

**BOROUGH OF ENGLEWOOD CLIFFS
BERGEN COUNTY, NEW JERSEY**

ORDINANCE NO. 2026-13

**TITLE: AN ORDINANCE TO CREATE CHAPTER 7B ENTITLED
“HANDICAPPED PARKING POLICY” TO PROVIDE FOR A POLICY
FOR THE CREATION OF HANDICAPPED PARKING SPACES IN
FRONT OF RESIDENCES**

WHEREAS, the Governing Body of the Borough of Englewood Cliffs believes it is in the best interest of the Borough residents to create Chapter 7B of the Borough Code entitled “HANDICAPPED PARKING POLICY” to a policy for the creation of handicapped parking spaces in front of residences.

BE IT ORDAINED by the Mayor and Council of the Borough of Englewood Cliffs, County of Bergen, State of New Jersey to create Chapter 7B of the Borough Code entitled “Handicapped Parking Policy” as follows:

Section 1.

Chapter 7B Handicapped Parking Policy

A.

All residents requesting the issuance of a designated handicapped parking space in the Borough of Englewood Cliffs must complete and file a formal application with the Borough Clerk.

B.

The application shall require the applicant to provide the following documentation:

(1)

The applicant must possess a disabled person identification card issued by the New Jersey Motor Vehicles Commission.

(2)

The applicant must furnish to the Borough Clerk a valid motor vehicle registration for the vehicle requiring the space and, if the applicant is the vehicle operator, a valid motor vehicle operator license.

(3)

The applicant may request a designated handicapped parking space only for the applicant's place of residence.

(4)

If the applicant is not the owner of the property at which the handicapped parking space is to be designated, a written statement from the property owner must be submitted to the Borough Clerk, stating that the owner has no objection to the restriction of parking in front of the property. Said written statement may not be unreasonably withheld by the property owner.

(5)

A copy of the applicant's handicapped placard or handicap license plate.

(6)

A letter from a medical doctor recommending the handicapped parking space in front of the applicant's residence due to applicant's medical condition.

C.

An applicant wishing to further restrict the space to use only by a vehicle bearing a specific license plate number may expressly request the said restriction in his or her application, while noting the license number in the said application. An applicant wishing to add such a restriction to an already existing handicapped space or, conversely, an applicant wishing to remove such a restriction, may so request by filing an amended application.

D.

The completed application, together with the required documentation as required in Subsection **B**, shall be filed with the Borough Clerk and shall constitute a request for a designated handicapped parking space.

E. The Borough Clerk, after investigation by the Police Department, shall approve or deny requests for the issuance of designated restricted handicapped parking spaces on the basis of the standards set forth in § 7B-2 of this chapter.

§ 7B-2 Grounds for denial of application.

Notwithstanding an applicant's compliance with §7B-1 above, an application for handicapped parking space shall be denied if:

A.

Pursuant to applicable state or municipal law, the parking of motor vehicles is prohibited at the location of the requested handicapped parking space or the permitting of such parking would interfere with the normal flow of traffic;

B.

The applicant or handicapped person is the owner of the property at which the space is to be designated and has reasonable access to a driveway on the property or reasonable access to some other area of the property which may permit the transport of the handicapped person;

C.

The applicant is not the operator of the vehicle for which the handicapped parking space is required, unless the State of New Jersey, Motor Vehicles Commission, has issued the applicant a windshield placard or wheelchair symbol license plates for a vehicle owned by the handicapped person or owned by another occupant of the residence who is a member of the immediate family of the handicapped person; or

D.

The applicant resides, either as a tenant or an owner, in a housing complex which provides off-street parking and has reasonable access to said parking and an on-site handicapped parking space has been provided by the owner of the housing complex.

§ 7B-3 Appeal procedure; fee.

A.

When an applicant has been denied a request for a handicapped parking space by the Borough Clerk on the basis of the criteria contained in § 7B-2 of this chapter, the applicant has the right to appeal, within 10 days of such denial, to the Municipal Council of the Borough of Englewood Cliffs.

B. Denials based upon parking restrictions or traffic considerations outlined in § 7B-2A of this chapter, however, are not subject to appeal and require a revision of the location for the space.

§ 7B-4 Notice of approval of space; annual notification of Borough regarding continued need of space.

A.

Upon approval of a request for a designated handicapped parking space and passage of a resolution or ordinance by the Municipal Council of the Borough of Englewood Cliffs designating said space, the applicant shall receive a letter notifying the applicant that the space has been so designated, and that it is the applicant's responsibility to notify the Borough Clerk in the event that the designated handicapped parking space is no longer required.

B.

If the space has been requested for use only by a vehicle bearing a specific license plate number, and if the said request has been approved, then the letter shall so indicate the said additional restrictions on the use of the space.

C.

Any approval shall end on December 31 of each year and must be renewed annually. A written notice shall be sent by the applicant to the Borough Clerk on forms provided by the Borough Clerk, indicating that a valid and continued need for the handicapped parking space exists. In the event that such notice is not received by February 15 of any renewal year, the handicapped parking space sign at that location shall be removed and a resolution or ordinance will be presented to the Borough Council to repeal the designated handicapped parking space.

§ 7B-5 Applicability.

The provisions of this chapter shall apply to all designated handicapped parking spaces created within the Borough of Englewood Cliffs, except that handicapped parking spaces requested for general public use by public buildings, including but not limited to businesses, schools and hospitals, are not subject to the renewal provision of this chapter.

§ 7B-6 Signage.

Where an application has been granted for use by a specific handicapped person pursuant to § 7B-4 of this chapter, the street sign marking that space must indicate the license plate number or the handicap windshield placard number to which the space is restricted and must also state, " USE BY OTHER HANDICAPPED PERSONS PROHIBITED."

§ 7B-7 Violations and penalties.

A.

Violations of this chapter shall generally be subject to all penalties and remedies set forth in state law as of the time of violation, where such penalties and remedies (subject to later amendment by the state) include but are not limited to the following:

(1)

A fine of \$ 250 for the first offense and, for subsequent offenses, a fine of at least \$ 250 and up to 90 days' community service on such terms and in such form as the court shall deem appropriate, or any combination thereof, pursuant to N.J.S.A. 39:4-197.

(2)

An eligible handicapped person may request a law enforcement officer to arrange for the removal of a vehicle parked in a handicapped space, and said request may be honored at the discretion of the Police Department, pursuant to N.J.S.A. 39:4-207.7.

B.

Notwithstanding the provisions of this chapter, and consistent with the intent and express language of N.J.S.A. 39:4-197 and N.J.S.A. 39:4-207.7:

(1)

If the violator has the general legal right to utilize handicapped parking but has parked in a handicapped space dedicated to a different car's license plate, then a fine only for parking within prohibited area shall apply, where the said violation has a penalty of \$50 as of the enactment of this section, but may later be raised by ordinance.

(2)

Similarly, if the violator has the general legal right to utilize handicapped parking but has parked in a handicapped space dedicated to a different car's license plate, then, absent extraordinary circumstances, the general policy of this Borough shall be not to exercise its power to arrange for towing pursuant N.J.S.A. 39:4-207.7.

§ 7B-8 Fees.

The initial application fee shall be accompanied with an application fee of \$25.00.

In the event the handicapped parking space is approved, the applicant must pay an initial fee of \$250.00. Thereafter, each annual renewal request must be accompanied with a fee in the sum of \$100.00.

§ 7B-9 Severability.

The provisions of this chapter shall be severable, and if any of the provisions hereof shall be held unconstitutional, the decision of the court respecting such provision shall not affect the validity of any other provisions which can be given effect without such invalid provision or provisions.

Section 2. This Ordinance shall take effect immediately upon passage and publication as required by law.

Section 3. All prior ordinances that are inconsistent with this ordinance are repealed.

**Introduction and First Reading:
July 8, 2026**

COUNCIL MEMBER	Motion	Second	Ayes	Nays	Abstain	Recuse	Absent
Biegacz		x	x				
Liang			x				
Patel			x				
Kapsaskis	x		x				
Lee			x				
Koutroubas			x				
Mayor Park							

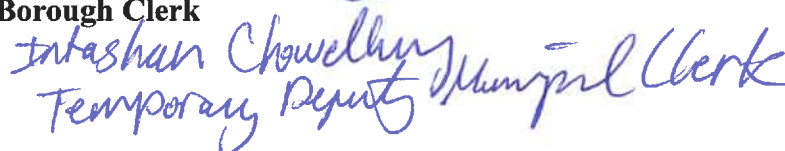
**Second and Final Reading of Ordinance Adoption:
August 12, 2026**

COUNCIL MEMBER	Motion	Second	Ayes	Nays	Abstain	Recuse	Absent
Biegacz			✓				
Liang		✓	✓				
Patel	✓		✓				
Kapsaskis			✓				
Lee			✓				
Koutroubas			✓				
Mayor Park							


Mark Park, Mayor

**This Ordinance was duly passed on second and final reading
by the Council of the Borough of Englewood Cliffs
at a meeting held August 12, 2026.**


Beauty Nadim, RMC/CMR
Borough Clerk


Intashan Chowdhury
Temporary Deputy Municipal Clerk