

MORRISTOWN PARKING AUTHORITY

RULES AND REGULATIONS

PARKING LOTS

**AS DULY ADOPTED BY THE BOARD OF COMMISSIONERS OF
THE MORRISTOWN PARKING AUTHORITY PURSUANT TO
ORDINANCE NO. 0-1-97 OF THE TOWN OF MORRISTOWN**

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ARTICLE I
General Rules and Regulations

I-1 Definitions.

As used in this Article, the following terms shall have the meanings indicated:

COIN - A coin of the United States of America.

LEGAL HOLIDAY - The following days only: New Year's Day, Easter, Memorial Day, July Fourth, Labor Day, Thanksgiving and Christmas

OFF-STREET PARKING PROJECT - The areas or places constructed or acquired or to be constructed or acquired and owned and operated by the Parking Authority of the town for the parking and storing of motor and other vehicles, including all real and personal property, driveways, roads, approaches, structures, garages, meters, mechanical equipment and all appurtenances and facilities either on, above or under the ground which are used or usable in connection with such parking or storing .of such vehicles.

PARKING SPACE - The area or portion of an off-street parking project within which a vehicle may be properly parked, which space shall be bounded by curb or lines marked on the surface of the project or by a combination of curb and lines.

I-2 Unlawful extension of parking time.

- (A) It shall be unlawful for any person to deposit or cause to be deposited in a parking meter any coin or coins for the purpose of extending the parking time beyond the total lawful parking limit as herein specified. Such overparked vehicle will be issued additional summonses for each additional authorized time period which is overextended. This provision is directed at preventing what is commonly termed "meter feeding" and is enacted to provide for the convenience of legal "turnover" parking.

- (B) Unlawful "meter feeding" shall be deemed to include the moving of a vehicle or vehicles from one metered space to another metered space within the same parking lot or general area for the purpose of extending parking time of a vehicle beyond the established parking limit.

I-3 Unlawful overtime parking.

- (A) It shall be unlawful and an offense for any person to permit a vehicle registered in his/her name or operated by him/her to remain in any parking space while the parking meter adjacent to the parking space is displaying a signal showing that the time for which the privilege is granted to park in the space has expired.
- (B) It shall be unlawful and an offense for any person to permit a vehicle registered in his/her name or operated by such person to remain in any parking space beyond the total lawful parking limit as herein specified. Such overparked vehicle will be issued additional summonses for each additional authorized time period that is overextended. This provision is enacted to provide for the convenience of legal “turnover” parking.

I-4 Lines and Markings.

Suitable lines or markings shall be provided upon the surface of off-street parking projects to denote and designate each parking space. It shall be a violation of this Article to park a vehicle across any such line or markings or to park a vehicle in such position that it shall not be entirely within the area so designated by such lines or markings as a parking space.

I-5 Removal of Vehicles.

The Parking Authority and the Police Department shall have the right to remove from off-street parking projects any unattended vehicle parked or standing in any portion thereof not designated as a parking space or any unattended vehicle parked or standing in a designated parking space which has remained there for a period of ten (10) hours after a summons has been issued charging a violation hereunder. In addition, in Parking Area 10J on Sundays during the months of June, July, August, September, October, and November in connection with the Morristown Farmer’s Market and to help ensure public safety, any unattended vehicle parked or standing in any portion of Parking Area 10J not designated as a parking space or any unattended vehicle parked or standing in any designated parking space in Parking Area 10J that has been posted with signage setting forth parking restrictions in connection with the Morristown Farmer’s Market shall be subject to removal and towing, without or without a summons or other warning, by Morristown Partnership. When a vehicle is removed from any off-street parking project, the owner of the vehicle shall pay, before being entitled to recovery or possession of the vehicle, all reasonable charges for towing, storage and other removal expenses incurred by the Parking Authority, the Police Department, or Morristown Partnership, as may be applicable.

I-6 Unlawful Use of Parking Projects.

- (A) It shall be unlawful and an offense for any person to **store**, wash, paint or repair a vehicle in an off-street parking project; provided, however, nothing herein shall be construed to prohibit necessary emergency repairs of a vehicle. A vehicle shall be considered “stored” if such vehicle appears abandoned, in disrepair, has flat tires, excessively unclean appearance or any other indicators that the vehicle is not in active use. Parking Authority Projects are intended for parking. The storage of commercial vehicles at any project is expressly prohibited as is conducting any business (e.g., mobile phone installation and maintenance of vehicles).
- (B) The Parking Authority will impose a monthly surcharge of \$250 above the existing monthly prevailing rate for any vehicle determined to have been or being stored in any lot or garage. In addition, all vehicles shall be kept in operating condition, current registration, insured and kept clean or the Parking Authority will remove the vehicle.
- (C) It shall be unlawful to utilize any portion of any public parking facility, hereinabove enumerated, including but not limited to parking spaces, driveways, traffic lanes and planting areas, for the purpose of storing or causing to be stored commercial and/or private vehicles or for the purpose of using said public parking spaces or general areas for the storage, maintenance, washing, painting, repairing, loading or unloading of vehicles or for the conduct of private business, regardless of time limits posted and fees paid, within the subject areas, which practice denies or unduly limits the use of the parking facilities to the general parking public for whom they are intended.
- (D) Nothing herein shall be construed to prohibit necessary and minimal emergency repairs which are required to render a car operational so that it can be moved from any parking space.

I-7 Handicapped Parking.

The Authority shall provide parking spaces for handicapped persons pursuant to N.J.S.A. 52:32-11. It shall be unlawful to park in any space designated for handicapped persons unless the appropriate handicapped parking permit is displayed. The prohibition against parking in a space designated for handicapped persons without the appropriate permit shall be enforced by the Town of Morristown or the Parking Authority pursuant to N.J.S.A. 52:32-13.

I-8 Tampering with Meters Or Paystations.

It shall be unlawful to tamper with parking meters or to deposit therein anything other than coins designated in this Article. It shall be unlawful to deface, injure, tamper with,

willfully break, destroy or impair the usefulness of, or to open without lawful authority, any parking meter installed in off street parking projects. It shall be unlawful to deposit or cause to be deposited in any parking meter any slug, device or substitute for a coin of the United States of America.

I-9 Loitering Prohibited

Loitering in or upon any parking decks, garages, facilities, or lots owned or operated by the Parking Authority which obstructs the free passage of pedestrians or vehicles, or obstructs, molests, or interferes with any person lawfully upon such Parking Authority property shall be prohibited. No person shall be prosecuted for loitering upon such Parking Authority property unless the violator shall first disobey a Police Officer's or Parking Enforcement Officer's direction to cease loitering and disburse, move on, or exit the property.

1-10 Registration of Vehicles and Current Insurance

All vehicles utilizing Morristown Parking Authority must have a valid registration and current insurance.

ARTICLE II
Parking Projects

II-1 Parking Area 2B. (Dalton Parking Garage)

Parking Area 2B is defined and regulated as follows:

- (A) Parking Area 2B is a parking garage situated on the East side of Cattano Avenue, known as the Dalton Parking Garage.

- (B) The monthly parking fee shall be one hundred-five dollars (\$105.00) per month, payable to the Parking Authority, unless other long-term arrangements for monthly parking have been established with the Parking Authority. Monthly Parking for Morristown High School students shall be fifty dollars (\$50) per month.

- (C) All of the parking spaces of Parking Area 2B shall be unmetered spaces, and the hourly fee or charge for the use of the same shall be payable to the attendant on duty or central pay stations or Express Parcs, and shall be calculated according to the following schedule:

| | |
|-------------------------|----------------------------|
| Up to 30 minutes | \$ 1.00 |
| Up to 1 Hour..... | \$ 2.00 |
| 1 to 2 Hours | \$ 3.00 |
| 2 Hours to 3 Hours..... | \$ 5.00 |
| 3 Hours to 9 Hours..... | Add \$2 per hour |
| Over 9 hours | Add \$3 per hour |
| Lost Ticket | \$25.00 (Per 24 hr period) |

- (D) The fee or charge shall be payable in coin or currency of the United States of America, authorized credit cards, or check.

- (E) Parking Area 2B shall be in operation twenty-four (24) hours a day, daily, including Sundays and holidays.

II-2 Parking Area 3C.

Parking Area 3C is defined and regulated, as follows:

- (A) Parking Area 3C is a parking lot situated at the rear (westbound side) of the New Jersey Transit Train Station, including the southwesterly side of a street known as Lackawanna Place, running from Morris Street to the rear of the Train

Station, and the portion of the parking area lying on the westerly side of Lumber Street, directly opposite Lackawanna Place.

- (B) Long-term daily parking in parking area 3C, the parking lot situated at the rear (westbound side) of the New Jersey Transit Train Station, shall have the fee or charge of five dollars (\$5.00), per day up to 24 hours, all payment expiring at 11:59 pm same day. payable by depositing the appropriate fee in the paystation, payable by coin or currency of the United States of America or Visa, Mastercard or American Express (minimum charges apply), for the parking space used, and shall be in operation from 7:00 a.m. to 7:00 p.m. daily, except Sundays and Holidays, in accordance with the instructions on the paystation.
- (C) All of the remaining parking spaces of Parking Area 3C shall be unmetered spaces, and the fee or charge for the use of the same by Morristown residents (providing appropriate proof of residency) shall be fifty-five dollars (\$55) per month, and for non-Morristown residents the fee or charge for the use of same shall be ninety dollars (\$90) per month, payable to the Parking Authority, payment of which will be evidenced by a permit (sticker) issued by the Parking Authority, good only during the calendar month for which the same was purchased, which sticker shall be affixed to a Hangtag display hanger and hung from the interior rear view mirror in the vehicle so as to be clearly visible from the front of the vehicle at any and all times.
- (D) In order to better accommodate Morristown residents, the Morristown Parking Authority prospectively will allocate up to 100 monthly parking permits on a preferred basis for Morristown residents providing appropriate proof of Morristown residency. In addition, all Morristown residents shall receive a discounted fee or charge as set forth in Section (C) above.
- (E) The unmetered parking spaces of Parking Area 3C shall be in operation twenty-four (24) hours a day, daily, excluding Sundays and holidays.

II-3 Parking Area 4D – Lot Closed

II-4 Parking Area Mall

Parking Area Mall is defined and regulated as follows:

- (A) Parking Area Mall is a parking lot situated on the West side of Cattano Avenue and bordered by Prospect Street and Washington Street.
- (B) All of the parking spaces of Parking Area Mall shall be unmetered spaces, and the fee or charge for the use of the same shall be seventy-five dollars (\$75) per month, payable to the Parking Authority, payment of which will be evidenced by a permit

(scan card) issued by the Authority, good only during the calendar month for which the same was authorized. Monthly Parking for Morristown High School students shall be thirty dollars (\$30) per month.

- (C) Parking Area Mall shall be in operation twenty-four (24) hours a day, daily, including Sundays and holidays.
- (D) The fee or charge shall be payable in coin or currency of the United States of America.

II-5 Early Street Garage (formerly known as Lot 6) is defined and regulated as follows:

- (A) The Early Street parking garage is located on Early Street in the Moderra 55 Condominium Complex containing 60 spaces.
- (B) Parking availability in the Early Street Garage shall be established by the Parking Authority from time to time and designated to meet changing parking demands. The Early Street Garage shall be one dollar (\$1.) (no change is given) for each sixty minutes and two dollars (\$2) per sixty minutes if parking in the EV Charging spaces provided, as indicated on the paystation.
- (C) The fee or charge for all metered spaces shall be payable by depositing bills (no change is given), a coin or coins of the United States of America or Visa, Mastercard or American Express (minimum charges apply), representing the appropriate fee in the parking meter adjacent to the parking space used. In addition, short term parking shall be available by payment to the pay station in accordance with the instructions on the pay station.
- (D) Additionally, some spaces in the Early Street Garage shall not be metered and the fee or charge for the use of the same shall be eighty dollars (\$80.00) per month. Monthly Parking for Morristown High School students shall be thirty dollars (\$30) per month payable to the Parking Authority of the Town of Morristown, payment of which shall be evidenced by a permit (sticker) issued and used pursuant to the manner provided in II-2(E).
- (E) The Early Street Garage shall be operated from 7:00 a.m. to 10:00 p.m. daily, except Sundays and legal holidays.

II-6 Parking Area 8H.

Parking Area 8H is defined and regulated as follows:

- (A) Parking Area 8H is a parking lot situated on the corner of Franklin Street and Elm Street.
- (B) Parking in Parking Area 8H shall be established by the Parking Authority from time to time and designated to meet changing parking demands. Parking in Area 8H shall be limited to three (3) hours for spaces 1-18, for which the fee charged shall be ten cents (\$.10) for each six (6) minutes of parking time and twenty-five cents (\$.25) for fifteen (15) minutes; or twelve (12) hours for spaces 19-37, for which the fee or charge shall be twenty-five cents (\$.25) for each fifteen minutes (15) minutes, as indicated on the paystation.
- (C) The fee or charge for all metered spaces shall be payable by depositing bills (no change is given), a coin or coins of the United States of America or Visa, Mastercard or American Express (minimum charges apply), representing the appropriate fee in the parking meter adjacent to the parking space used. In addition, short term parking shall be available by payment to the pay station in accordance with the instructions on the pay station.
- (D) Additionally, some spaces in Parking Area 8H shall not be metered and the fee or charge for the use of the same shall be forty-five dollars (\$45.00) per month payable to the Parking Authority of the Town of Morristown, payment of which shall be evidenced by a permit (sticker) issued and used pursuant to the manner provided in II-2(E) above.
- (E) Parking Area 8H shall be operated from 8:00 a.m. to 8:00 p.m., daily, except Sundays and legal holidays.
- (F) The fee or charge for all metered spaces shall be payable by depositing a coin or coins of the United States of America representing the appropriate fee in the parking meter adjacent to the parking space used.

**II-7 PARKING AREA 9I
(Vail Mansion Parking Facilities)**

1. Oval Parking Area is defined and regulated as follows:
 - (A) The Oval Parking Area is a parking lot located off South Street on the Oval Driveway at the Vail Mansion and shall be used for public parking purposes.
 - (B) Parking Fees. The fee or charge for parking in the parking spaces on the Oval Parking Area shall be one dollar (\$1.00) (no change is given) for each sixty (60) minutes. The hours of operation shall be 8:00 a.m. to 12:00a.m. (midnight) , daily exclusive of legal holidays. Parking on the Oval Parking Area shall be restricted to short-term parking. No overnight parking shall be permitted.

- (C) No parking shall be allowed in any area other than assigned areas. No parking, stopping or standing, shall be permitted in front of the Vail Mansion horseshoe area or on the ramp to the parking deck, and any vehicle shall be subject to receiving a summons and/or towing.
 - (D) The fee or charge for all short-term parking spaces shall be payable to the pay station, in accordance with the instructions on the pay station.
 - (E) The fee or charge shall be payable in coin or currency of the United States of America or Visa, Mastercard or American Express (minimum charges apply).
2. Public Parking Deck (unit) situated to the rear of the Oval driveway is accessible from the Oval driveway and consists of the upper level of the parking garage in the Vail Mansion Residential Unit.
- (A) Parking Area 9I is a parking deck containing 62 parking spaces. Parking in Parking Area 9I shall serve both long-term parking (monthly permits) and short-term parking (pay station).
 - (B) The fee or charge for monthly permits shall be eighty dollars (\$80.00) per month per space, payable to the Parking Authority, payment of which will be evidenced by a permit sticker issued by the Parking Authority, good only during the calendar month for which the same was purchased, which sticker shall be affixed to a Hangtag display hanger and hung from the interior rear view mirror in the vehicle so as to be clearly visible from the front of the vehicle at any and all times.
 - (C) Parking Fees. The fee or charge for short-term parking in the deck shall be one dollar (\$1.00) (no change is given) for each sixty (60) minutes. The hours of operation shall be 8:00 a.m. to 12:00 a.m. (midnight) daily exclusive of legal holidays. No overnight parking shall be allowed except by monthly permit.
 - (D) The fee or charge shall be payable in coin or currency of the United States of America or Visa, Mastercard or American Express (minimum charges apply).
 - (E) Parking Area 9I shall be in operation twenty-four (24) hours a day, daily, exclusive of legal holidays.

II-8 Parking Area 10J.

Parking Area 10J is defined and regulated as follows:

- (A) Parking Area 10J is a parking lot situated in the rear of properties fronting on the southerly side of Morris Street adjacent to property of the United States Post Office.
- (B) Parking in Parking Area 10J shall be established by the Parking Authority from time to time and designated to meet changing parking demands. The parking shall include metered parking with thirty (30) minute, ninety (90) minute, three (3) hour or eighteen (18)) hour meters as designated. The fee shall be ten cents (\$.10) per six (6) minutes or twenty-five cents (\$.25) per fifteen (15) minutes. In addition, short term parking shall be available by payment to the pay station in accordance with the instructions on the pay station.
- (C) Parking in all the remaining parking spaces of Parking Area 10J shall be unmetered spaces and the fee or charge for the use of said spaces shall be fifty dollars (\$50.00) per month payable to the Parking Authority of the Town of Morristown, payment of which shall be evidenced by a permit (sticker) issued by the Parking Authority and used in the manner provided in II-2(C) above.
- (D) The fee or charge for all paystation spaces shall be payable by depositing bills (no change is given), a coin or coins of the United States of America or Visa, Mastercard or American Express (minimum charges apply), representing the appropriate fee in the parking meter adjacent to the parking space used. In addition, short term parking shall be available by payment to the pay station in accordance with the instructions on the pay station.
- (E) Parking in all the metered spaces of Parking Area 10J shall be in operation from 6:00 a.m. to 12:00 a.m. daily, exclusive of Sundays and legal holidays.
- (F) The unmetered (permit) parking spaces of Parking Area 10J shall be in operation from 6:00 a.m. to 12:00 a.m. daily, exclusive of Sundays and legal holidays, with the exception of the months of June, July, August, September, October, and November during which time parking regulations shall apply and be enforced on Sundays, in accordance with signage posted in certain areas in connection with the Morristown Farmer's Market.

II-9 Parking Area 12L (Ann-Bank Garage).

Parking Area 12L is defined and regulated as follows:

- (A) Parking Area 12L is a parking garage situated on the southwesterly side of the block bounded by Schuyler Place, Ann Street, and Bank Street, known as the Ann-Bank Parking Garage.
- (B) Parking in the spaces around the island at the Schuyler Place level of the garage, adjacent to the entrance and exit to Schuyler Place shall be limited to two (2) hours between the hours of 9 a.m. to 5 p.m. Monday through Friday. In addition, those spaces posted and designated with a two (2) hour time limit within the garage are subject to enforcement and the penalties set forth herein.
- (C) All of the remaining parking spaces of Parking Area 12L shall be unmetered spaces, and the fee or charge for the use of the same shall be eighty dollars (\$80) per month, payable to the Parking Authority, payment of which will be evidenced by a scan card issued by the Authority.
- (D) Parking Area 12L shall be in operation twenty-four (24) hours a day, daily, including Sundays and holidays.
- (E) In the absence of a monthly scan card, the parking fee shall be payable to the attendant on duty, at the pay station or at the ExpressPark at the exits, and shall be calculated according to the schedule provided in II-1(C).
- (F) The fee or charge shall be payable in coin or currency of the United States of America or Visa, Mastercard or American Express (minimum charges apply),

II-10 Parking Area 13M.

Parking Area 13M is defined and regulated as follows:

- (A) Parking Area 13M is a parking lot situated on the southerly side of Flagler Street at its intersection with the easterly side of Speedwell Avenue.
- (B) Parking Area 13M shall be the fee or charge of ten cents (\$.10) for each six (6) minutes of parking time, or twenty-five cents (\$.25) for each fifteen (15) minute period.
- (C) Parking Area 13M shall be operated from 8:00 a.m. to 8:00 p.m. daily, exclusive of Sundays and legal holidays.

- (D) The fee or charge for all metered spaces shall be payable by depositing a coin or coins of the United States of America representing the appropriate fee in the parking meter adjacent to the parking space use.

II-11 Parking Area 14N.

Parking Area 14N is defined and regulated as follows:

- (A) Parking Area 14N is a parking lot situated on the northeasterly side of Sussex Avenue, opposite Grant Street.
- (B) Parking in all parking spaces in Parking Area 14 shall be limited to three (3) hours, and the fee or charge shall be ten cents (\$.10) for each six (6) minutes of parking time, or twenty-five cents (\$.25) for each fifteen (15) minute period.
- (C) Parking in said Parking Area 14N shall also be available at any of the metered spaces on the payment of a fee or charge of fifteen dollars (\$15.00) per month, payable to the Parking Authority of the Town of Morristown, payment of which shall be evidenced by a permit (sticker) issued by the Parking Authority and used in the manner provided in II-2(E) above.
- (D) The metered parking spaces of Parking Area 14 shall be in operation from 8:00 a.m. to 6:00 p.m., daily, except Sundays and legal holidays. Monthly parking lot permits (stickers) shall be permitted in all the spaces of Parking Area 14N, twenty-four hours a day, daily, including Sundays and legal holidays.
- (E) The fee or charge for all metered spaces shall be payable by depositing a coin or coins of the United States of America representing the appropriate fee in the parking meter adjacent to the parking space used, except if a parking sticker is used pursuant to Subsection (C).
- (F) Overnight Parking. Non-permit holders shall not be authorized to park in Parking Area 14N overnight and shall be limited to parking in Parking Area 14N from 8:00 a.m. to 6:00 p.m. Overnight parking in Parking Area 14N shall be limited to monthly permit holders.

II-12 Parking Area 15O.

Parking Area 15O is defined and regulated as follows:

- (A) Parking Area 15O is a portion of a parking lot situated on the northeasterly side of Speedwell Avenue on lands owned by the Town of Morristown and designated as Block 5002, Lot 7 on the Tax Map of the Town of Morristown, and is restricted to that area located on the northwesterly side of said lot running for a distance of

approximately two hundred (200) feet in a northeasterly direction from Speedwell Avenue and comprising eighteen (18) public parking spaces for a distance of said approximately two hundred (200) feet and a depth of twenty (20) feet.

- (B) Parking in Parking Area 15O shall be limited to three (3) hours, and the fee or charge shall be ten cents (\$.10) for each six (6) minutes of parking time, or twenty-five cents (\$.25) for each fifteen (15) minute period.
- (C) The metered parking spaces of Parking Area 15O shall be in operation from 8:00 a.m. to 8:00 p.m., daily, except Sundays and legal holidays.
- (D) The fee or charge for all metered spaces shall be payable by depositing bills (no change is given), a coin or coins of the United States of America representing the appropriate fee in the pay station based upon the corresponding number of the parking space in use.
- (E) Nothing in this Subsection is intended to invalidate, vacate or in any way diminish the rights granted by the Town of Morristown in a certain Settlement Agreement between the Morristown Jewish Community Center and House of Israel resolving an action in the Superior Court of New Jersey under Docket L-5326-6g P.W., which agreement was approved by the Morristown Council by Resolution dated December 14, 1970 and executed by Mayor Victor L. Woodhull and attested by Town Clerk Arthur A. Vigilante in which, among other things, the Town agreed in subparagraph (d) as follows:

“(d) That the Town of Morristown will provide a means of access to the Southerly and Easterly side of the Morristown Jewish Community Center building through the entrances of the parking lot to the proposed firehouse so as to affect a method of picking up or leaving off students, persons attending services, or other persons attending functions at the Morristown Jewish Community Center building.”

- (F) Parking in all the remaining parking spaces of Parking Area 15O shall be unmetered spaces and the fee or charge for the use of said spaces shall be twenty five dollars (\$25.00) per month payable to the Parking Authority of the Town of Morristown, payment of which shall be evidenced by a permit (sticker) issued by the Parking Authority and used in the manner provided in II-2(C) above.
- (G) Overnight Parking. Non-permit holders shall not be authorized to park in Parking

Area 15O overnight and shall be limited to parking in Parking Area 15O from 8:00 a.m. to 8:00 p.m. Overnight parking in Parking Area 15O shall be limited to monthly permit holders.

II-13 DeHart Street Parking Garage (1A)

Parking Area 1A is defined and regulated as follows:

- (A) Parking Area 1A is a parking garage situated on DeHart Street and bounded by DeHart Street, Maple Avenue, Market Street and West Park Place, named the DeHart Street Parking Garage.
- (B) All of the parking spaces of Parking Area 1A shall be unmetered spaces, and the hourly fee or charge for the use of same shall be payable to the central paystations or attendants on duty, and shall be calculated according to the schedule provided in II-1 (C) In addition, those spaces posted and designated with a three (3) hour time limit within the garage are subject to enforcement and penalties.
- (C) The monthly parking fee shall be one-hundred dollars (\$100.00) per month for all parkers, unless other long-term arrangements for monthly parking have been established with the Parking Authority.
- (D) The fee or charge shall be payable in coin or currency of the United States of America, authorized credit cards (Visa, Mastercard or American Express (minimum charges apply)), or check.
- (E) Parking Area 1A shall be in operation twenty-four (24) hours a day, daily, including Sundays and holidays.
- (F) The following specific Rules and Regulations are applicable to the DeHart Street right of way adjacent to the DeHart Street Garage (the "ROW").
 - (1) Parking is strictly prohibited on any part of the ROW. This policy is necessary in order to ensure access by and for emergency vehicles to protect life, safety and property, to facilitate emergency egress from the properties on South Street and to ensure that the ROW is available to all parties with rights to use the ROW for pedestrian passage, deliveries, services, and/or trash collection and disposal.
 - (2) The ROW is not intended to be open to the public for vehicular use. Instead, the ROW is intended to provide vehicular access to: (i) the rears of properties located on South Street beginning with what is now known as Wells Fargo and running to and along the condominium known as 40 Park Place; and (ii) the Epstein's Rehabilitation Project (collectively, the

“Permitted Vehicular Users” or “Permitted Vehicular User”). The buildings known as 40 Market Street, 11 DeHart Street, the DeHart Parking Garage, and 14 Maple Avenue, which are part of the Epstein’s Rehabilitation Project, should use their respective loading docks and on-street parking/loading zones as their primary means of loading, unloading, and for services.

- (3) Notwithstanding the provisions of Section (F)(1), delivery, loading, unloading and service vehicles ("Service Vehicles") are permitted to stand in the ROW provided that the following preconditions are met:
 - (a) As used in these regulations, "standing" or to “stand” as applied to vehicles means a stationary vehicle during the time: (i) the vehicle is being loaded or unloaded for the benefit of the Permitted Vehicular Users; (ii) the driver of the vehicle is engaged in providing property maintenance service to the Dehart Street ROW or to the Permitted Vehicular Users and parking in the ROW is a necessity for that work as opposed to a convenience [parking in the ROW is a necessity in instances when a Service Vehicle requires a connection of equipment between the Vehicle and the Permitted Vehicular Users being serviced (“Specialty Service Vehicle”) as described more fully in subsection (f) below, or when a vehicle is actively delivering heavy equipment, tools, or materials to a Permitted User, but only during the time which such active delivery is taking place]; or (iii) the vehicle is dropping or picking up passengers for purposes of ingress or egress to the Permitted Vehicular Users. Standing does not mean the parking of a vehicle.
 - (b) Any Service Vehicle standing in the ROW must have its hazard lights turned on at all times and the vehicle must be turned off. The idling of vehicles is not permitted.
 - (c) All Service Vehicles must rest at the most practical point on the ROW proximate to the applicable Permitted Vehicular User so as to minimize interference with access and use of the ROW by others.
 - (d) The driver(s) of any Service Vehicle shall be required to place a placard or other legible writing on the vehicle dashboard or window identifying the Permitted Vehicular Users for whom the standing applies, as well as the cell phone number of the driver (“Sign” or “Signs”). The Authority will provide guidance to the Permitted Vehicular Users so as to cause them to utilize similar Signs. It is anticipated that the Permitted Vehicular Users shall maintain a supply of Signs at their premises for the Service Vehicles, with the driver being responsible to add his cell phone number. Failure to comply with this requirement may result in summons(es) being issued and the vehicle being towed. In addition to

the owner of a vehicle being responsible to comply with the obligations of this Section, the Permitted Vehicular Users for whom the standing applies will have co-responsibility for compliance with this Section and may likewise receive a summons for noncompliance.

- (e) Except as to the following Section, no Service Vehicle may stand in the ROW for more than 40 continuous minutes on any one day. Service Vehicle drivers who require standing for longer than 40 continuous minutes may purchase a full-day parking permit from the Authority to park on DeHart Street. In no event will any Service Vehicle be permitted to stand in the ROW for more than 40 continuous minutes on any one day. Anyone whose vehicle are standing in the ROW consents to the Authority's chalking of their vehicles' tires to the extent the Authority deems it an appropriate mechanism for enforcing these Rules.
- (f) Specialty Service Vehicles, defined as a Service Vehicle which requires a connection of equipment between the Vehicle and the Permitted Vehicular Users being serviced (e.g., grease trap cleanout, power-washing, or steam cleaning), may stand in the ROW for the amount of time it takes to complete their service. Except in the case of emergency or other unexpected immediate need, the Permitted Vehicular Users receiving the service must notify the Authority 24 hours in advance of any expected Specialty Service Vehicle use of the ROW. Notwithstanding anything to the contrary in these Rules and Regulations, Specialty Service Vehicles may leave their engines running if same is necessary for the service they are providing. In order to minimize the impact on the ROW, the Authority recommends that Specialty Service Vehicles conduct their services in the afternoon hours as opposed to the morning.
- (g) Notwithstanding the provisions of Sections (F)(1) and F(3) above, and pursuant to the Town of Morristown Planning Board Resolutions authorizing and approving the Site Plan for the Epsteins Rehabilitation Project, moving vehicles for the sole purpose of moving a business or resident ("Residents" or "Resident") in or out of the 40 Park Condominium ("Moving Vehicles" or "Moving Vehicle") are permitted to stand in the ROW provided that the following preconditions are met:
 - 1. Residents or their manager must notify the Authority of any move-in or move-out which requires the standing, loading or unloading of Moving Vehicles in the ROW, no later than 48 hours prior to the move. Only one Moving Vehicle may stand in the ROW at any one point, meaning that only one Resident may

schedule a move-in or move-out at any one time. The Moving Vehicle shall stand closer to the garage side of the ROW.

2. No Moving Vehicle may conduct services prior to 9:00 a.m. No Moving Vehicle may stand in the ROW for more than eight (8) continuous hours in any one day. This time limitation should not be enforced when Moving Vehicles are unable to access or exit the ROW due to the blocking of the ROW by other vehicles or obstacles. Any interference with the ability of a Moving Vehicle to access the furthest point on the ROW from the entrance on DeHart Street or to exit the ROW lasting longer than five (5) minutes, shall be a violation of these Rules and Regulations and subject to a summons being issued and the obstructing vehicle being towed.
3. Any Moving Vehicle standing in the ROW must be turned off. The idling of Moving Vehicles is not permitted. Further, the Moving Vehicle must rest at the most practical point on the ROW furthest from the entrance to the ROW at DeHart Street so as to minimize interference with access and use of the ROW by others.
4. The driver(s) of any Moving Vehicle shall also be required to place a Sign. Failure to comply with this requirement may result in summons(es) being issued and the vehicle being towed. In addition to the owner of a vehicle being responsible to comply with the obligations of this Section, the applicable Resident will have co-responsibility for compliance with this Section and may likewise receive a summons for noncompliance.
5. Moving Vehicles are not permitted in the ROW on Saturdays and Sundays. Residents will endeavor not to schedule Moving Vehicles on Fridays. In the event that it is necessary to schedule a Moving Vehicle on a Friday, the Resident must notify the Authority no later than 72 hours prior to the move and shall not conduct the move prior to 12:00 p.m. nor after 5:00 p.m.
6. The 40 Park Condominium Association, Inc. ("40 Park") shall adopt rules and regulations for its members mirroring these restrictions.
7. To the extent any summons is issued for violations of the Moving Vehicle regulations contained herein, same shall issue to the operator of the applicable Moving Vehicle and/or to the Resident who hired the Moving Vehicle. 40 Park shall not be subject to a

Moving Vehicle summons unless 40 Park itself hired the Moving Vehicle.

- (4) Except if a Permitted Vehicular User receives a written license from the Authority, dumpsters and other trash or recycling receptacles may be placed on the ROW for collection only. However, such receptacles may not be placed in a location so as to interfere with vehicular or pedestrian access to the ROW. The receptacles may not be placed on the ROW any earlier than 1 hour prior to any scheduled pick-up, unless the pick-up is scheduled for prior to 9:00 a.m. in which case the receptacle may be placed overnight but in no event earlier than 9:00 p.m. the night before. Further, all dumpsters and trash or recycling receptacles must be removed from the ROW within 1 hour of collection. Except as noted above, dumpsters and other trash or recycling receptacles may not be stored in the ROW. To the extent any dumpster or trash or recycling receptacle shall leak or spill its contents into the ROW, the applicable Permitted Vehicular User shall immediately clean up same by removing said leak or spillage from the ROW. Upon written request, the Authority may permit trash or recycling receptacles to be placed on the ROW for special circumstances such as for construction demolition, annual trash room power-washing, or holiday volume. The Authority has sole discretion to permit or refuse any such written requests, and to impose reasonable conditions on the placement of such trash or recycling receptacles. Note, however, that as to the annual trash room power-washing and holiday volume, the Authority's consent cannot be unreasonably withheld.
- (5) All steps, awnings or business signs (collectively, "Permitted Obstructions") currently in the ROW and belonging to Permitted Vehicular Users shall be permitted to remain provided that the applicable Permitted Vehicular User executes a written license with the Authority that:
1. is of a duration of one year, and capable of auto-renewing in one year increments so long as the Permitted Vehicular User shall not be in an uncured default of these Rules and Regulations for the ROW;
 2. provides that the applicable Permitted Vehicular User shall indemnify, hold harmless, and defend, the Authority from any and all liability associated with said Permitted Obstructions including without limitation in connection with personal injury actions;
 3. provides that the Authority shall have no responsibility to maintain, repair, or replace, the Permitted Obstructions;

4. may be revocable at the discretion of the Authority should the Permitted Vehicular User be in an uncured default of the Rules and Regulations for the ROW;
5. may be assignable with the consent of the Authority, which consent cannot unreasonably be withheld;
6. requires the Permitted Vehicular User to confirm insurance coverage for the Permitted Obstructions and requires the Permitted Vehicular User to name the Authority as an additional insured on the Permitted Vehicular User's general liability insurance policy with a minimum coverage amount of one million dollars (\$1,000,000). Proof of such coverage and additional insured shall be provided in writing annually.

In the event of a default as referenced in this section (F)(5), the Authority shall provide written notice of the default to the applicable Permitted Vehicular User which shall specify the nature of the default. The Permitted Vehicular user shall have five business days from receipt of the notice in which to cure. In the case of an emergency, defined as an event that threatens life, personal injury, or property damage, the Authority may reduce the cure period to one business day. Should the default not be cured within the applicable cure period, it shall be deemed an uncured default.

- (6) Upon written request, the Authority may permit a Permitted Vehicular User to temporarily stage vehicles, equipment, and/or personnel, in the ROW, for purposes of effectuating maintenance or repair to an adjoining building or property. The Authority shall not unreasonably refuse such a request, and it may impose reasonable conditions on the use of the ROW for this purpose. The Authority has to provide a response to any written request within one business day.
- (7) Other than what may be specifically referenced in these Rules and Regulations, and subject to any preconditions referenced above, no structures or personal property of any kind may be placed on, in, under, or above, the ROW, by any Permitted Vehicular User or any other person.
- (8) Violations of these Rules and Regulations shall bear the same penalty as that imposed by the Town of Morristown for parking in a prohibited area.
- (9) In the event a vehicle is towed pursuant to these Rules and Regulations, the vehicle shall not be returned until the towing charges and any related charges are paid in full.

- (10) In the event of an emergency, any vehicle violating these Rules and Regulations will be towed without any prior notice.
- (11) The Authority shall coordinate an e-mail notification system for all Permitted Vehicular Users (“E-Mail Notification System”) which shall serve as the clearinghouse for notices to the Permitted Vehicular Users from the Authority about scheduled activity in the ROW.
- (12) The Authority shall erect and maintain a sign at the entrance to the ROW which states as follows:

PARKING, STOPPING OR STANDING ON THIS RIGHT OF WAY IS
STRICTLY PROHIBITED UNLESS AUTHORIZED BY THE PARKING
AUTHORITY OF THE TOWN OF MORRISTOWN. FOR
ADDITIONAL INFORMATION, CONTACT (973) 539-4810.
- (13) It is the affirmative responsibility of every Permitted Vehicular User to convey these Rules and Regulations to each of its establishments, tenants, residents, and Service Vehicles. The Authority shall assume that the driver of any vehicle utilizing the ROW will have been apprised of these Rules and Regulations by the applicable Permitted Vehicular User.
- (14) No party shall place odorous mulch in the ROW.

ARTICLE III
Morristown Parking Policy-New Development/New Demand

In order to address future parking demand, the Parking Authority has established certain policies regarding new commercial or residential construction or substantial redevelopment which expands or changes an existing property or use or redevelops property formerly dormant.

IV-1 Partial Payments.

Partial payment shall be required for parking spaces upon Planning Board or Board of Adjustment approval of a project. Depending upon the nature of the use, the amount of the partial payment shall be determined by the Board of Commissioners and shall be no less than 35% and no greater than 50% of the current charge for the designated facility. This policy is intended to compensate the Parking Authority for ensuring to the developer the availability of spaces at a future point and further to ensure that the Parking Authority is not penalized by foregoing other opportunities for parking arrangements.

IV-2 Reimbursement of Fees.

Applicant shall reimburse the Parking Authority for all professional fees, including but not limited to, legal counsel and parking consultants, associated with parking arrangements under these policies.