) and, as required by N.J.S.A. 40A:9-154-10(a), the Chief of Police or other chief law enforcement officer of the Town shall ascertain the eligibility and qualification of applicants for Parking Enforcement Officers and shall report these determination in writing to the Director of the Department of Public Safety with a copy to the Parking Agency Supervisor.

**SECTION 7. Duties.** The Parking Agency Supervisor shall (a) be responsible for the management of the Department, its employees, facilities and equipment, including assigning tasks to employees; (b) coordinate with the Police Department in the instruction of Parking Enforcement Officers; (c) assign staff in all matters related to the enforcement of parking regulations, the issuing of parking tickets and the preparation of related reports and records; and (d) establish, develop and implement work plans and procedures for the installation, maintenance, inspection, repair and removal of parking meters and kiosks.

**SECTION 8. Not Members of Police Department.** Neither the Parking Agency Supervisor nor any Parking Enforcement Officers, by virtue of their appointment, shall be or become a member of the Town of West New York’s Police Department.

**SECTION 9. Partial Invalidity.** In the event any section, part or provision of this Ordinance shall be held unconstitutional or invalid by any Court, such holding shall not affect the validity

of this Ordinance or any remaining part of this Ordinance other than the part held unconstitutional or invalid.

**SECTION 10. Repeal of Inconsistent Ordinances.** All ordinances or parts thereof which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of their inconsistencies.

**SECTION 11. Effective Date.** This ordinance shall take effect as of the dissolution of the WNYPA.

### **SUMMARY OF ORDINANCE**

This Ordinance creates the West New York Parking Services Agency for continued participation in the Parking Authority Tickets System (PATs System), which is essential for parking enforcement in the Town.

### **NOTICE OF PENDING ORDINANCE AND STATEMENT OF PURPOSE**

PUBLIC NOTICE IS HEREBY GIVEN that the ordinance published herewith was duly introduced and passed upon first reading at a regular meeting of the Mayor and Board of Commissioners of the Town of West New York, in the County of Hudson, New Jersey (the "Town"), held on **September 18, 2019**. The purpose of the ordinance is to provide for the creation of a Department of the Town to be known as the Parking Services Agency and to provide for the employees of the Parking Services Agency. Further notice is hereby given that a public hearing will be held on said ordinance at a meeting of said Mayor and Board of Commissioners to be held at the Municipal Building, 428 60th Street, West New York, New Jersey on **October 17, 2019** at 6:30 o'clock p.m., and during the week prior to and up to and including the date of such meeting, copies of said ordinance will be made available at the Town Clerk's office to the members of the general public who shall request the same, and thereafter said ordinance will be considered for final passage and adoption.

Carmela Riccio, RMC  
Town Clerk