#### **ORDINANCE NO. 2017-17**

# ORDINANCE OF THE BOROUGH OF BELMAR AMENDING THE REVISED GENERAL ORDINANCE CHAPTER 19: "TRAFFIC" TO ADD SECTION 19-42: "RIDE-SHARE PICK-UP/DROP-OFF ZONES" (PREVIOUSLY RESERVED)

**BE IT ORDAINED** by the Mayor and Council of the Borough of Belmar, County of Monmouth, State of New Jersey, that Chapter 19 of the Borough's Revised General Ordinances is amended to include the following new Section 19-42: "Ride-Share Pick-Up/Drop-Off Zones" (Previously Reserved):

#### 19-42 RIDE-SHARE PICK-UP/DROP-OFF ZONES.

#### 19-42.1 Applicability.

This section shall apply to the operation of all ride-share services within the Borough of Belmar, County of Monmouth, State of New Jersey. "Ride-share service" shall be defined as those participating in any arrangement in which a passenger travels in a private vehicle driven by its owner or its owner's duly authorized representative for a fee, regardless of whether arranged by means of a website or mobile-based application or internet-based application. This section shall not be applicable to taxicabs, autocabs, livery services, or livery vans possessing a license pursuant to Chapter 21 of the Borough's Revised General Ordinances.

### 19-42.2 Designated Ride-Share Pick-Up/Drop-Off Zones.

The following areas are designated as ride-share pick-up/drop-off zones and shall be used only for the pick-up or discharge of passengers by ride-share services and like businesses by whatever name employed (hereinafter, "ride-share services"). During the times specified, all other vehicles shall be towed and subject to the penalties set forth below.

- a. From 7:00 p.m. to 3:00 a.m. the following areas shall be used only by ride-share services for the pick-up or discharge of passengers:
  - 1. Belmar Marina Entrance at the intersection of Route 35 and Tenth Avenue, five parking spots on the north side of the marina entrance island shall be designated as ride-share pick-up/drop-off zones and shall be delineated by appropriate signage.
  - 2. Main Street, westside, beginning at the southwest corner of Main Street and Fifteenth Avenue along the westerly curbline 20 feet south and continuing 102 feet south.
  - 3. Ocean Avenue, westside, beginning at the northwest corner of Ocean Avenue and Nineteenth Avenue along the westerly curbline 20 feet north and continuing 127 feet north.
  - 4. Eighth Avenue, southside, beginning at the southwest corner of Main Street and Eighth Avenue along the southerly curbline 20 feet west and continuing 60 feet west.

# 19-42.3 Discharging or Picking Up Passengers Within 500 Feet Of Designated Ride-Share Zones.

No ride-share service shall discharge or pick up passengers during the hours set forth in subsection 19-42.2 within five-hundred (500') feet of a designated ride-share zone, unless the area designated as a ride-share zone is occupied, and in such a case, the ride-share service shall discharge or pick up passengers at the next closest and available parking space.

## 19-42.4 Violations - Penalties.

It shall be unlawful and a violation of the provisions of this section for any person to cause or allow any vehicle to be parked or to stand in any designated ride-share zone during the times

set forth in subsection 19-42.2. Every person violating the provisions of this section shall upon conviction thereof, be subject to a fine of:

- a. One-hundred-fifty (\$150.00) dollars plus costs for a first offense;
- b. Three-hundred (\$300.00) dollars plus costs for a second or third offense within any twelve (12) month period;
- c. One-thousand (\$1,000.00) dollars plus costs for a fourth or subsequent offense within any twelve (12) month period;

**BE IT FURTHER ORDAINED** that should any section, paragraph, sentence, clause, or phase of this ordinance be declared unconstitutional or invalid for any reason, the remaining portion of this ordinance shall not be affected thereby and shall remain in full force and effect, and to that end the provisions of this ordinance are hereby declared to be severable.

**BE IT FURTHER ORDAINED** that all ordinances or parts of ordinances inconsistent with this amending ordinance are hereby repealed to the extent of their inconsistencies only.

**BE IT FURTHER ORDAINED** that this ordinance shall be in full force and take effect twenty (20) days after final passage and publication, as required by law.