

ORDINANCE #1088

AN ORDINANCE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY ACCEPTING DEDICATION OF CARTY AVENUE FROM THE FORT MONMOUTH ECONOMIC REVITALIZATION AUTHORITY AND IMPOSING TRAVELING AND PARKING RESTRICTIONS

WHEREAS, under the Local Land and Buildings Law, N.J.S.A. 40A:12-1 et. seq., the Borough of Oceanport (the "Borough") is authorized to acquire real property or any interest in real property by donation or dedication; and

WHEREAS, the Fort Monmouth Economic Revitalization Autho2023, ("FMERA") seeks to dedicate Carty Avenue to the Borough of Oceanport located in a portion of Block 110, Lot 1 on the Borough of Oceanport's tax map and as specifically set forth in the attached Description of Carty Avenue Roadway Dedication prepared by T&M Associates dated November 6, 2023 in order to implement the FMERA Reuse and Redevelopment Plan; and

WHEREAS, the Borough Council finds it is in the best interests of the Borough and its residents to accept the dedication of Carty Avenue from FMERA as a completely improved public right-of-way within Fort Monmouth and to impose roadway safety restrictions and Title 39 to ensure motorist and resident safety; and

NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Oceanport, County of Monmouth and State of New Jersey, that it hereby accepts the dedication and assumes ownership of Carty Avenue from FMERA as set forth in the attached Description of Carty Avenue Roadway Dedication prepared by T&M Associates dated November 6, 2023 and the Mayor is authorized to execute "Schedule a Deed of Roadway Dedication" in a form approved by the Borough Attorney; and

IT IS FURTHER ORDAINED, that Carty Avenue shall hereinafter be subject to the rules and regulations set forth under Chapter 64 of the Borough Code entitled "Vehicles and Traffic", Article II "Prohibited Parking", Sections 64-1.1. (Commercial Parking Prohibited Services Hours on All Streets), 64-2 "Regulations not Inclusive" and Title 39 of the New Jersey Revised Statutes entitled "Motor Vehicles and Traffic Regulation"; and

IT IS FURTHER ORDAINED that Chapter 64 of the Borough Code entitled "Vehicles and Traffic", Article II "Prohibited Parking", Sections 64-3 "Parking Prohibited at all times on Certain Steets" and Section 64-33 "Schedule I-No Parking" is hereby amended as follows:

<u>Name of Street</u>	<u>Side</u>	<u>Portion of Roadway</u>
Carty Avenue	Paved Portion of Roadway marked Fire Lane	Entire Length

IT IS FURTHER ORDAINED, that Chapter 64 of the Borough Code entitled "Vehicles and Traffic Article VI "Through Streets, Stop Intersections and Yield Intersections", Section 64-14 "Stop Intersection" and Section 64-41 Schedule IX "Stop Intersections Designated "is hereby amended as follows:

<u>Intersection</u>	<u>Stop Sign On</u>
Carty Avenue and Barton Avenue	Carty Avenue

IT IS FURTHER ORDAINED, that Chapter 64 of the Borough Code, Article XI "Speed Limits", Section 64-24 "Speed Limits for Certain Streets Designated", and Section 64-51 Schedule XIX "Speed Limits" is hereby amended as follows:

<u>Name of Street</u>	<u>Speed Limit</u>	<u>Location</u>
Carty Avenue	25 mph	Entire Length

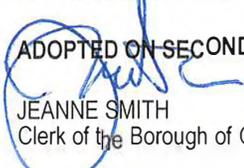
IT IS FURTHER ORDAINED, that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provisions so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective; and

IT IS FURTHER ORDAINED that any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

IT IS FURTHER ORDAINED that this Ordinance shall take effect upon passage and publication in accordance with applicable law.

APPROVED ON FIRST READING DATED: February 15, 2024

ADOPTED ON SECOND READING DATED: March 21, 2024


JEANNE SMITH
Clerk of the Borough of Oceanport

APPROVAL BY THE MAYOR ON THIS 21 day of MARCH, 2024.


THOMAS J. TVRDIK
Mayor