

BOROUGH OF RIVERDALE

ORDINANCE NO. 13-2006

ORDINANCE PROHIBITING THE USE OF LOW SPEED VEHICLES ON MUNICIPAL STREETS AND ROADS

WHEREAS, low speed vehicles (LSVs) which are titled and registered may be driven on certain New Jersey roadways where the speed limit is 25 miles per hour or less; and

WHEREAS, an LSV is a four-wheeled vehicle, as defined in 49 CFR s. 571.3(b), whose attainable speed is more than 20 miles per hour and no more than 25 miles per hour on a paved level surface; and

WHEREAS, pursuant to N.J.S.A. 39:4-31.1, a low speed vehicle may be operated upon any public road or highway under the jurisdiction of a municipality with a posted speed of 25 miles per hour or less unless an Ordinance is adopted prohibiting a low speed vehicle from being operated on such road or highway; and

WHEREAS, the Mayor and Council of the Borough of Riverdale have determined that allowing low speed vehicles on any municipal street is contrary to the public interest.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Riverdale, in the County of Morris and State of New Jersey, as follows:

Section 1. The Revised General Ordinances of the Borough of Riverdale are hereby amended as follows:

Low Speed Vehicles

Definitions.

Unless specifically provided, the following words and terms shall be construed and defined as follows:

LOW SPEED VEHICLE - means a motor vehicle, (1) that is 4-wheeled; (2) whose speed attainable in 1.6 km (1 mile) is more than 32 kilometers per hour (20 miles per hour) and not more than 40 kilometers per hour (25 miles per hour) on a paved level surface; and (3) whose GVWR is less than 1,134 kilograms (2,500 pounds).

Prohibition on the use of low speed vehicles on municipal streets and roads.

No person shall operate a low speed vehicle upon any public road or highway under the jurisdiction of the Borough of Riverdale. This prohibition shall not apply to any vehicle being used by a governmental entity for public purposes.

Section 2. If any section or provision of this Ordinance shall be held invalid in any Court of competent jurisdiction, the same shall not affect the other sections or provisions of this Ordinance, except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

Section 3. All Ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 4. This Ordinance shall take effect immediately after final passage and publication in the manner provided by law.

Adopted this ____ day of _____, 2006.

Carol Talerico, Borough Clerk

William Budesheim, Mayor

CLERK'S CERTIFICATION

NOTICE is hereby given that the above Ordinance was introduced and passed first reading by title at a regular meeting of the Mayor and Council of the Borough of Riverdale, held on May 15, 2006, and it will be considered for final passage at a regular meeting of said Mayor and Council to be held on June 19, 2006, at 7:30 p.m. or as soon thereafter same can be considered, in the Municipal Building, 91 Newark Pompton Turnpike, Riverdale, New Jersey, at which time and place all persons interested therein or affected thereby will be given an opportunity to be heard concerning same. During the week prior and up to the time of public hearing, copies of said Ordinance will be available to the members of the general public who request same, in the Borough Clerk's Office between the hours of 9:00 a.m. and 4:30 p.m.

Carol J. Talerico, Municipal Clerk