

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
O R D I N A N C E**

**ORDINANCE NO. 015-2019**

**RE: AN ORDINANCE AMENDING REVISED GENERAL ORDINANCE  
CHAPTER VII OF THE CODE OF UPPER TOWNSHIP TO PROVIDE FOR  
MANDATORY PENALTIES FOR TRAFFIC VIOLATIONS**

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**BE IT ORDAINED** by the Township Committee, in the Township of Upper,  
County of Cape May and State of New Jersey, as follows:

**SECTION 1.** Chapter 7, Section 7-4, of the Revised General Ordinances of the  
Township of Upper, also known as the Code of Upper Township, shall be amended and replaced  
in its entirety with the following:

**7-4 TRUCKS OVER FIVE (5) TONS EXCLUDED FROM CERTAIN  
STREETS**

Trucks over five (5) tons gross weight are hereby excluded from the streets  
or parts of streets described in Schedule V except for the pick up and  
delivery of materials on such streets, Schedule V being attached to and  
made a part of this Chapter.

**SECTION 2.** Chapter 7, Section 7-20, of the Revised General Ordinances of the  
Township of Upper, also known as the Code of Upper Township, shall be amended and replaced  
in its entirety with the following:

**7-20 PENALTY**

**7-20.1 Mandatory penalties for traffic violations**

The following mandatory fines or penalties are hereby established for the offenses  
hereinafter set forth:

**MANDATORY PENALTIES FOR TRAFFIC VIOLATIONS**

Code Section	Description	Penalty
7-3.2	Parking Prohibited During State of Emergency	\$50.00
7-3.3	Parking Prohibited at All Times on Certain Streets	\$50.00
7-3.4	Parking Prohibited During Certain Hours on Certain Streets	\$50.00
7-3.5	Stopping or Standing Prohibited During Certain Hours on Certain Streets	\$50.00
7-3.6	Parking Time Limited on Certain Streets	\$50.00
7-3.8	Parking by Permit Only in Designated Residential Areas	\$50.00
7-5	One-Way Streets	\$50.00
7-6.1	Through Streets	\$50.00
7.6.2	Stop Intersections	\$50.00
7.6.3	Yield Intersections	\$50.00
7-7	Loading Zones	\$50.00
7-8	Taxi Stands	\$50.00
7-9	Bus Stops	\$50.00
7-10.1	Left Turn Prohibition	\$50.00
7-10.2	U-Turn Prohibition	\$50.00
7-10.3	No Turns	\$50.00

7-10.4	Right Turn on Red Traffic Signal Prohibited	\$50.00
7-10.5	Right Turn Prohibition	\$50.00
7-11	Speed Limits	\$100.00
7-13	Parking at Public Recreational Areas or on Township Recreational Facilities	\$50.00
7-15.3	Effects of Declaration; Snowfall; Parking Prohibited	\$50.00
7-15.4	Effects of Declaration; Snowfall; Parking Restricted	\$50.00
7-16	Observance of Lawful Orders and Posted Traffic Regulations	\$50.00

**7-20.2 Ordinance violations where court appearance is required**

Mandatory court appearances shall be required for those offenses noted below and the penalties for violation of any such ordinance provision shall be a fine of not more than Five Hundred Dollars (\$500.00) or imprisonment for a term not to exceed fifteen (15) days or both. Any term of imprisonment may be served in community service in the discretion of the Court.

**MANDATORY PENALTIES FOR TRAFFIC VIOLATIONS**

Code Section	Description	Penalty
7-3.7	Licensed Vehicles Only	Court Appearance Required
7-4	Trucks Over Five Tons Excluded from Certain Streets	Court Appearance Required
7-12	Handicapped Parking	Court Appearance Required
7-15.5	Removal of Vehicles	Court Appearance Required

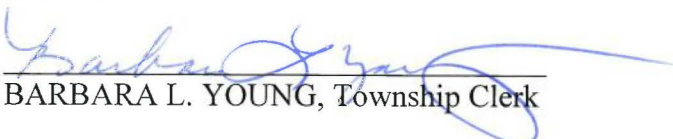
**SECTION 3. REPEALER:** All Ordinances or parts of Ordinances which are in conflict or inconsistent herewith are hereby repealed to the extent of such inconsistency or conflict only.

**SECTION 4. SEVERABILITY:** If any section, paragraph, subdivision, subsection, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, subsection, clause or provision declared invalid and the remainder of this Ordinance shall remain in full force and effect and shall be enforceable.

**SECTION 5. EFFECTIVE DATE:** This Ordinance shall take effect upon final adoption and publication as required by law.

**SECTION 6. CODIFICATION:** This Ordinance shall be codified in the Upper Township Code at the sections referred to above.

ATTEST:

  
BARBARA L. YOUNG, Township Clerk

  
RICHARD PALOMBO, Mayor

NOTICE IS HEREBY GIVEN THAT THE FOREGOING ORDINANCE WAS INTRODUCED FOR THE FIRST READING AT A MEETING OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UPPER HELD ON THE **9<sup>TH</sup> DAY OF SEPTEMBER, 2019** AT THE TOWNSHIP HALL, AND WAS TAKEN UP FOR CONSIDERATION AS TO FINAL ADOPTION AT A PUBLIC HEARING OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UPPER HELD ON THE **15<sup>TH</sup> DAY OF OCTOBER, 2019** AT 7:30 P.M. AT THE TOWNSHIP HALL, TUCKAHOE, NEW JERSEY, AT WHICH TIME SAID ORDINANCE WAS ADOPTED.

BARBARA L. YOUNG, CLERK  
TOWNSHIP OF UPPER

Legislative History:

Introduced: September 9, 2019

Publication: September 12, 2019

Newspaper(s): Press of Atlantic City

Second Reading & Public Hearing: October 15, 2019

Final Adoption: October 15, 2019

Final Publication Date: October 18, 2019

I certify that the foregoing Ordinance was finally adopted by the Township Committee of the Township of Upper on October 15, 2019 and notice of adoption was thereafter published pursuant to law in Press of Atlantic City on October 18, 2019.

  
BARBARA L. YOUNG, TOWNSHIP CLERK