

BOROUGH OF FRANKLIN

ORDINANCE No. 02-2020

AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY REPLACING CHAPTER 259, VEHICLES AND TRAFFIC

BE IT ORDAINED by the Mayor and Council of the Borough of Franklin, County of Sussex, and State of New Jersey that the Franklin Borough Code is amended as follows:

SECTION I. Chapter 259 of the Code is hereby replaced as follows:

Chapter 259. Vehicles and Traffic

§ 259-1. Authorization for the closing of any street.

- A. The Chief of Police is hereby authorized to close any municipal street or portion thereof to motor vehicle traffic on any day or days whenever he finds that such closing is necessary for public safety, health or welfare.
- B. Any regulations promulgated by the Chief of Police and in accordance with Subsection A above shall provide for the posting of proper warning signs of such closing on any municipal street or portion thereof during the time the same is closed.

§ 259-2. Parking.

- A. The provisions of this section imposing a time limit on parking shall not relieve any person of the duty to observe other, more restrictive provisions prohibiting or limiting the stopping or standing or parking of vehicles as set forth in N.J.S.A. 39:4-138, any other New Jersey statute or as hereinafter provided.
- B. Upon the declaration of an emergency, there shall be no parking upon the streets where temporary EMERGENCY NO PARKING signs are displayed. The Chief of Police or, in his absence, the ranking police officer, is authorized to declare an emergency and to direct the posting of EMERGENCY NO PARKING signs when weather conditions, accidents, road construction, fire or public celebrations dictate or require avoidance of hazards or other conditions which interfere with the free flow of traffic. Notification that EMERGENCY NO PARKING signs are being or will be posted shall be given to the operator or owner of any vehicle which has been parked prior to the posting of the signs.
- C. Temporary parking prohibition for snowplowing and removal.
- (1) Whenever snow has fallen and the accumulation is such that it covers the streets and highways, an emergency shall exist and no vehicle shall be parked on the streets or highways.
- (2) The above parking prohibitions shall remain in effect after the snow has ceased until the streets have been plowed sufficiently and to the extent that parking will not interfere with the normal flow of traffic.
- (3) Any unoccupied vehicle parked or standing in violation may be removed at the direction of a Police Officer. The owner shall pay the reasonable costs of the removal and storage which may result from such removal before regaining possession of the vehicle.
- D. Parking prohibited anytime. No person shall park a vehicle on any day (except Sundays and public holidays) upon any of the streets or parts of streets described:

Name of Street	Sides	Location
Buckwheat Road	West	From Parker St. to Washington Ave, westerly side, for a distance of 1,000 feet
County Route 517 (Munsonhurst Road)	Both	Franklin Borough - Ogdensburg Borough border to State Route 23
Fowler Street (part of County Route 631)	Both	From North Church Road to Church Street (part of County Route 631)
Franklin Avenue (part of County Route	South	From State Route 23 to Corkhill Road

Name of Street	Sides	Location
631)		
High Street	Both	From Main Street to State Route 23
Mabie Street	South	Opposite the intersection of Mabie Street and Moscow Street for a distance of 25 feet in a westerly and easterly direction from the center line of the intersection of the two streets
Mabie Street	South	From State Route 23 for a distance of 60 feet in an easterly direction
Main Street	North	From Mill Street, in each direction on the side Mill Street intersects with Main Street, for a distance of 25 feet
Main Street	South	South From High Street to Rutherford Avenue
Maple Road	South	From Corkhill Road to Wildcat Road
Rutherford Avenue	West	From State Route 23 to Scott Road
School Plaza	West	From Washington Avenue, southerly direction, for a distance of 350 feet
Washington Avenue	North	From Buckwheat Road, easterly direction, for a distance of 400 feet
Washington Avenue	South	From Buckwheat Road to Rt. 23, southerly side, for a distance of 950 feet

E. Parking time limited on Main Street. No person shall park a vehicle for longer than the time limit between the hours listed on any day (except Sundays and public holidays) upon the portion of Main Street described.

Southbound:

1. Rutherford Ave to Hudson St : Unlimited Parking
2. Hudson St to Church St : 2 Hour Parking

Northbound:

1. Church St to Town Hall : No Parking
2. Front of Town hall: Official Parking Only (Police, Fire, EMS)
3. Town Hall to High St : 2 Hour Parking
4. High St to Junction St : No Parking
5. Junction St to Parker St : 2 Hour Parking
6. Parker St to Rutherford Ave : No Parking

Borough Parking Lot : Unlimited Parking, Fees apply

G. Parking prohibited at all times on certain streets. No person shall park a vehicle at any time upon any streets or parts thereof described.

Name of Street	Sides	Location
Church Street (part of County Route 631)	East	From a point 65 feet south of the center line of Main Street to the southerly edge of Main Street
County Route 517 (Munsonhurst Road)	Both	Franklin Borough - Ogdensburg Borough border to State Route 23
Cummins Street	Both	Between Rutherford Avenue and Nestor Street
Fowler Street (part of County Route 631)	Both	From North Church Road to Church Street
Hardystonville Road	East	From Mountain Road to a point 100 feet southerly thereof
Junction Street	Both	Between High Street and Main Street
Main Street	North	From Wyker Road in an easterly direction on Main Street for a distance of 235 feet

Name of Street	Sides	Location
Main Street	North	From Wyker Road in a westerly direction on Main Street for a distance of 255 feet
Main Street	South	From Church Street (County Route 631) to Evans Street
Main Street	South	From Evans Street in an easterly direction for a distance of 690 feet
Parker Street	Both	Entire length

H. No person shall park a vehicle between 2:00 a.m. to 6:00 a.m. from November 15 to April 15 (except Sundays and public holidays) upon any of the streets or parts of streets in the Borough.

§ 259-3. Vehicles over designated weight excluded from certain streets.

Vehicles over ten (10) tons registered gross weight are hereby excluded from the streets or parts of streets described except for the pickup and delivery of materials on such streets.

Name of Street	Location
Auche Drive	From State Route 23 to Ginter Street
Buckwheat Road	From Franklin Avenue to High Street
Davis Road	Entire length in both directions
Evans Street	From Buckwheat Road to Main Street
Gilson Road	From Davis Road to Wildcat Road
Kane Street	From Sergeant Dennis F. Premock Road to Taylor Road
Mabie Street	From State Route 23 to its easterly terminus.
Maple Road	From Wildcat Road to Cork Hill Road
Mitchell Avenue	From State Route 23 to Mabie Street
Parker Street	From Buckwheat Road to High Street
Rapole Street	From State Route 23 to Mitchell Avenue
Ridgewood Road	From Buckwheat Road to Walsh Road
Scott Road	From North Church Road to Rutherford Avenue
Sergeant Dennis F. Premock Road	From Franklin Avenue to Kane Street
Taylor Road	From State Route 23 to Buckwheat Road
Walsh Road	From State Route 23 to Ridgewood Road
Washington Avenue	From State Route 23 to Buckwheat Road

§ 259-4. One-way streets.

The following described streets or parts of streets are hereby designated as one-way streets in the direction indicated. Parking on these streets will be permitted on the sides indicated below.

Name of Street	Direction	Limits
Mabie Street	Southeasterly	From Main Street to Rutherford Avenue
Parker Street	Westerly	Between Main Street and High Street

§ 259-5. Through streets.

Pursuant to the provisions of N.J.S.A. 39:4-140, the streets or parts of streets described are hereby designated as through streets. Stop signs shall be installed on the near-right side of each street intersecting the through street except where yield signs are provided for in the designation.

Name of Street	Limits
Buckwheat Road	Franklin Avenue to High Street
Catlin Road	Junction Street to Main Street
Corkhill Road	From Franklin Avenue - Church Street to Borough corporate line
Green Street	State Route 23 to Rutherford Avenue
High Street	Main Street to State Route 23
Main Street	Church Street to Rutherford Avenue
Maple Road	Corkhill Road to Wildcat Road
Mitchell Avenue	State Route 23 to Mabie Street. A yield sign shall be installed on Legion Road
Rutherford Avenue	High Street to State Route 23(northerly intersection)
Sterling Street/Mill Street	Main Street to Rutherford Avenue
Taylor Road	State Route 23 to Buckwheat Road
Warren Street	State Route 23 to Rutherford Avenue

§ 259-6. Stop intersections.

A. Pursuant to the provisions of N.J.S.A. 39:4-140, the intersections described are hereby designated as stop intersections. Stop signs shall be installed as provided therein:

Intersection	Stop Signs on
Butler Street and Hilltop Lane	Hilltop Lane
Butler Street and Moscow Street	Moscow Street
Davis Road and Gilson Road	Gilson Road
Edsall Road and Jenkins Road	Jenkins Road
Fowler Street and Susquehanna Street	Susquehanna Street
Fox Hill Drive and Beardslee Hill Drive	Beardslee Hill Drive
High Point Circle and Hilltop Lane	Hilltop Lane
Sergeant Dennis F. Premock Road/Kane Street and Sergeant Dennis F. Premock Road	Sergeant Dennis F. Premock Road (southerly approach facing northbound traffic)
Mabie Street and Mitchell Avenue	Mitchell Avenue
Mabie Street and Moscow Street	Moscow Street
Mountain Road and Hardystonville Road	Hardystonville Road
Nestor Street and Cummins Street	Cummins Street
Nestor Street and LaRue Street	LaRue Street
Ridgewood Road and Dayton Gunderman Street	Dayton Gunderman Street
Ridgewood Road and Walsh Road	Ridgewood Road
Rutherford Avenue South and Old Franklin Avenue	Old Franklin Avenue
Walsh Road and Christian Street	Christian Street
Walsh Road and Ridgewood Avenue	Walsh Road
Washington Avenue and School Plaza	School Plaza
Wildcat Road and Gilson Road-Maple Road	Gilson Road - Maple Road
Woodland Road and Edsall Road	Edsall Road

§ 259-7. Turn restrictions.

No person shall make a turn at the location listed and in the manner described.
Walsh Road and entrance to Route 23 South - No left turn.

§ 259-8. Speed limits.

A. The speed limits for both directions of traffic along the streets or parts thereof described below and made a part of this chapter are hereby established at the rate of speed indicated.

B. Regulatory and warning signs shall be erected and maintained to affect the above-designated speed limits.

Name of Street	Speed Limit (mph)	Limits
County Route 517, Zone 1, both directions	30	From the municipal boundary of Ogdensburg Borough and Franklin Borough to a point 300 feet north of Fox Hill Drive
County Route 517, Zone 2, both directions	45	Between a point 300 feet north of Fox Hill Drive and State Highway 23
County Route 631, Zone 1	35	State Route 23 to Oak Street
County Route 631, Zone 2	30	Oak Street to Newton Street
County Route 631, Zone 3	35	Newton Street to the Franklin Borough - Hardyston Township corporate line
County Route 631, school zone	20	In the Immaculate Conception school zone, in Zone 2, during recess or while children are present
Davis Road	25	From Franklin-Hardyston border to North Church Road (County Route 631)
Maple Road	25	From Wildcat Road to Corkhill Road
Ridgewood Road	15	Entire length
Scott Road	25	Entire length
Walsh Road	15	Entire length
Wildcat Road	25	From Franklin-Sparta border to Church Street (County Route 631)

§ 259-9. Mid-block crosswalks.

The following locations are hereby designated as mid-block crosswalks:

Name of Street	Location
Franklin Avenue (part of County Route 631)	Beginning at a point 340 feet north of the northerly curb line of Dixon Road (at Pole No. 50S) and extending 10 feet northerly therefrom
Washington Avenue	Beginning at a point 121 feet west of the westerly curb line of School Plaza and extending to a point 12 feet westerly therefrom

§ 259-10. No passing zones.

No-passing zones are hereby established and shall be maintained upon the following described streets or parts thereof:
[regulate by striping?]

§ 259-11. Control for the movement and parking of traffic on public and private property.

A. Municipal and Board of Education Property. In accordance with the provisions N.J.S.A. 39:4-197, the all Municipal and Board of Education property shall have the movement of traffic controlled by the type of regulation indicated. No person shall operate or park a vehicle in violation of the regulations indicated.

(1) General parking. All vehicles must park in designated areas and between the lines provided. Any vehicles parked or standing as to obstruct or impede a normal flow of traffic, block entrances or exit ways, loading zones, any grassy area, pedestrian walkway or present in any way a safety or traffic hazard may be removed by towing the vehicle at the owner's expense.

(2) Handicapped parking. All marked locations on property designated in this section as handicapped parking shall be only used by persons who have been issued special identification cards, plates or placards by the Division of Motor Vehicles, or a temporary placard issued by the Chief of Police. No other person shall be permitted to park in these spaces. All stalls shall be 12 feet wide as shown on the approved site plan and signed for persons who have been issued the handicapped parking permits by the Division of Motor Vehicles. This shall include:

Property	Number of Spaces	Location
Franklin Elementary School 50 Washington Avenue	2	As per drawing on file in Borough Clerk's office
Franklin Municipal Building 46 Main Street	2	As per drawing on file in Borough Clerk's office

(3) Stop intersections. The following described intersections are hereby designated as stop intersections:

Franklin Elementary School:
Aisle "A" at School Plaza
Aisle "A" at Washington Avenue
Aisle "C" at Washington Avenue
Aisle "H" at Washington Avenue
Aisle "D" at Buckwheat Road
Aisle "E" at Ridgewood Road
Aisle "F" at Ridgewood Road

Hardyston School:
Aisle "A" at Aisle "B"

(4) One-way streets. The following described streets or parts of streets are hereby designated as one-way streets in the direction indicated:

Franklin Elementary:
Aisle "C", Counterclockwise, Entire length

Hardyston School:
Road "A", Counterclockwise

(5) Speed limits. The speed limit for both directions of traffic in the parking lot(s), all roads and aisles shall be 15 mph.

B. Regulation for the movement and parking of traffic on private property.

(1) In accordance with the provisions of N.J.S.A. 39:5A-1, the following private property that is open to the public and to which the public is invited, the movement of traffic shall be controlled by the regulations listed herein:

Shop Rite Shopping Center, 270 State Highway 23
Hillside Estates, 2 Skyview Drive
Wal-Mart Store, State Highway 23
Chase Bank
Burger King No. 298
Black Bear Golf
Weis Supermarket
Brick and Brew

(2) The owners of the premises referred to in B(1) shall provide and install signs and pavement markings as required, which signage and markings shall be in accordance with the current Manual on Uniform Traffic Control Devices (MUTCD). The cost of signs and installations shall be the responsibility of the owner of said property. The owner shall, subsequent to the initial procurement and installation, maintain such signs and pavement markings in good condition at no cost or expense to the Borough of Franklin.

(3) For all of the properties listed in B(1), the following regulations apply:

(a) All vehicles must park in designated areas and between painted lines.

(b) The speed limits for traffic on the roads and in the parking lots shall be 15 miles per hour.

(c) Stop intersections. The following described intersections are hereby described as stop intersections:

[1] Hillside Estates:

Cedar Drive at Alpine Circle

Alpine Circle at Skyview Drive

Sunrise Drive at Skyview Drive

Woodbine Avenue at Skyview Drive

Zimmer Drive at Skyview Drive

[2] Weis Supermarket:

Access drive at Road "A" (both intersects)

Access drive at Road "D"

[3] Brick and Brew:

Munsonhurst Road at Road "A"

(d) One-way streets:

[1] Shop Rite:

The entrance to Route 23 on the southerly side of the property shall be one-way as an entrance only.

The exit to Route 23 on the northerly side of the property shall be one-way as an exit only.

[2] Hillside Estates:

Cedar Drive Southbound

Sunrise Drive Northbound

[3] Burger King:

Road "A", Counterclockwise, Entire length

Drive-through Aisle "A", Counterclockwise

(e) Through streets. The following streets or parts of streets are hereby designated as through streets. Stop signs shall be installed on the near right side of each street intersecting the through street except where yield signs are provided for in the designation.

[1] Walmart:

Road "A", Entire length

Road "B" - Aisle "F", Entire length

Road "C", Entire length

[2] Black Bear Golf:

Road "A", Entire length

[3] Weis Supermarket

Road "A", Entire length

Road "B", Entire length

Road "C", Entire length

Road "D", Entire length

Road "E", Entire length

(f) Handicapped parking. All marked locations on property designated in this section as handicapped parking shall be only used by persons who have been issued special identification cards, plates or placards by the Division of Motor Vehicles, or a temporary placard issued by the Chief of Police. No other person shall be permitted to park in these spaces. All stalls shall be 12 feet wide as shown on the approved site plan and signed for persons who have been issued the handicapped parking permits by the Division of Motor Vehicles. This shall include:

Property	Number of Spaces	Location
ShopRite 270 Route 23	10	As per drawing on file in Borough Clerk's office
Wal-Mart Route 23	18	As per drawing on file in Borough Clerk's office

Property	Number of Spaces	Location
Plains Pharmacy 66 Route 23	1	As per drawing on file in Borough Clerk's office
Sussex County State Bank 399 Route 23	2	As per drawing on file in Borough Clerk's office

(g) Restricted parking. No person shall park a vehicle at any time upon any streets or parts thereof described:

[1] Hillside Estates
Skyview Drive, West, Entire length

(h) Parking prohibited certain hours. No person shall park a vehicle between the hours specified any day (except Sundays and public holidays) upon any of the streets or parts of streets described

[1] Hillside Estates:
Alpine Circle, Both Sides, 2:00 a.m. to 6:00 a.m. between November 15 and April 15, Entire length
Cedar Drive, Both Sides, 2:00 a.m. to 6:00 a.m. between November 15 and April 15, Entire length
Konner Drive, Both sides, 2:00 a.m. to 6:00 a.m. between November 15 and April 15, Entire length
Skyview Drive, Both Sides, 2:00 a.m. to 6:00 a.m. between November 15 and April 15, Entire length
Sunrise Drive, Both Sides, 2:00 a.m. to 6:00 a.m. between November 15 and April 15, Entire length
Woodbine Avenue, Both Sides, 2:00 a.m. to 6:00 a.m. between November 15 and April 15, Entire length
Zimmer Drive, Both Sides, 2:00 a.m. to 6:00 a.m. between November 15 and April 15, Entire length

§ 259-12. Violations and penalties.

Unless another penalty is expressly provided by New Jersey statute, every person convicted of a violation of a provision of this chapter or any supplement thereto shall be liable to a penalty of not more than \$1,250 or imprisonment for a term not exceeding 90 days or a period of community service not to exceed 90 days, or any combination of the above.

SECTION II

All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistencies.

SECTION III

If any article, section, subsection, paragraph, phrase or sentence is, for any reason, held to be unconstitutional or invalid, said article, section, subsection, paragraph, phrase or sentence shall be deemed severable.

SECTION IV

This Ordinance shall take effect immediately upon final publication as provided by law.

ATTEST:

BOROUGH OF FRANKLIN

Darlene J. Tremont, CLERK

BY: John M. Sowden, IV, MAYOR

DATED: May 12, 2020

NOTICE

NOTICE is hereby given that the foregoing Ordinance was introduced to pass on first reading at a regular meeting of the Council of the Borough of Franklin held on April 28, 2020, at 7:00 p.m. and ordered published in

accordance with the law. Said Ordinance will be considered for final reading and adoption at a regular meeting of the Borough Council to be held on May 12, 2020, at 7:00 p.m., or as soon thereafter as the Borough Council may hear this Ordinance at the Municipal Building, 46 Main Street, Franklin, New Jersey 07416, at which time all persons interested may appear for or against the passage of said Ordinance.

Darlene J. Tremont
Municipal Clerk

CERTIFICATION

I, Darlene J. Tremont, Clerk of the Borough of Franklin, do hereby certify that the Borough of Franklin Council duly adopted the foregoing Ordinance on the 12th day of May, 2020.

Darlene J. Tremont, Clerk
Borough of Franklin

John M. Sowden, IV, Mayor

Introduced: April 28, 2020

Adopted: May 12, 2020

RECORD OF COUNCIL VOTES-FIRST READING					Move	2nd
COUNCIL MEMBER	AYES	NAYES	ABSTAIN	ABSENT		
CONCETTO FORMICA	X					
JOSEPH LIMON	X					
JOHN POSTAS COUNCIL PRESIDENT	X					
STEPHEN SKELLENGER	X					
GILBERT SNYDER	X					X
STEPHAN ZYDON, JR.	X				X	
MAYOR SOWDEN, IV (Tie Only)						

RECORD OF COUNCIL VOTES-SECOND READING					Move	2nd
COUNCIL MEMBER	AYES	NAYES	ABSTAIN	ABSENT		
CONCETTO FORMICA	X					
JOSEPH LIMON	X					X
JOHN POSTAS COUNCIL PRESIDENT	X					
STEPHEN SKELLENGER	X					
GILBERT SNYDER	X					
STEPHAN ZYDON, JR.	X				X	
MAYOR SOWDEN, IV (Tie Only)						