

**ORDINANCE 5-2022**

**AN ORDINANCE OF THE BOROUGH OF WOODBURY HEIGHTS AMENDING AND SUPPLEMENTING CHAPTER 64 ENTITLED "PROPERTY MAINTENANCE CODE" AND SPECIFICALLY CHAPTERS 64-4, SECTION 302.8 AND CHAPTER 64(C) ENTITLED "INOPERABLE MOTOR VEHICLES" OF THE BOROUGH OF WOODBURY HEIGHTS CODE**

**WHEREAS**, the Borough Solicitor determined there are potentially conflicting provisions within Chapter 64-4, Section 302.8 of the Code and Chapter 64(C) entitled "Inoperable Motor Vehicles", which potentially presents an enforcement issue for the Borough of Woodbury Heights Police Department; and

**WHEREAS**, the Mayor and Borough Council desire to amend and supplement the Code to address these inconsistencies to enable a clear interpretation of the Code for inoperable motor vehicles; and

**WHEREAS**, the Mayor and Borough Council have determined that the recommended amendments to Chapter 64-4, Section 302.8 of the Borough Code and chapter 64(C) are warranted to promote the health, safety, and welfare of the citizens of the Borough of Woodbury Heights and to ensure consistency with the provisions of the Borough Property Maintenance Code within Chapter 64 and Chapter 64(C) of the Code entitled "Inoperable Motor Vehicles".

**NOW, THEREFORE, BE IT ORDAINED** by the Borough Council of the Borough of Woodbury Heights, Gloucester County, and State of New Jersey, that Chapter 64(C) and Chapter 64-4, and specifically "Section 64-4/Section 302.8" of the Code of the Borough of Woodbury Heights be and is hereby amended and supplemented, as follows:

**SECTION I.** Chapter 64, and specifically Section 64-4/302.8 entitled "Motor Vehicles" is hereby retitled and amended and supplemented to read, as follows:

**Section 64-4/Section 302.8 "INOPERABLE MOTOR VEHICLES":** "Except as provided for in Chapter 64(C) entitled "Inoperable Motor Vehicle Code" or other regulations, no inoperative or unregistered motor vehicle shall be parked, kept or stored on any premises for more than thirty (30) days, and no vehicle shall at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. No motor vehicles shall be parked in the front, rear, or side yards of a property unless such vehicle is in a driveway consistent with Chapter 70 and specifically Section 70-49.7 of the Borough Code. Painting of vehicles is also expressly prohibited unless conducted inside an indoor structure with an approved spray booth complying with OSHA requirements.

**EXCEPTION:** A passenger vehicle of any type is permitted to undergo major overhaul, including body work, provided that such work is performed inside an approved structure or similarly enclosed area designed and approved for such purposes.

**SECTION II.** Chapter 64, and specifically Section 64(C) entitled "Inoperable Motor Vehicle Code" is hereby amended and supplemented, as follows:

1. Section 64C-3 shall be amended from 10 days to thirty (30) days.

2. Section 64C-3 “A” is amended to read as follows: “Parked in a fully enclosed garage or outdoor driveway consistent with Section 70-49.7 of the Code, which shall not be in any unpaved portion of any front, rear, or side yards.

**SECTION III. INCONSISTENT ORDINANCES REPEALED.** All ordinances or parts of other Ordinances in conflict with the provisions of this Ordinance shall, to the extent of the conflict, be, and are hereby repealed, provided that nothing herein shall in any way excuse or prevent prosecution of any previous existing violation of any Ordinance superseded hereby.

**SECTION IV. SAVING CLAUSE.** Nothing in this Ordinance hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed by this Ordinance, nor shall any just or legal right or remedy of any character be lost, impaired or affected by the Ordinance.

**SECTION V.** In the event that any section, paragraph, sentence, clause or phrase of this Ordinance shall 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 that end the provisions of this Ordinance are hereby declared to be severable.

**SECTION VI. PASSAGE AND PUBLICATION.** This Ordinance shall be in full force and effect from its passage of publication by the Clerk as provided by law and shall continue in effect and operation until lawfully repealed by the Borough of Woodbury Heights.

**BOROUGH OF WOODBURY HEIGHTS**

By: William C. Packer  
**WILLIAM C. PACKER, MAYOR**

**ATTEST:**

  
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**SHANNON ELTON, BOROUGH CLERK**

**CERTIFICATION**

The foregoing Ordinance was introduced at a Regular Meeting of Borough Council of the Borough of Woodbury Heights held on the 16th day of February, 2022, and will be considered for final passage and adoption at a Regular Meeting at which time any person interested therein will be given an

opportunity to be heard. Said meeting to be held on 16th day of March, 2022, at the Borough Hall, 500 Elm Ave, Woodbury Heights, New Jersey.



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**SHANNON ELTON, BOROUGH CLERK**