

**ORDINANCE 2022-04
FRANKLIN TOWNSHIP
HUNTERDON COUNTY, NEW JERSEY**

**ORDINANCE OF THE TOWNSHIP OF FRANKLIN, COUNTY OF HUNTERDON,
STATE OF NEW JERSEY, AMENDING THE TOWNSHIP CODE BY DELETING
CHAPTER 95 ENTITLED “TRAFFIC CONTROL” AND CHAPTER 96 ENTITLED
“SPEED LIMITS” AND REPLACING SECTION 125 ENTITLED “VEHICLES AND
TRAFFIC.”**

WHEREAS, the Committee of the Township of Franklin, County of Hunterdon, State of New Jersey, has determined that Chapter 95, “Traffic Control” and Chapter 96 “Speed Limits” must be deleted, and Chapter 125 “Vehicles and Traffic” must be replaced in order to achieve greater user-friendliness, as well as uniformity in enforcement; and

WHEREAS, the Township Committee believes that Franklin Township Code must be amended, revised, and supplemented to establish more comprehensive framework for traffic- and vehicle-related regulations.

NOW, THEREFORE, BE IT ORDAINED by the Committee of the Township of Franklin, County of Hunterdon, State of New Jersey that Chapter 95 “Traffic Control” and Section 96 “Speed Limits” of the Code of the Township of Franklin shall be deleted in their entirety, and Chapter 125 “Vehicles and Traffic” shall be deleted in its entirety and replaced as follows:

Section 1:

Chapter 95 entitled “Traffic Control” shall be deleted in its entirety.

Section 2:

Chapter 96 entitled “Speed Limits” shall be deleted in its entirety.

Section 3:

Chapter 125 entitled “Vehicles and Traffic” shall be deleted in its entirety and replaced with the following:

Article I. General Provisions.

§ 125-1. Definitions; Official Time Standard.

- A. Words and phrases. Whenever any word(s) and phrase(s) is/are used in this Chapter, the meaning respectively ascribed to them in Subtitle 1 of Title 39 of the Revised Statutes of the State of New Jersey shall be deemed to apply to such word(s) and phrase(s) used herein.

- B. Official time standard. Whenever certain hours are named in this Chapter, they shall mean either Eastern Standard Time (EST) or Eastern Daylight Savings Time as may be in current use.

§ 125-2. Authorization for Closing of Any Street.

- A. The Chief of Police or Officer in Charge of this municipality is hereby authorized to provide by regulation for the closing of any street or portion thereof to motor vehicle traffic on any day or days whenever he finds that such closing is necessary for the preservation of the public safety, health and welfare.
- B. Any regulations promulgated by the Chief of Police or Officer in Charge and in accordance with Subsection A above shall provide for the posting of proper warning signs of such closing on any street or portion thereof during the time the same is closed in pursuance thereof.
- C. Any regulation adopted that mandates the closing of any street for a period of greater than 48 consecutive hours shall not become effective unless and until it has been submitted to and approved by the Commissioner of the Department of Transportation.

§ 125-3. Assertion of Authority.

Pursuant to N.J.S.A. 39:4-8, the Township hereby asserts authority and control, in conformance with law, over the following: stop signs, four-way stop control, traffic signals, speed limits, no-passing zones, parking restrictions, and traffic controls on private property.

§ 125-4. Tow Away.

Any vehicle parked in violation of this Chapter shall be deemed a nuisance and a menace to the safe and proper regulation of traffic, and any peace officer may provide for the removal of such vehicle.

That owner shall bear the reasonable costs of removal and storage which may result from such removal before regaining possession of the vehicle.

§ 125-5. Traffic Controls for Street and Highway Construction and Maintenance Operations for Roadways Under Municipal Jurisdiction.

Findings; Adoption of Manual.

- (1) The Township Committee finds and declares that problems of traffic control occur when traffic must be moved through or around street construction, maintenance operations and utility work, above or below the ground, which requires blocking the street and obstructing the normal flow of traffic; and that such obstructions are or can become dangerous when not properly controlled. In order to better promote the public health, safety, peace and welfare, it is necessary to establish controls and regulations directed to the safe and expeditious movement of traffic through and around construction and maintenance zones and to provide safety for the work forces performing these operations.

- (2) The Township of Franklin, in the County of Hunterdon, State of New Jersey, does hereby adopt the current Manual on Uniform Traffic Control Devices for Streets and Highways, (hereafter known as the "MUTCD") except as hereby supplemented and amended, as it controls and regulates whenever construction, maintenance operations or utility work obstructs the normal flow of traffic. Any person, contractor or utility who fails to comply with the provisions of the MUTCD while performing such work is in violation of this section.
- a. Preconstruction Meetings. It shall be the responsibility of the person, contractor, or in the case of a public utility, wishing to conduct work on, under or above the street to contact the Police Department of the Township of Franklin in order to arrange a preconstruction meeting in order to submit plans for the safe movement of traffic during such period of construction or work. Any person, contractor or utility who fails to comply with this section prior to the start of such work, or whose plans are not approved by the Police Department of the Township of Franklin, is in violation of this section.
 - b. Hazardous Conditions. The person, contractor or utility shall provide at least two emergency contact telephone numbers to be called in cases of emergency problems at the construction or maintenance site prior to the start of any work. If, for any reason, emergency contact cannot be made, or if the emergency contact person does not respond to a call from the Police Department to correct such hazardous condition, the Township of Franklin may respond to correct the hazardous condition(s). The reasonable fees for such emergency services by the Township of Franklin shall be charged to the person, contractor, or utility responsible for the condition.
 - c. Hours. There shall be no construction, maintenance operations, or utility work on any roadway in the Township before the hour of 9:00 a.m. or after 4:00 p.m. This time limit may be adjusted to permit work prior to 9:00 a.m. or after 4:00 p.m. by the officer in charge of the Township Police Department. If it is determined by the officer in charge that the construction or maintenance operations prior to 9:00 a.m. or after 4:00 p.m. would substantially delay traffic or cause a safety or health hazard, the work shall then be permitted only between 9:00 a.m. to 4:00 p.m.
 - d. Road Closing. Road closing and/or traffic detours shall not be permitted unless approved by the Township Police Department.
 - e. Traffic Directors. Traffic directors shall be posted at all construction or maintenance sites when determined by the Township Police Department that same is necessary to provide for the safety and expeditious movement of traffic.
 - f. Stop Work. The Township Police Department shall have the authority to stop work, including the removal of equipment and vehicles, stored material within the street right-of-way, back filling of open excavation and/or other related work, in order to abate any nuisance and/or safety hazard or for any violation of this section.

- g. Site Preparation. It is to be expressly understood that no materials, vehicle or equipment are to be placed in the roadway or sidewalk until all construction signs, lights, devices and pavement markings are installed.

§ 125-6. Municipal Engineer Approval.

Prior to the final adoption and implementation of such ordinance, resolution, or regulation, the Municipal Engineer shall, under his seal as a licensed professional engineer, certify to the governing body of the Township that any designation for erection of signs or placement of paper markings has been approved by the Engineer after investigation of the circumstances and any such designation, in the opinion of the Engineer, is in the best interest of safety and expedition of traffic on the public highways, and that such designation conforms to the current standards prescribed by the Manual on Uniform Traffic Control Devices for Streets and Highways as adopted by the Commissioner of the Department of Transportation.

§ 125-7. Provisions Legislated by Resolution.

The following may be adopted, amended, modified, or repealed by resolution:

- A. Prohibit and/or restrict general parking;
- B. Designate restricted parking, pursuant to N.J.S.A. 39:4-197.6;
- C. Designate time limit parking;
- D. Install parking meters;
- E. Designate loading and unloading zones and taxi stands;
- F. Approve street closing for periods of up to forty-eight (48) continuous hours;
- G. Designate restricted parking, pursuant to N.J.S.A. 39:4-197.5;
- H. Establish angle parking;
- I. Reinstate or add parking on any street;
- J. Install or place an in-street pedestrian crossing right-of-way sign at marked crosswalks or unmarked crosswalks at an intersection;
- K. Designate stops, stations, or stands for omnibuses and/or taxis.

§ 125-8. Regulations not Exclusive.

The provisions of this Chapter 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 herein provided.

Article II. Traffic Control.

§ 125-9. Yield Intersections.

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

Intersection	Yield Sign(s) On
	(Reserved)

§ 125-10. Turn Prohibitions.

No person shall make a turn at any location listed and only in the manner described:

Intersection	Turn Prohibition	Movement Prohibited
	(Reserved)	

§ 125-11. No Turn on Red.

No person shall make a turn on the red signal at any location listed herein:

Intersection	Direction of Travel	Prohibited Turn on Red
	(Reserved)	

Article III. Speed Limits.

§ 125-12. Speed Limits Established.

Street	Speed Limit (mph)	Location
Allens Corner Road	35	From Croton Road to Raritan Township Line
Baker Road	35	From Pittstown Road to Kingwood Township Line
Camila Drive	25	Entire length
Capoolong	25	Entire length
Cherryville Station Road	35	From Cherryville Road to Raritan Township Line
Doe Run	25	Entire length
Duke Court	25	Entire length
Grandin Road	35	Entire length
Hamden Road	25	From Clinton Township Line to the Dead End
Hogback Road	35	From Pittstown Road to Sidney Road
Hunter Hill	25	Entire length
Joe Ent Road	35	From Quakertown Road to Allens Corner Road
Krueger Hill	25	Entire length
Landsdown Road	25	From Sidney Road to Lower Landsdown Road

Locust Grove Road	35	Entire length
Lower Kingtown Road	25	From Kingtown Road to Cherryville Road
Lower Landsdown Road	25	From Sidney Road to Hamden Road
Lower Oak Grove Road	35	From Pittstown Road to Kingwood Township Line
Matthew Drive	25	Entire length
Nixon Farm Road	25	Entire length
Oak Grove Road	35	From Pittstown Road to Raritan Township Line
Old Franklin School Road	35	From Croton Road to Pittstown Road
Pine Hill Road	25	From Sidney School Road to Clinton Township Line
Quaker Hill	25	Entire length
River Road	25	From Clinton Township Line to Raritan Township Line
Shalako	25	Entire length
Sidney School Road	35	From Landsdown Road to Sidney Road
Sky Manor Road		
Zone 1	35	Between 740 feet east of Senator Stout Road and 3,900 feet east of Senator Stout Road
Zone 2	45	Between 3,900 feet east of Senator Stout Road and 100 feet east of Jeremiah Lane
Zone 3	40	Between 100 feet east of Jerimiah Lane and Pittstown Road
Spring Hill Road	25	From Sidney Road to River Road
Sidney Road	35	Entire length
Tara Way	25	Entire length
Upper Kingtown Road	25	From Kingtown Road to Sidney Road
White Bridge Road	35	Entire length
Wolverton Road	35	From Old Franklin School Road to Locust Grove Road
Woodland	25	Entire length

§ 125-13. Signs.

Regulatory and Warning signs, conforming to the current manual on Uniform Traffic Control Devices for Streets and Highways shall be erected and maintained to effectuate the above-designated speed limits.

Article IV. Parking.

§ 125-14. Parking Prohibited in Certain Locations.

No person shall park a vehicle at any time in the following locations:

Name of Street	Sides	Location
Croton Road	Both Sides	From Quakertown Road to

		Raritan Township line
Hamden Road	Both Sides	From Clinton Township line (County Bridge) to the Dead End at South Branch Road
Kingtown Road	Both Sides	From the intersection with Pittstown Road southerly to the intersection with the County Bridge
Quakertown Road	Both Sides	From Pittstown Road to Sidney Road
White Bridge Road	Both Sides	From the intersection of County Highway 513 East to and including the bridge over Capoolong Creek

§ 125-15. Parking During State of Emergency.

- A. 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.
- B. The effectiveness of this subsection is contingent upon the signs being erected as required by law.

§ 125-16. Temporary Parking Prohibition for Snow Plowing and Removal.

- A. 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, or portions thereof so indicated.
 - (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.
- B. Any unoccupied vehicle parking or standing in violation shall be deemed a nuisance and a menace to the safe and proper regulation of traffic and any police officer may provide for the removal of such vehicle. The owner shall pay the reasonable costs of the removal

and storage which may result from such removal before regaining possession of the vehicle.

Article V. Handicapped Parking.

§ 125-17. Definitions.

Definitions. For the purposes of this Article, unless the context clearly indicates a different meaning, the following words shall be defined as follows:

Handicapped Person

A person who qualifies under the definition of N.J.S.A. 39-4-204 or 39:4-206 and who possesses a handicapped person identification card and a placard (prominently displayed in the front window dashboard of the vehicle) and/or a handicapped license plate, issued by the Director of the Division of Motor Vehicles

Public Parking

Any building, structure, facility, or complex used by the general public, including but not limited to municipal and/or government-owned buildings, shopping malls, stores, markets, hotels, recreation facilities, schools, office buildings and public eating places, whether publicly or privately owned, with the following exceptions: loading docks and all buildings that involve highly combustible, flammable, or explosive material.

§ 125-18. Use of Reserved Spaces Restricted.

It shall be unlawful for any person to stop, park, or stand a motor vehicle in a legally designated handicapped parking space unless such a person is a handicapped person or is transporting a handicapped person and is using the handicapped parking space for the benefit of said handicapped person.

§ 125-19. Towing of Illegally Parked Vehicles.

Any vehicle illegally parked in a handicapped parking zone shall be towed to a designated garage when a handicapped person requests to the police that it be towed. The police, within their own authority, may have such vehicle towed (all subject to state statutes). The charges for towing and storing such vehicles shall be the sole responsibility of the owner of said owner.

Article VI. Horse Crossing Zones.

§ 125-20. Horse Crossing Zones.

The following locations are hereby designated as twenty-five-miles-per-hour horse crossing zones as determined by the Township Engineer:

Hogback Road
Hunting Hills Road
Locust Grove Road
Lower Kingtown Road
Pine Hill Road

Sidney School Road
Upper Kingtown Road
Whitebridge Road

Article VII. Weight Limits.

§ 125-21. Vehicles Over Designated Weight Excluded from Certain Streets.

Vehicles over the gross vehicle 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	Weight (Tons)	Limits
Whitebridge Road	4	Entire length

Article VIII. Commercial Trucks.

§ 125-22. Parking of Certain Trucks, Vehicles, and Trailers Prohibited

No person shall park a commercial truck, tractor, trailer, semitrailer or omnibus having a registered gross weight in excess of four tons upon any street within a residential zone except for the purpose of the pickup and delivery of materials. "Residential zone" shall include the Agricultural Residential (AR-7.0) and Rural Residential (RR-5.0) Zones.

Article IX. Wal-Mart Plaza Shopping Center

§ 125-23. Applicability of Statute.

The Township Committee of the Township of Franklin, in the County of Hunterdon and State of New Jersey has filed a written consent with the Commissioner of Transportation of the State of New Jersey that the provisions of Subtitle One, Title 39 of the revised Statutes of New Jersey be made applicable to the semipublic roads, streets, driveways and parking lots at Wal-Mart Plaza Shopping Center located in the Township of Franklin, County of Hunterdon, and the following regulations shall be enforceable.

A. Designated Parking Areas and Spaces.

All vehicles must park only in designated areas and between the lines provided. Parking is prohibited in all designated fire lanes.

B. Handicapped Parking.

All stalls shall be twelve (12) feet wide as shown on the attached site plan and signed with R7-8 (reserved parking sign) in the designated parking areas for persons who have been issued the handicapped parking permits by the Division of Motor Vehicles.

C. Stop Intersections.

The stop intersections are only those that are shown on the attached site plan.¹

D. One-Way Streets.

The following described streets or parts of streets are hereby designated as one-way streets: as shown on the attached site plan.

E. Speed Limits.

The speed limit in all parking lots and roadways shall be 15 mph.

F. Tow Away Zones.

Any vehicles parked or standing so as to obstruct or impede a normal flow of traffic, block entrances or exit ways, loading zones, oil fills, any grassy area, pedestrian walkway, or present in any way a safety or traffic hazard may be removed by towing the vehicle(s) at the owner's or operator's expense.

§ 125-24. Violations and Penalties.

Any person who violates any provision of this Chapter shall, upon conviction thereof, be subject to the penalties set forth in Chapter 1, Article I, General Penalty. Each day that said violation continues shall be deemed a separate and distinct violation.

Section 4:

Severability. The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

Section 5:

Repealer. Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed as to their inconsistencies only.

Section 6:

Effective Date. This Ordinance shall take effect upon final passage and publication as provided by law.

¹ The site plan is on file in the Clerk's office.

NOTICE

NOTICE is hereby given that the foregoing Ordinance was introduced to pass on first reading at a regular meeting of the Committee of the Township of Franklin held on April 28, 2022, and ordered published in accordance with the law. Said Ordinance will be considered for final reading and adoption at a regular meeting of the Township Committee to be held on May 26, 2022, at 7:30 p.m. or as soon thereafter as the Township Committee may hear this Ordinance at the Municipal Building, 202 Sidney Road, Pittstown, New Jersey, at which time all persons interested may appear for or against the passage of said Ordinance.

Christine Burke
Township Clerk