

ORDINANCE #2023/7

AN ORDINANCE TO AMEND AND SUPPLEMENT TITLE 10 "VEHICLES AND TRAFFIC" OF THE CODE OF THE BOROUGH OF FREEHOLD

BE IT ORDAINED, by the Mayor and Borough Council of the Borough of Freehold, County of Monmouth, State of New Jersey, as follows:

Section 1

Title 10 "Vehicles and Traffic" of the Code of the Borough of Freehold shall be amended as follows; additions to the current ordinance are noted in underline.

10.40 Bicycles, Skateboards and Roller Skates

10.40.065 Attachment of Bicycles to any Structures Other Than Bicycle Racks Prohibited

It shall be prohibited for anyone to attach any type of tether, chain or in any way affix any pedicycle, including but not limited to bicycles, electric bicycles, and tricycles, from any public structure other than a bicycle rack. No person shall, in the matter described above, attach any pedicycle to any street sign, fire hydrant, tree or any other structure. All pedicycles, including but not limited to bicycles, electric bicycles, and tricycles, may only be attached, chained, tethered or in any way affixed to regulation bicycle racks. The Borough Police Officers shall be authorized to either: (1) take any offending pedicycle, including but not limited to any bicycle, electric bicycles, or tricycle, into custody. In doing so, the Borough Police Officers or such other representatives as are necessary are hereby authorized to break or cut into any chain or other implement affixing the pedicycle to any of the above listed public or private structures; and (2) the above-noted public officials are also hereby authorized to rechain the offending pedicycle to the structure leaving instructions to report to the Borough Police Department to receive a summons for violating this subsection; or (3) issue a summons to the offending person, pursuant to law.

Any pedicycle taken into police custody may be reclaimed by the owner by paying an impound fee of \$25.00 per day. Any pedicycle that is not reclaimed within 10 days shall become the property of the Borough of Freehold and may be disposed of according to law. Any pedicycle that is rechaind by a public employee to any of the above-noted structures that is not reclaimed by the owner or user thereof by reporting within 24 hours to the Borough of Freehold Police Department pursuant to this subsection shall be taken into custody of the Borough of Freehold Police Department and if not reclaimed within 10 days it shall become the property of the Borough of Freehold and disposed of according to law.

Any person violating this subsection shall be subject to penalty as provided in the public ordinances of the Borough of Freehold.

Section 2

If any part of this Ordinance shall be deemed invalid such part shall be deemed severable and the invalidity thereof shall not affect the remaining part of this Ordinance.

Section 3

Any Ordinance or portions thereof which are inconsistent with the provisions of this Ordinance are hereby repealed and superseded.

Section 4

This Ordinance shall take effect upon final passage and publication in accordance with Law.

Introduced: February 13, 2023

Public Hearing/Adoption: February 27, 2023