

TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

ORDINANCE #2026-04

Title: AN ORDINANCE AMENDING CHAPTER 7, TRAFFIC, OF THE CODE OF THE TOWNSHIP OF LOWER TO ENACT ARTICLE IV, PAID PARKING ZONES/PARKING METERS, TO ESTABLISH PAID PARKING AREAS AND REGULATIONS GOVERNING OPERATION AND ENFORCEMENT

WHEREAS, in accordance with N.J.S.A. 39:4-197, municipalities are afforded the authority to regulate traffic and parking on municipal public rights-of-way throughout their jurisdiction; and

WHEREAS, Chapter 7, Traffic, of the Code of the Township of Lower establishes standards and regulations governing traffic and parking throughout the Township of Lower; and

WHEREAS, the Township Council of the Township of Lower finds that establishing paid parking areas and parking meter regulations in areas within the Township during the peak summer season will promote parking turnover and improve access to commercial and recreational areas; and

WHEREAS, the Township Council of the Township of Lower further finds that establishing uniform seasonal dates and hours of operation for paid parking areas and parking meters, together with posted signage and standardized payment methods, will assist the Lower Township Police Department and parking enforcement personnel in the consistent and effective enforcement of parking regulations;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey as follows:

Section 1. Chapter 7, Traffic, of the Code of the Township of Lower is hereby amended and supplemented through the enactment of new Article IV, entitled "Paid Parking Zones/Parking Meters," as follows:

ARTICLE IV PAID PARKING AREAS/PARKING METERS

§ 7-26 Purpose and Findings.

- A. The Township Council finds and declares that paid parking regulations are necessary to promote turnover and availability of parking in areas of high demand, and to improve access to commercial and recreational areas.
- B. This Article establishes uniform rules for the installation, operation, payment, and enforcement of paid parking areas within the Township of Lower.

§ 7-27 Authority.

This Article is adopted pursuant to N.J.S.A. 39:4-197 et seq., and all other applicable laws and regulations.

§ 7-28 Definitions.

As used in this Article, the following terms shall have the meanings indicated:

PAID PARKING ZONE

Any street, portion of a street, or municipal parking lot/area designated by the Township of Lower as requiring payment to park during the hours and dates set forth in this Article and/or as posted.

PARKING METER

Any mechanical, electronic, single-space or multi-space meter, kiosk, or other device/system used to receive payment and/or record paid parking time for one or more parking spaces, including pay-by-plate systems.

PAYMENT STATION

A centralized kiosk or device serving multiple spaces, including pay-and-display and pay-by-plate systems.

MOBILE PAYMENT

Payment made through a Township authorized mobile parking application or other electronic payment platform.

PARKING SPACE

A clearly marked or otherwise designated stall or space on a street or in a municipal parking area intended for the standing/parking of a single vehicle.

§ 7-29 Establishment of Paid Parking Zones.

A. The following streets (and portions thereof) are hereby designated as Paid Parking Zones subject to the requirements of this Article:

Street	Side(s) of Street	Limits
East Rochester Avenue	Both	From Diamond Sand Dollar Drive to Atlantic Avenue
Seaview Avenue	Both	From East Raleigh Avenue to the municipal boundary line with Wildwood Crest
Atlantic Avenue	Both	The entire length to the municipal boundary line with Wildwood Crest
South Station Avenue	Both	From Seaview Avenue to its eastern terminus
East Raleigh Avenue	Both	From Seaview Avenue to its eastern terminus

B. Installation and Maintenance. The Township Manager and/or such other Township official(s) designated by the Township Council are authorized to cause the installation, placement, relocation, conversion, operation, and maintenance of Parking Meters, Payment Stations, signage, and related equipment necessary to implement this Article within the Paid Parking Zones.

C. Signage Required. Paid Parking Zones shall be identified by appropriate signs, pavement markings, and/or meter/payment station instructions reasonably located to provide notice to motorists of the paid parking requirements, including the operational dates/hours established herein and the rates and time limits to be established by resolution.

§ 7-30 Establishment of Paid Parking Zones.

A. Seasonal Operation. Parking Meters/Paid Parking Zones shall be in effect annually from May 15th through October 15th.

B. Hours of Operation. During the seasonal operation period, Parking Meters/Paid Parking Zones shall be in effect daily, from 8:00 a.m. through 10:00 p.m.

C. No Duty to Pay Outside Operational Period. Outside the dates and hours set forth in this

- C. No Duty to Pay Outside Operational Period. Outside the dates and hours set forth in this section, there shall be no duty to pay under this Article unless otherwise posted due to a temporary special regulation lawfully established by the Township of Lower (e.g., emergency, construction, or special event restrictions).

§ 7-31 Rates; Time Limits; Establishment by Resolution.

- A. Rates and Time Limits to be Established by Resolution. The Township Council shall establish, and may adjust from time to time by Resolution, the following for each Paid Parking Zone and/or Parking Meter, which may vary by location:
 - 1. Hourly rate parking rates and/or flat rates;
 - 2. Maximum time limits, if any;
 - 3. The method(s) of accepted payment, i.e. coin, credit/debit card, mobile payment, pay by plate, etc.); and
 - 4. Any other operational details consistent with this Article.
- B. Posting. Current rates, time limits, and payment instructions shall be posted on meters/payment stations and/or signage, or otherwise made available in a manner reasonably intended to inform the public.

§ 7-32 Payment Required; Compliance.

- A. No person shall park or permit a vehicle to stand in any Paid Parking Zone during the operational dates and hours set forth in § 7-30 without making the required payment for that vehicle and location.
- B. Compliance/proof of payment may be demonstrated by a meter indication, a pay and display receipt, a pay by plate record, mobile payment session record, or other Township system record, depending on the equipment in use.
- C. Motorists shall comply with all posted instructions applicable to the particular meter, payment station, mobile payment zone, or parking area, including correct entry of license plate number where required.

§ 7-33 Prohibited Acts.

It shall be unlawful for any person to:

- A. Park in a Paid Parking Zone during operational dates/hours without tendering the required payment;
- B. Exceed the time paid for and/or any posted maximum time limit;
- C. Deposit or cause to be deposited in any meter any slug, device, or substitute for lawful payment;
- D. Tamper with, damage, deface, obstruct, or interfere with any parking meter, payment station, or related signage/equipment;
- E. Use, attempt to use, or transfer a pay and display receipt, payment confirmation, or other authorization in a manner inconsistent with this Article and/or any posted instructions or signage.

§ 7-34 Exemptions Required by State Law; Authorized Exemptions.

- A. Any exemption from municipal meter fees mandated by State law (including, where applicable, for qualifying disabled veterans and Purple Heart recipients pursuant to Title 39) shall apply.
- B. The Township Council of the Township of Lower may, by Resolution Or ordinance as permitted by law, authorize limited exemptions for Township owned vehicles, emergency vehicles, or other vehicles performing essential governmental functions, provided such exemptions are applied uniformly and do not conflict with State law.

§ 7-35 Enforcement.

- A. This Article may be enforced by the Lower Township Police Department, parking enforcement personnel, and/or any other official(s) authorized by the Township.
- B. A vehicle found parked in a paid parking zone during operational dates/hours without a valid payment record shall constitute prima facie evidence of a violation.

§ 7-36 Violations and Penalties.

- A. Any person violating any provision of this Article shall, upon conviction, be subject to the penalties provided under Title 39 and/or the Township's general penalty provisions for traffic/parking offenses, as applicable, together with costs of court and other assessments permitted by law.
- B. Each separate instance of parking in violation of this Article shall constitute a separate offense.

Section 2. All other ordinances in conflict or inconsistent with this Ordinance are hereby repealed to the extent of such conflict or inconsistency.

Section 3. Should any section, paragraph, sentence, clause, or phrase of this Ordinance be declared unconstitutional or invalid for any reason, the remaining portions of this Ordinance shall not be affected thereby and shall remain in full force and effect, and to this end the provisions of this Ordinance are hereby declared to be severable.

Section 4. This Ordinance shall become effective 20 days after final passage and publication according to law.



Thomas Conrad, Councilmember



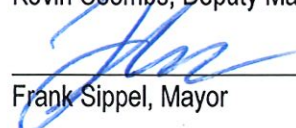
Joseph Wareham, Councilmember



Roland Roy, Jr., Councilmember



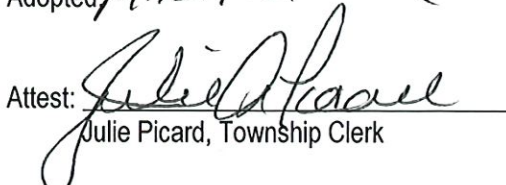
Kevin Coombs, Deputy Mayor



Frank Sippel, Mayor

First Reading: Feb 18, 2024

Adopted: March 16, 2026

Attest: 
Julie Picard, Township Clerk