

BOROUGH OF BRADLEY BEACH, MONMOUTH COUNTY

ORDINANCE 2026-5

**ORDINANCE AMENDING CHAPTER 9: "TRAFFIC" OF THE BOROUGH'S
REVISED GENERAL ORDINANCES TO REVISE REGULATIONS
PERTAINING TO SPECIAL PARKING PERMITS.**

WHEREAS, the Borough of Bradley Beach (the "Borough") is under no legal obligation to provide special parking permits designating on-street parking spaces for persons with disabilities; and

WHEREAS, the Borough has established "Special Permit Parking" as a courtesy to aid handicapped individuals with limited mobility, and have no off-street parking alternatives; and

WHEREAS, the Borough desires to continue offering on-street special parking permit spaces as a courtesy, but wishes to more efficiently utilize limited street space for these special permit parking spaces by differentiating between "seasonal" residents and residents who establish Bradley Beach as their primary residence; and

WHEREAS, a resident who meets the established criteria for eligibility will be issued a special parking permit for a designated on-street space in proximity to their residence for either six months if their primary residence is not Bradley Beach, or twelve months if their primary residence is Bradley Beach;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Bradley Beach, County of Monmouth, State of New Jersey, as follows:

SECTION 1. Chapter 9: "Traffic" of the Revised General Ordinances of the Borough of Bradley Beach is hereby amended as follows (~~stricken~~ text deleted; underlined text added):

CHAPTER 9: TRAFFIC

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§ 9-3 Parking.

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§ 9-3.9 Special Permit Parking.

Except when necessary to avoid conflict with other traffic or in compliance with the directions of a traffic or police officer or traffic sign or signal, no operator of a vehicle shall stand or park a vehicle in any space on public or private property appropriately marked for vehicles for the physically handicapped pursuant to N.J.S.A. 39:4-197 et seq. or any other applicable law unless the vehicle is authorized by law to be parked therein and a handicapped person is either the driver or passenger in that vehicle. State, county or municipal law enforcement officers or parking enforcement authority officers shall enforce the parking restrictions on spaces appropriately

marked for vehicles for the physically handicapped or special permit parking spaces on both public and private property. Any person violating this subsection by parking or standing a motor vehicle in an appropriately marked restricted parking space without a special vehicle identification card shall be subject to a mandatory court appearance and a minimum fine of ~~\$250-\$300~~, with a maximum fine of ~~\$1,250-\$1,500~~, and up to 90 days of community service on such terms and in such form as the court shall deem appropriate.

a. Eligibility for Special Parking Permits.

- ~~1. In January of each year, special parking permit applications will be made available by the Borough of Bradley Beach. All applications and payment must be received by the Borough by January 31 of each year. All permits expire the last day of December of each year.~~
1. The applicant's dwelling must be their primary residence in the Borough of Bradley Beach to apply for a 12 month permit, or they may apply for a 6 month permit if their primary residence is not in the Borough of Bradley Beach.
- ~~2. All applications will be reviewed during the month of January by the Police Department and the applications deemed to be compliant will receive permits with the provisions in this section issued by the Chief of Police.~~
2. The applicant's property must have no driveway, curb cut, garage, or other form of off-street parking access. Any question related to availability of off-street parking with be resolved by review and determination of the Bradley Beach Police Department.
- ~~3. Each individual must display the Bradley Beach special parking permit decal on the street side and on the rear window of the vehicle when it is parked in the designated space.~~
3. The applicant must possess a valid New Jersey Motor Vehicle Commission-issued disability placard or "Wheelchair Symbol" license plate under P.L. 1949, c.280 (or equivalent from another state) with possible exception of multi-caregivers.
- ~~4. The special parking permit issued by the Borough of Bradley Beach is nontransferable.~~
4. The applicant must provide a "Physician's Attestation Form" completed by their attending physician, as provided by the Borough, within the ninety (90) days prior to the application.
- ~~5. The permit seeker must have a current handicapped placard, a disabled person ID registration issued by the state of their permanent residence and a physician's note issued within the 90 days prior to the application in order to continue the use of a designated special parking space.~~
5. The applicant must demonstrate that the proposed special permit parking space is located on a municipal roadway. The Borough will not make any applications to State, County, or other agencies on behalf of any applicant.

- ~~6. Only one designated special parking space per household will be approved by the Borough of Bradley Beach.~~
- ~~6. A caregiver (or caregivers) may be approved for use of the special permit space if they provide documentation of caregiver support for at least 30 hours per week for a period of at least 3 months at the disabled applicant's residence in Bradley Beach.~~
- ~~7. Unrestricted use of a driveway and/or garage at the residential site shall be cause for denial of continued use of a special parking space.~~
- ~~8. Parking spaces shall be a minimum of 20 feet in length and a maximum of 23 feet.~~
- ~~9. In order for a caregiver of the individual to obtain a permit, this caregiver must live in the residence with the handicapped individual.~~
- ~~10. Only one car can be designated to park in the designated parking space.~~
- ~~11. Holder of special parking permits may park only within the designated space while parked on the block on which they reside.~~

~~b. There shall be a nonrefundable, annual application fee of \$50. Applications for renewals must be received by the close of business on January 31. For renewal applications, if payment is not received by the close of business on January 31, the designated permit parking space will be considered abandoned.~~

b. Administrative Requirements.

1. In November of each year, special parking permit applications will be made available by the Borough. All applications must be received prior to January 1. All permits expire the last day of December of each year.
2. All applications will be reviewed by the Police Department, and permits will be issued by the Chief of Police, for a January 1 effective date, if eligibility requirements are satisfied.
3. Off-Calendar year special parking permit applications will be considered by the Police Department if accessibility conditions change substantially after January 1.
4. Each permit holder must display both a valid New Jersey Motor Vehicle Commission-issued disability placard (or equivalent from another state) and the Bradley Beach special "handicapped" parking permit decal. The decal must be positioned on the street side and rear window of the vehicle when it is parked in the designated space.
5. Upon approval, the Borough will designate a parking space in close proximity to the applicant's residence that is deemed to be the most safe and efficient to facilitate entrance and exit.

6. The special parking permit issued by the Borough is nontransferable.
7. Parking spaces shall be a minimum of 20 feet and a maximum of 23 feet in length.
8. Only one car can be designated to park in the designated parking space, exceptions will be considered for multiple caregivers.
9. Holders of special parking permits may park only within the designated space while parked on the block on which they reside. A designated space will be identified by signage, either 12-month (January 1, through December 31) or 6-month (April 15 through October 15), and delineated lines on the street.
10. There shall be a nonrefundable, annual application fee of \$100 to cover the costs of administration, signage, and maintenance.

SECTION 2. If any article, section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect.

SECTION 3. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Borough, the provisions hereof shall be determined to govern. All other parts, portions and provisions of The Revised General Ordinances of the Borough of Bradley Beach are hereby ratified and confirmed, except where inconsistent with the terms hereof.

SECTION 4. This Ordinance shall take effect upon adoption and publication in accordance with the laws of the State of New Jersey.

SO ORDAINED as aforesaid.


Erica Kostyz, RMC, CMR
Municipal Clerk


Alan Gubitosi
Mayor

Introduced: January 20, 2026

Date of Hearing and Adoption: February 3, 2026