

ORDINANCE 16-2021

BOROUGH OF EATONTOWN
COUNTY OF MONMOUTH, STATE OF NEW JERSEY

AN ORDINANCE OF THE BOROUGH OF EATONTOWN AMENDING CHAPTER 312 OF THE BOROUGH CODE ENTITLED "VEHICLES AND TRAFFIC" SECTION 9 ENTITLED "TRUCK EXCLUSIONS DESIGNATED" AND SECTION 36 ENTITLED "SCHEDULE V TRUCKS OVER 10 TONS EXCLUDED" TO EXCLUDE TRUCKS OVER 4 TONS FROM CERTAIN PORTIONS OF HOPE ROAD

WHEREAS, the Mayor and Council of the Borough of Eatontown (Borough) have been made aware of an excessive amount of trucks and Commercial Motor Vehicles (CMVs) along the portion of Hope Road between Tinton Avenue (CR 537) and Sycamore Avenue (CR 13A) in the Borough of Eatontown and Tinton Falls; and

WHEREAS, there are numerous single-family residential properties, townhouse communities, and a pre-K to 12th grade school along this portion of Hope Road. A safety and quality of life issue has therefore been identified for the Borough residents in this area; and

WHEREAS, the Borough of Tinton Falls' engineer prepared a Certification Report in accordance with N.J.A.C. 16:27-4.3 which analyzes traffic counts, crash reports, circulation, traffic movements, roadway data, and alternate routes for the nearby area and recommended a 4 ton weight limit restriction for this portion of Hope Road; and the Eatontown Borough Engineer has reviewed this report and concurs with its findings; and

WHEREAS, Tinton Falls submitted a request to New Jersey Department of Transportation (NJDOT) to approve a 4 ton weight restriction on this portion of Hope Road and NJDOT indicated that it previously approved such restrictions but its review indicated that a small portion of Hope Road in the northbound direction is located in Eatontown and thus requires an ordinance from the Borough of Eatontown to implement the restriction; and

WHEREAS, the Borough Council believes that it is in the best interests of the Borough and its residents to implement the 4 ton restriction on the portion of Hope Road within the Borough's jurisdiction

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Borough of Eatontown, County of Monmouth and State of New Jersey that the Code of the Borough of Eatontown, entitled, is hereby amended as follows:

SECTION 1

Chapter 312 entitled "Vehicles and traffic" Section 9 entitled "Truck exclusions designated" of the Code of the Borough of Eatontown shall be amended as follows (additions are underlined deletions are ~~stricken~~):

§ 312-9 Truck exclusions designated.

- A. Trucks over 10 tons shall be excluded from the streets or parts of streets described in Schedule V (§ 312-36) ~~1A~~ attached to and made a part of this Part 1.
- B. Trucks over 4 tons shall be excluded from the streets or parts of streets described in Schedule V (§ 312-36) ~~1B~~ attached to and made a part of this Part 1.

SECTION 2

Chapter 312 entitled "Vehicles and traffic" Section 36 entitled "Schedule V: Trucks Over 10 Tons Excluded" of the Code of the Borough of Eatontown shall be amended as follows (additions are underlined deletions are ~~stricken~~):

§ 312-36 Schedule V: Trucks Over 10 Tons Weight Exclusions Excluded.

- A. In accordance with the provisions of § ~~312-9~~ A., trucks over 10 tons' gross weight are hereby excluded from the following described streets or parts of streets, except for the pickup and delivery of materials on such streets, municipal vehicles, emergency vehicles, school buses, maintenance equipment and vehicles working on or getting to locations in the immediate area:

Name of Street	Location
Buttonwood Avenue	Entire length

Name of Street	Location
Clinton Avenue	Entire length
Grant Avenue	Between Route 36 and Buttonwood Avenue
High Street	Between Lewis Street and South Street
Lewis Street	Between Route 35 and Maple Avenue
Maple Avenue	Entire length
Reynolds Drive	Entire length
South Street	Between Route 35 and Wyckoff Road
White Street	Between Clinton Avenue and Broad Street

B. In accordance with the provisions of § 312-9 B., trucks over 4 tons' gross weight are hereby excluded from the following described streets or parts of streets, except for the pickup and delivery of materials on such streets, municipal vehicles, emergency vehicles, school buses, maintenance equipment and vehicles working on or getting to locations in the immediate area:

Name of Street	Location
Hope Road	Northbound lane from Tinton Avenue north to Municipal Boundary (approximately 3/10 mile)

BE IT FURTHER ORDAINED, that

- A. All other Ordinances or provisions of the Code of the Borough of Eatontown or parts thereof, which are inconsistent with any provisions in this Ordinance, are hereby repealed to the extent of such conflict or inconsistency.
- B. If any provision or portion of this Chapter is held to be unconstitutional, preempted by Federal or State Law or otherwise invalid by any court of competent jurisdiction, the remaining provisions of this chapter shall not be invalidated.
- C. This Ordinance shall take effect upon its passage and publication as required by law.

DATE INTRODUCED: July 14, 2021
DATE ADOPTED: July 28, 2021

ATTEST:

APPROVED:



Corinne DiCorcia, Deputy Clerk
Date: 7-29-2021



Anthony Talerico, Jr., Mayor