

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

ORDINANCE #2026-02

Title: AN ORDINANCE AMENDING CHAPTER 7, TRAFFIC, OF THE CODE OF THE TOWNSHIP OF LOWER TO EXPLICITLY PROHIBIT PARKING IN FRONT OF PUBLIC OR PRIVATE DRIVEWAYS, DRIVEWAY APRONS, CURB CUTS, OR ACCESS POINTS

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, Article I, General Provisions, of the Code of the Township of Lower establishes regulations associated with traffic and parking throughout the Township of Lower; and

WHEREAS, N.J.S.A. 39:4-138 currently prohibits the stopping, standing, or parking of vehicles in front of public or private driveways and curb cuts; and

WHEREAS, the Township Council finds that expressly codifying these prohibitions within Chapter 7 of the Township Code will assist law enforcement officials in the consistent and effective enforcement of parking regulations; and

WHEREAS, prohibiting parking in front of public or private driveways, driveway aprons, curb cuts, or access points will enhance traffic safety, eliminate recurring parking conflicts, and improve visibility for motorists and pedestrians on narrow and congested Township streets; and

WHEREAS, ensuring unobstructed access to public or private driveways, driveway aprons, curb cuts, or access points is essential to facilitating emergency vehicle access and protecting the health, safety, and welfare of Township residents.

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 I, General Provisions, § 7-3, Parking, specifically Subparagraph 7-3.1, is hereby amended and restated as follows:

ARTICLE I General Provisions

§ 7-3 Parking.

7.3.1 Regulations not exclusive. The provisions of this chapter regulating parking, including those imposing time limits or location-based restrictions, shall not relieve any person of the duty to observe other more restrictive provisions prohibiting or limiting the stopping, standing, or parking of vehicles as set forth in N.J.S.A. 39:4-138, any other applicable New Jersey statute, or as hereinafter provided.

A. In addition to, and consistent with the restrictions outlined within N.J.S.A. 39:4-138 and any other applicable provision of State law, the following actions are expressly prohibited:

- i. No person shall stop, stand, or park a vehicle, whether attended or unattended, in front of, across, or in such manner so as to obstruct any public or private driveway, driveway apron, curb cut, or access point, except as may be necessary to avoid conflict with other traffic or in compliance with the directions of a law enforcement officer or official traffic control device.

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

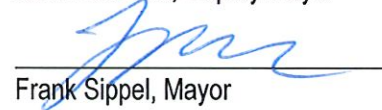


Joseph Wareham, Councilmember



Roland Roy, Jr., Councilmember

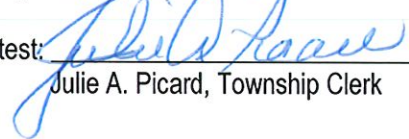
Kevin Coombs, Deputy Mayor



Frank Sippel, Mayor

First Reading: Feb 2, 2026

Adopted: March 2, 2026

Attest: 
Julie A. Picard, Township Clerk