

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

ORDINANCE #2026-08

Title: AN ORDINANCE AMENDING CHAPTER 7, TRAFFIC, ARTICLE IV, PAID PARKING ZONES/PARKING METERS, OF THE CODE OF THE TOWNSHIP OF LOWER, TO AUTHORIZE THE ISSUANCE OF SEASONAL PARKING PERMITS

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, on March 16, 2026, the Township Council of the Township of Lower adopted Ordinance 2026-04, which established paid parking areas and parking meter regulations within the Township of Lower; and

WHEREAS, the Township Council of the Township of Lower has determined that it is necessary and appropriate to amend Chapter 7, Article IV, of the Code of the Township of Lower to authorize the issuance of seasonal parking permits for use within designated paid parking zones and at parking meters;

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, Article IV, Paid Parking Zones/Parking Meters, Subsection 30, Establishment of Paid Parking Zones, of the Code of the Township of Lower, is hereby amended and restated as follows:

§ 7-30 Establishment of Paid Parking Zones

- A. Seasonal Operation. Parking Meters/Paid Parking Zones shall be in effect annually from May 15th through September 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 of Operational Period. Outside the dates and hours set forth in this section, there shall be no duty to tender payment or display a seasonal parking permit 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).

Section 2. Chapter 7, Traffic, Article IV, Paid Parking Zones/Parking Meters, Subsection 32, Payment Required; Compliance, of the Code of the Township of Lower, is hereby amended and restated as follows:

§ 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, or displaying a seasonal parking permit on the vehicles dashboard or hanging from the vehicle's rearview mirror.
- 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, or by visibly displaying a seasonal parking permit issued by the Township of Lower.
- 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.

Section 3. Chapter 7, Traffic, Article IV, Paid Parking Zones/Parking Meters, Subsection 33, Prohibited Acts, of the Code of the Township of Lower, is hereby amended and restated as follows:

§ 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 or visibly displaying a seasonal parking permit issued by the Township of Lower on the dashboard of their vehicle or hanging from the vehicle's rearview mirror;
- 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.

Section 4. Chapter 7, Traffic, Article IV, Paid Parking Zones/Parking Meters, Subsection 35, Enforcement, of the Code of the Township of Lower, is hereby amended and restated as follows:

§ 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 or without displaying a seasonal parking permit issued by the Township of Lower within the vehicle shall constitute prima facie evidence of a violation.

Section 5. Chapter 7, Traffic, Article IV, Paid Parking Zones/Parking Meters, Subsection 36, Violations and Penalties, of the Code of the Township of Lower, is hereby amended and restated as follows:

§ 7-36 Violations and Penalties.

- A. Any person who violates any provision of this Article, including by failing to pay the required parking fee or failing to properly display a seasonal parking permit issued by the Township of Lower within a vehicle, shall, upon conviction, be subject to a fine in amount not exceeding \$100.00, for each offense or violation.
- B. Each separate instance of parking in violation of this Article shall constitute a separate offense.

Section 6. Chapter 7, Traffic, Article IV, Paid Parking Zones/Parking Meters, of the Code of the Township of Lower, is hereby amended and supplemented to enact the following subsection:

§ 7-37 Seasonal Parking Permits.

- A. Seasonal parking permits may be purchased from the Township of Lower and, when properly issued and displayed, shall exempt the vehicle displaying the permit from payment of required parking fees in designated paid parking zones within the Township of Lower. Seasonal parking permits must be displayed on a vehicle's dashboard or by hanging same from the vehicle's rearview mirror, or, in the case of a low-speed vehicle, by affixing an issued seasonal parking permit to the windshield or license plate.

- B. In order to obtain a seasonal parking permit, applicants shall complete and submit the application form prescribed by the Township Clerk.
- C. The fee for a seasonal parking permit shall be \$250.00, payable at the time the application is submitted. All permit fees shall be nonrefundable.
- D. Eligibility for the issuance of seasonal parking permits shall be limited to individuals who maintain an address within the Township of Lower, and no more than two (2) seasonal parking permits shall be issued per address.
- E. A seasonal parking permit issued pursuant to this section shall be valid only for the calendar year in which it is purchased, and shall expire on December 31 of the year during which it is issued.
- F. Seasonal parking permits issued pursuant to this section shall be transferable from one vehicle to another without prior approval or payment of an additional fee. In the event that a permit is lost or stolen, the replacement cost shall be the full price of the seasonal parking permit.
- G. Seasonal parking permits shall not exempt any vehicle from compliance with posted time restrictions, prohibited parking regulations, no-parking zones, emergency restrictions, or any other applicable traffic or parking regulation.
- H. The Township reserves the right to deny, suspend, revoke, or invalidate any seasonal parking permit issued pursuant to this section in the event of fraud, misrepresentation, misuse, violation of this Article, or violation of any rule or procedure adopted by the Township for administration of the seasonal parking permit program.

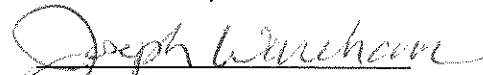
Section 7. All other ordinances in conflict or inconsistent with this Ordinance are hereby repealed to the extent of such conflict or inconsistency.

Section 8. 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.

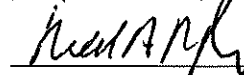
Section 9. This Ordinance shall become effective 20 days after final passage and publication according to law.



Thomas Conrad, Councilmember



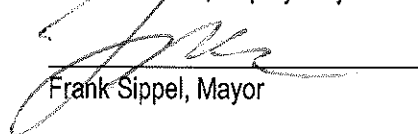
Joseph Wareham, Councilmember



Roland Roy, Jr., Councilmember



Kevin Coombs, Deputy Mayor



Frank Sippel, Mayor

First Reading: April 6, 2026

Adopted: April 20, 2026

Attest: 
Karen Fournier, Township Clerk