AN ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE CITY OF NEW BRUNSWICK
TITLE 10, "VEHICLES AND TRAFFIC"

BE IT ORDAINED by the New Brunswick City Council, as follows:

SECTION I

Title 10, Chapter 10.20, Section 10.20.010 - Schedule 39, "Parking Zones for Handicapped Persons" is hereby amended to ADD the following:

<table>
<thead>
<tr>
<th>STREET</th>
<th>SIDE</th>
<th>LOCATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>127 Townsend Street</td>
<td>East</td>
<td>Beginning at a point 96 feet from the northeasterly curbline of Throop Avenue and extending to a point 23 feet north thereof.</td>
</tr>
<tr>
<td>(Placard # P1974117)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>200 Sandford Street</td>
<td>South</td>
<td>Beginning at a point 99 feet from the southwest curbline of Lee Avenue and extending to a point 23 feet south thereof.</td>
</tr>
<tr>
<td>(Placard # P1246883)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7 High Street</td>
<td>North</td>
<td>Beginning at a point 208 feet west of the westerly curbline of Somerset Street and extending to a point 23 feet west thereof.</td>
</tr>
<tr>
<td>(Placard # P1964901)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

SECTION II

SEVERABILITY:

If any subsection, paragraph or provision of this Ordinance is declared to be invalid by a court of competent jurisdiction, such finding shall not affect the remaining provisions hereof which shall remain in full force and effect.

SECTION III

REPEALER:

All ordinances inconsistent with the provisions of this Ordinance are repealed to the extent of such inconsistency.

SECTION IV

EFFECTIVE DATE:

This Ordinance shall become effective twenty (20) days following final adoption and publication as required by law.

ADOPTED ON FIRST READING:
DATED: October 2, 2019

COUNCIL PRESIDENT

ADOPTED ON SECOND READING:
DATED:

PRESIDENT

ATTEST:

CITY CLERK
APPROVAL OF THE MAYOR ON THIS DAY OF , 2019.

MAYOR

APPROVALS:

CITY ADMINISTRATOR

CITY ATTORNEY

JC/kc
AN ORDINANCE TO ADOPT AN AMENDMENT TO THE REDEVELOPMENT PLAN FOR THE JERSEY HANDY REDEVELOPMENT AREA IN THE CITY OF NEW BRUNSWICK

BE IT ORDAINED by the New Brunswick City Council, as follows:

SECTION I

The City Council makes the following findings:

The New Brunswick Planning Board held a hearing on September 9, 2019 to review and discuss the adoption of amendments to the Jersey Handy Redevelopment Plan. The Planning Board has reviewed the proposed amendments to the Jersey Handy Redevelopment Area Plan and has no objection to same. The Planning Board made the following findings set forth below:

a) The New Brunswick Planning Board forwarded a report to the City Council regarding the Board's finding that the amendments to the Jersey Handy Redevelopment Plan are consistent with the City's Master Plan; and

b) The Redevelopment Plan provides guidelines for the development of the redevelopment area with buildings that meet the goals of the City's Master Plan and development goals; and

c) The proposed amendments to the Redevelopment Plan are consistent with the goals and objectives of the City of New Brunswick's Master Plan, as the changes do not alter the character and stability of existing neighborhoods and other goals and objectives cited in the Planning Board's September 12, 2019 report; and

d) The proposed Redevelopment Plan supports the goals and objectives of the State Master Plan, including the encouragement of development, redevelopment and economic growth in locations that are well situated with respect to present or anticipated public services, or facilities and the discouragement of development where it may impair or destroy natural resources or environmental qualities, the reduction of sprawl and promotion of development and redevelopment in a manner consistent with sound planning, and where infrastructure can be provided at private expense or with reasonable expenditures of public funds; and

e) The development of the redevelopment area as proposed by the Redevelopment Plan will assist in achieving higher levels of utilization in the Jersey Handy Redevelopment Area and provide additional housing resources for residents and office space for new workplaces.

SECTION II

The New Brunswick City Council has reviewed the amendments to the Jersey Handy Redevelopment Plan and hereby adopts same.

SECTION III

SEVERABILITY:

If any section, paragraph or provision of this Ordinance is declared to be invalid by a court of competent jurisdiction such finding shall not affect the remaining provisions hereof which shall remain in full force and effect.

SECTION IV

REPEALER:

All ordinances inconsistent with the provisions of this Ordinance are repealed to the extent of such inconsistency.

SECTION V

EFFECTIVE DATE:

This Ordinance shall become effective 20 days following final adoption and publication as required by law.
ADOPTED ON FIRST READING
DATED: October 2, 2019

ADOPTED ON SECOND READING
DATED:

ATTEST:

City Clerk

APPROVAL OF THE MAYOR ON THIS DAY OF , 2019.

MAYOR

APPROVALS:

CITY ADMINISTRATOR

CITY ATTORNEY

TKS/kc
AN ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE 
CITY OF NEW BRUNSWICK, 
CHAPTER 3.40, "SOLID WASTE COLLECTION AND DISPOSAL."

BE IT ORDAINED, by the City Council of the City of New of New Brunswick,

SECTION I

Section 8.40.020, entitled "Definitions" shall be amended to delete the following definitions:

"Containerized" means the placement of leaves in a biodegradable leaf bag to prevent the leaves from spilling or blowing out into the street and coming into contact with storm water.

"Equipment and bulk material" means furniture, box springs, trunks, ceramics and other material similar in mass, but shall not include white goods (household appliances), scrap metal, tires, metal pipes, motor parts, batteries or other machinery.

"Litter" refers to and includes any used or unconsumed substance or waste material which has been discarded whether made of aluminum, glass, plastic, rubber, paper, or other natural or synthetic material, or any combination thereof including, but not limited to, any bottle, jar or can, or any top, cap, or detachable tab of any bottle, jar, or can, any unlighted cigarette, cigar, match or any flaming or glowing material or any garbage, trash, refuse, debris, rubbish, grass clippings or other lawn or garden waste, newspaper, magazines, glass, metal, plastic or paper containers or other packaging or construction material but does not include the waste of the primary processes of mining or other extraction processes, logging, saw milling, farming or manufacturing.

"Plastic containers" means soda bottles made of PETE (SPI code #1) and milk, water and laundry product bottles made of HDPE (SPI code #2).

"Special materials" means all materials acceptable for collection which, because of their weight or dimensions cannot be placed in solid waste containers for collection.

"White goods" means household appliances.

SECTION II

Section 8.40.020, entitled "Definitions" shall be amended to include the following definitions:

"Containerized" means the placement of leaves in a biodegradable leaf bag to prevent the leaves from spilling or blowing out into the street and coming into contact with storm water.

"Equipment and Bulk Material" means all materials acceptable for collection which, because of their weight or dimensions cannot be placed in solid waste containers for collection, and shall include, but not be limited to the following: furniture, mattresses, box springs, trunks, dressers, toilets and other material similar in mass, but shall not include household appliances, scrap metal, tires, metal pipes, motor parts, batteries or other machinery.

"Household Appliances" means any device intended for domestic use that requires installation, including refrigerators, freezers, hot water heaters, dishwashers, disposals, air conditioners, water heaters, kitchen stoves, washing machines, clothes dryers, trash compactors, and any other household appliance that is not an electrical appliance or device such as a hot water heater. For purposes of this definition, "household appliances" does not include items that are not required to be installed, such as toasters, mixers, blenders, can openers, food processors, and other items that are considered to be small household appliances that do not require installation.

"Litter" refers to and includes any used or unconsumed substance or waste material which has been discarded whether made of aluminum, glass, plastic, rubber, paper, or other natural or synthetic material, or any combination thereof including, but not limited to, any bottle, jar or can, or any top, cap, or detachable tab of any bottle, jar, or can, any unlighted cigarette, cigar, match or any garbage, trash, refuse, debris, rubbish, grass clippings or other lawn or garden waste, newspaper, magazines, glass, metal, plastic or paper containers or other packaging or construction material.
“Plastic Containers” means food or beverage bottles made of PETE (SPI code #1) and milk, water, and laundry product bottles made of HDPE (SPI code #2).

SECTION III

Section 8.40.040 shall be amended to delete the following:
1. 8.40.040(C)(6)
2. 8.40.040(C)(7)

SECTION IV

Section 8.40.040C shall be amended to include the following new subsections:

6. Any solid waste container or recycling receptacle which may be stored or placed in the front or on the side yard of any property, including those properties that are corner lots, must be stored or placed inside an enclosure which fully protects it from the pedestrian traffic or must be screened by opaque fencing or shrubbery to the height of such container.

7. Glass containers, aluminum cans, plastic containers, steel cans, mixed paper, newspaper and small flat cardboard less than twelve (12) inches can be commingled (mixed together) and placed loose in an open rigid recycling container. Each collection container shall have a capacity of not more than thirty-two (32) gallons; a capacity of twenty (20) gallons is recommended. No residential recyclable material collection container shall weigh more than fifty (50) pounds when placed at the curb for collection. Placement of recyclable materials inside of a plastic bag is prohibited.

SECTION V

Section 8.40.040 shall be amended to delete 8.40.040F in its entirety:

SECTION VI

Section 8.40.040 shall be amended to include a new subsection F, to read as follows:

F. Bulk items, except for metal, demolition/construction/repair materials, and yard debris, may be placed at the curb for collection on the second trash collection day of the week, providing an appointment has been scheduled with the division of sanitation of the city prior to one p.m. the day before the scheduled collection.

1. Bulk items and household appliances shall have all doors or lids removed prior to placement at the curb for collection, providing the department of public works of the city has been notified by one p.m. the day before the scheduled collection. No resident or entity shall place for collection more than six (6) combined bulk items and trash bags per dwelling unit on a given collection day with a maximum of thirty (30) items per residential multifamily complex. A maximum of six (6) trash cans/bags or bulk items will be collected per unit.

2. No metal or demolition/construction/repair/ construction material is placed at the curb for collection by the city unless the resident or entity disposing of such material first obtains permission from the director of public works. Upon application by such resident or entity, the director shall render a decision whether or not the material is acceptable for disposal in a landfill or must be disposed of by private removal of which a resident or entity must pay a separate charge.

3. All contractors performing tasks generating building and site debris shall arrange for its prompt removal by private carting firms. Each contractor shall, contemporaneous with his or her application for a building permit, submit to the construction official a satisfactorily plan for the disposal of any and all debris which may be generated by the activity for which the building permit is sought. Failure to submit such plan is sufficient cause for withholding or revocation of a building permit.

4. Household Appliances. Household appliances shall be placed at the curb only when scheduled in advance with the department of public works. All doors and/or lids must be removed prior to placement at the curb for collection.
5. All mattresses and box springs must be completely wrapped in plastic prior to collection.

SECTION VII

Section 8.40.110 shall be amended to include a new subsection G, to read as follows:

G. No recyclable materials may be placed in a plastic bag for collection.

SECTION VIII

Section 8.40.110E shall be amended to include new subsections 17 and 18, to read as follows:

17. No items other than aluminum cans, steel cans, plastic containers, newspaper, corrugated cardboard, or mixed paper shall be placed inside of any recycling receptacle.

18. Plastic bags shall not be commingled with any mandated recyclables nor placed inside any recycling receptacle.

SECTION IX

Section 8.40.120C shall be deleted.

SECTION X

Section 8.40.120 shall be amended to include a new subsection C to read as follows:

C. The owner/operator of a commercial facility shall submit or cause to be submitted to the municipality on a yearly basis a report of the materials recycled by weight. The report shall be submitted to the City’s recycling coordinator by March 1st each year for the prior calendar year.

SECTION XI

Section 8.40.140A shall be amended to include the following new subsections (7) and (8) and (9) to read as follows:

7. Any solid waste container or recycling receptacle which may be stored or placed in the front or on the side yard of any property, including those properties that are corner lots, must be stored or placed inside an enclosure which fully protects it from the pedestrian traffic or must be screened by opaque fencing or shrubbery to the height of such container.

8. Glass containers, aluminum cans, plastic containers, steel cans, mixed paper, newspaper and small flat cardboard less than twelve (12) inches can be commingled (mixed together) and placed loose in an open rigid recycling container. Each collection container shall have a capacity of not more than thirty-two (32) gallons; a capacity of twenty (20) gallons is recommended. No residential recyclable material collection container shall weigh more than fifty (50) pounds when placed at the curb for collection.

9. No recyclable materials shall be placed inside a plastic bag.

SECTION XII

SEVERABILITY:

If any subsection, paragraph or provision of this Ordinance is declared to be invalid by a court of competent jurisdiction, such finding shall not affect the remaining provisions hereof which shall remain in full force and effect.
SECTION XIII

REPEALER:

All ordinances inconsistent with the provisions of this Ordinance are repealed to the extent of such inconsistency.

SECTION XIV

EFFECTIVE DATE:

This Ordinance shall become effective twenty (20) days following final adoption and shall be published as required by law.

ADOPTED ON FIRST READING:
DATED: October 2, 2019

[Signature]
COUNCIL PRESIDENT

ADOPTED ON SECOND READING
DATED: October _____, 2019

[Signature]
COUNCIL PRESIDENT

ATTEST:

City Clerk

APPROVAL OF THE MAYOR ON THIS DAY OF , 2019.

[Signature]
MAYOR JAMES M. CAHILL

APPROVALS:

[Signature]
BUSINESS ADMINISTRATOR

[Signature]
CITY ATTORNEY
AN ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE CITY OF NEW BRUNSWICK, TITLE 10, CHAPTER 10.41 “ELECTRIC SCOOTERS”

BE IT ORDAINED by the New Brunswick City Council, as follows:

SECTION I

Title 10, VEHICLES AND TRAFFIC is hereby amended to add a new chapter, Chapter 10.41, “Electric Scooters” to read as follows:

10.41.010 Scope.

The provisions of this article shall apply whenever an electric scooter is operated upon any street or upon any public right-of-way within the City of New Brunswick, subject only to those exceptions stated in this section. Where the provisions of this Chapter contradict and/or overlap with any state laws, the state law shall govern.

10.41.020 Definitions.

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

ELECTRIC SCOOTER

A scooter with a floorboard that can be stood upon by the operator, with handlebars, and an electric motor that is capable of propelling the device with or without human propulsion at a maximum speed of 19 miles per hour.

PRIVATE ELECTRIC SCOOTER

Any electric scooter owned and operated by a private individual.

SHARED ELECTRIC SCOOTER

Any electric scooter owned by a company permitted to offer publicly accessible electric scooters through a pay-per-ride or subscription program.

USER

Any person who is operating an electric scooter.

10.41.030 Application of traffic laws to electric scooters.

Every person riding an electric scooter upon a roadway shall be granted all the rights and shall be subject to all the duties applicable to the driver of a vehicle by the laws of this state and the traffic provisions of this Code applicable to the driver of a vehicle, except as to special regulations in this Chapter and except as to those provisions of laws and ordinances which by their nature are inapplicable to such persons.

10.41.040 Electric scooter rules and regulations.

A.

Obedience to traffic control devices.

(1) Any person operating an electric scooter shall obey the instructions of official traffic control signs, and other control devices applicable to vehicles, unless otherwise directed by a police officer.

(2) Whenever authorized signs are erected indicating that a turning movement is restricted, no person operating an electric scooter shall disobey the direction of any such sign, except where that person dismounts from the electric scooter to make the turn, in which event such person shall then obey the regulations applicable to pedestrians.

(3) No person shall ride or operate an electric scooter in any direction except that permitted of vehicular traffic traveling on the same side of the roadway, unless traveling in a bike lane that runs counter to the flow of vehicular traffic.
Any person operating an electric scooter shall stop for pedestrians in crosswalks.

B. Riding on roadways and bicycle paths generally.

(1) Every person operating an electric scooter upon a roadway shall ride as near to the right-hand side of the roadway as practicable, exercising due care when passing a standing vehicle or a vehicle proceeding in the same direction, unless an exclusive bicycle lane is provided.

(2) Persons riding an electric scooter upon a roadway shall not ride more than two abreast except on paths of parts of roadways set aside for the exclusive use of bicycles.

(3) Whenever a bicycle lane has been established on a roadway, any person operating an electric scooter upon the roadway at a speed less than the normal speed of traffic moving in the same direction shall ride within the bicycle lane, except that such a person may move out of the lane under any of the following situations:

   (a) Whenever overtaking or passing another electric scooter, bicycle, vehicle, or pedestrian within the lane or about to enter the lane if such overtaking and passing cannot be done safely within the lane.

   (b) When preparing for a turn at an intersection or into a private road or driveway.

   (c) When reasonably necessary to leave the bicycle lane to avoid debris or other hazardous conditions.

C. User age restrictions. No person younger than 18 shall operate an electric scooter.

D. Manner of riding an electric scooter. No electric scooter shall be used to carry more persons at one time than the number for which it is designed and equipped.

E. Speed restrictions. No person shall operate an electric scooter at a speed greater than is reasonable and prudent under the condition then and there existing provided it does not exceed 19 miles per hour.

F. Yielding right-of-way from a bicycle path. Every person operating an electric scooter on a bike path that is about to enter or cross a roadway shall yield the right-of-way to all traffic on such roadway, unless otherwise instructed by existing traffic signalization.

G. Leaving bicycle lanes. No person operating an electric scooter shall leave a bicycle lane until the movement can be made with reasonable safety and then only after giving an appropriate signal.

H. Electric scooters emerging from alleys or driveways; yielding right-of-way. The operator of an electric scooter emerging from an alleyway, driveway, or building shall, upon approaching a sidewalk area extending across any alleyway or driveway, yield the right-of-way to all pedestrians or bicyclists approaching on the sidewalk or sidewalk area. Upon entering the roadway, the user shall yield the right-of-way to all vehicles approaching on the roadway.

I. Clinging to vehicles prohibited. No person riding upon an electric scooter shall attach the same or themselves to any streetcar or vehicle upon a roadway.
J. Riding on sidewalks.

(1) No person shall ride an electric scooter upon a sidewalk.

(2) Any person traveling on the sidewalk with an electric scooter shall dismount before entering the sidewalk throughway and walk the electric scooter along the sidewalk.

(3) No person shall start or stop an electric scooter trip on the sidewalk.

K. Carrying articles. No person operating an electric scooter shall carry any package, bundle, or article which prevents the user from keeping both hands upon the handlebars.

L. Parking. No person shall park an electric scooter upon a street other than upon the roadway against the curb or in a designated bicycle or electric scooter parking area or upon the sidewalk in a rack to support the electric scooter, or against a building or at the curb in such manner as to afford the least obstruction to pedestrian traffic.

M. Lamps and equipment on electric scooters.

(1) Electric scooters in use at nighttime shall be equipped with a lamp on the front which shall emit a white light visible from a distance of at least 500 feet to the front with a lamp emitting a red light visible from a distance of 500 feet to the rear.

(2) An electric scooter shall not be equipped with, nor shall any person use, any siren or whistle upon an electric scooter.

(3) Electric scooters shall be equipped with a brake which will enable the operator to make the braked wheel skid on dry, level, clean pavement.

(4) Electric scooters shall be equipped with a bell or other audible signal for the purposes of overtaking and passing any pedestrians, bicycles, or other electric scooters.

(5) Electric scooters shall be equipped with a kick stand to prevent them from toppling over when parked.

N. Electric scooter parking, generally.

(1) Electric scooters are permitted to be secured at the bicycle racks in the City for up to four consecutive days without being utilized.

(2) Electric scooters shall be parked in designated electric scooter parking areas if they are available and advertised as such by either signage, pavement markings, or racks.

(3) Electric scooters may be attached or secured to the bicycle rack with a U-lock, chain lock, or any type of lock made specifically for bicycles. No person shall attach or secure an electric scooter to any fixed object not suited for electric scooter parking or typically used for bicycle parking. No person shall leave an electric scooter lying on or standing upon the sidewalk in such a manner as to hinder or impede pedestrians.
Abandonment of electric scooters, generally.

(1) An electric scooter may be deemed abandoned by the City if:

(a) It has been parked for a period of more than four (4) or more consecutive calendar days in the same location; or

(b) It appears visually to be in a state of prolonged disuse such that it has deflated tires, damaged or missing equipment making it inoperable, accumulated debris associated with it; or

(c) It is found in any other condition in which an electric scooter would be deemed abandoned.

(2) It shall be unlawful for any person to abandon any electric scooter within the City.

(3) In the event that an electric scooter is deemed to be abandoned by the City's Department of Engineering and Public Works or the Police Department, the Department shall have the authority to place an abandoned electric scooter notice, in the form of an adhesive sticker, on the electric scooter itself to notify the owner that said electric scooter is deemed to be abandoned pursuant to this subsection and that it will be removed and disposed of if not removed.

(4) The notice in the form of an adhesive sticker shall state the following:

(a) The date after which the electric scooter may be removed if the owner/user does not remove and reclaim it and

(b) The name and contact information for a City representative to contact in case the electric scooter has been mistakenly identified as abandoned.

(5) Once an abandoned notice sticker has been placed on the electric scooter, the owner of the electric scooter shall have ten (10) calendar days as set forth on the notice sticker to remove the electric scooter from the location. If it is not removed within the ten -calendar-day notice period as provided on the sticker, it may thereafter be removed from its location by any means necessary and disposed of by the City in accordance with the law.

P. Shared electric scooter rental restriction. The shared electric scooter user shall be the same person who made the rental reservation. No person shall rent a shared electric scooter for another user.

Q. Electric scooter charging. No electric scooter battery shall be recharged in the public right-of-way without prior written authorization from the City.

R. Electric scooter disposal. All electric scooters shall be disposed of in a manner in accordance with state and federal regulations as they relate to hazardous materials disposal.

S. All operators of electric scooters shall certify once (at the time of sign-up for an electric scooter program), prior to riding, that they have read the state law (N.J.S.A. 39:1-1 et seq.) and the herein ordinance (New Brunswick City Code Chapter 10.44) governing electric scooter use.

T. Scooters shall not be operated within public parks unless they are being operated on a bicycle path or roadway through the park, or if it is necessary to cross through the park to reach an e-scooter parking location, users must dismount from the scooter and walk it to the destination.
10.41.050
Violations and penalties.

A. Except as detailed in Subsection B below, in the event that any individual violates the terms of this section, he/she shall be subject to a fine in the Municipal Court of the City of New Brunswick in an amount of $100.

B. If the offense is for failure to obey traffic control devices in violation of 10.41.040 A (1); riding in any direction other than the direction permitted for vehicular traffic in violation of 10.41.040 A (3); or carrying more persons at one time than the number for which the vehicle is equipped in violation of 10.41.040 D, the penalty for the first offense shall be $50.00; the penalty for the second offense shall be $100; the penalty for the third offense shall be $500; and upon the fourth or subsequent offense, the individual shall be suspended for a period of one year from any City-sponsored rideshare program.

C. If the offense is for riding on a sidewalk in violation of 10.41.040 J, the penalty for the first offense shall be $250; the penalty for subsequent offenses shall be $500 per occurrence.

10.41.060
Voluntary Personal Scooter Registration

A. Any resident of the City that would desire to voluntarily register their privately-owned personal electric scooter may do so at the City Clerk’s Office for a fee of fifteen dollars ($15.00) per electric scooter per year.

10.41.075
Shared Electric Scooters Services and Programs

A. Any shared electric scooter company may operate their service within New Brunswick provided they meet the following criteria:

(1) The company providing the shared electric scooter service shall agree with the City on the number of electric scooters that they can operate at any given time. The number of electric scooters per each company will be set or altered upwards by the New Brunswick City Council by resolution at a frequency of not more often than every once per calendar month. The company may at their own discretion adjust the number of scooters downwards without City Council action.

(2) All electric scooters that are part of a shared electric scooter service shall be required to have a minimum of two (2) wheels.

(3) A company that expresses interest in offering a shared electric scooter service in the City will agree to a pilot program of not more than ninety (90) days with no more than two-hundred (200) initial electric scooters during that time period.

(4) The company will provide the City a fee of fifty dollars ($50.00) per scooter in an effort to mitigate the cost of additional electric scooter enforcement, the creation of electric scooter infrastructure, and education around the topic of electric scooter safety.

(5) The company will provide the City three (3) safety helmets per scooter placed into operation for the city to distribute for safety.

(6) The company will provide the City with a payment of $0.15 cents per scooter trip to support increased enforcement of city scooter regulations and related infrastructure improvements.
(7) The City will set a maximum number of electric scooters provided in aggregate by all companies to be permitted to operate with the City. The number is to be no more than six hundred (600) electric scooters.

(8) The company will use any reasonable means of technology, such as but not limited to geofencing, to limit their electric scooter operations to comply with the map located at 10.41.070 A (16).

(9) Company shall provide City with proof of insurance coverage exclusively for the operation of Stand-up electric scooters including: (a) Commercial General Liability insurance coverage with a limit of no less than $1,000,000.00 each occurrence and $2,000,000.00 aggregate; (b) Automobile Insurance coverage with a limit of no less than $1,000,000.00 each occurrence and $1,000,000.00 aggregate; (c) Umbrella or Excess Liability coverage with a limit of no less than $5,000,000.00 each occurrence/aggregate; and (d) where company employs persons within the City, Workers’ Compensation coverage of no less than the statutory requirement.

(10) If Company collects anonymized fleet and ride activity data for all trips starting or ending within the jurisdiction of City on any vehicle of Licensee or of any person or company controlled by, controlling, or under common control with Licensee, then that data will be shared with the City, provided steps are taken to ensure individual privacy and protect trade secrets.

(11) The company will be required to have an identification plate on all of their electric scooters.

(12) The company will disable and store away all electric scooters on days of inclement weather and for 48 hours following a snowfall of greater than 5 inches.

(13) Electric scooters that are not in compliance with 10.41.070 A (12) will be subject to the regulations located within Title 12, Chapter 12.20 “ABANDONED, WRECKED AND REPAIR OF VEHICLES ON STREETS”.

(14) The company will locate 5% of their electric scooters, rounded up to the next whole electric scooter, and no fewer than five (5), in each neighborhood of need every morning in compliance with the map located at 10.41.070 A (17).

(15) The City and any Shared Electric Scooter Service company shall formalize by way of an agreement that provides the specifics of their services as it relates to this subsection 10.41.070.

(16) The following map designates those areas of the City of New Brunswick where Shared Electric Scooters are permitted.
Where Shared Electric Scooter Services Will be Allowed to Operate

(17)
The following map designates those locations in the City of New Brunswick where Shared Electric Scooter companies must locate a minimum of 5% of their fleet as per the specifics of 10.41.070 A (14).

SECTION II

SEVERABILITY:

If any section, paragraph or provision of this Ordinance is declared to be invalid by a court of competent jurisdiction such finding shall not affect the remaining provisions hereof which shall remain in full force and effect.
SECTION III

REPEALER:
All ordinances inconsistent with the provisions of this Ordinance are repealed to the extent of such inconsistency.

SECTION IV

EFFECTIVE DATE:
This Ordinance shall become effective twenty (20) days following final adoption and publication as required by law.

ADOPTED ON FIRST READING
DATED: October 2, 2019

COUNCIL PRESIDENT

ADOPTED ON SECOND READING
DATED:

ATTEST:
CITY CLERK

APPROVAL OF THE MAYOR ON THIS DAY OF , 2019.
MAYOR

APPROVALS:
CITY ADMINISTRATOR
CITY ATTORNEY
TKS/kc
AN ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL
ORDINANCES OF THE CITY OF NEW BRUNSWICK,
TITLE 15, CHAPTER 15.32 "REGISTRATION OF CONSTRUCTION CRANES"

BE IT ORDAINED by the New Brunswick City Council, as follows:

SECTION I

Title 15, Chapter 15.32, Section 15.32.030, "Application for Permit" is hereby amended as follows:

Application to operate a crane is made to the Department of Engineering and Public Works on forms provided for that purpose. The applicant states, as a minimum, the names and addresses of the owners and operators of the crane, operator licensing information, the length, maximum height, lifting capacity and operating radius and the name and address of the company providing the insurance coverage and escrow required by Sections 15.32.060 and 15.32.065.

SECTION II

Title 15, Chapter 15.32, Section 15.32.040, "Issuance or Denial of Permit" is hereby amended as follows:

Upon receipt of a properly completed application and compliance with the requirements of Section 15.32.030, the Department Head, or any other authorized member of the Department of Engineering and Public Works shall issue or deny the requested permit within three working days. If the application is denied the reasons for the denial are furnished to the applicant in writing.

SECTION III

Title 15, Chapter 15.32, Section 15.32.050, "Application Fee" is hereby amended as follows:

A. Application fee for a construction crane permit is one hundred twenty-five dollars ($125.00) per crane. Permits are valid for a period of thirty (30) days and may be extended and/or renewed provided that the applicant meets the requirements of Section 15.32.050. Fee for an extended period or renewal of permit is fifty dollars ($50.00) per crane within sixty (60) days. Thereafter, the fee is the same as an original application and permit. Permits that are extended or renewed are valid for a period of thirty (30) days.

SECTION IV

Title 15, Chapter 15.32, Section 15.32.060, "Insurance Requirements" is hereby amended to read as follows:

In addition to the information required to be provided in Section 15.32.030, the crane company shall provide general liability insurance naming the City as an additional insured in the amount of Ten Million Dollars ($10,000,000.00). The crane company shall also execute a hold harmless agreement indemnifying the city from any claim or loss arising from the use of the construction crane, the form of the agreement to be approved by the City Attorney.

SECTION V

Title 15, Chapter 15.32, is amended to add a new section, Section 15.32.065, "Escrow" to read as follows:

In addition to the insurance requirements contained in Section 15.32.060 "Insurance Requirements", the City will, when the crane is placed in the public right-of-way, collect and hold in escrow one thousand dollars ($1,000), which escrow will be used to offset any damages to the City's Right-of-Way due to the crane or its operation.

SECTION VI

Title 15, Chapter 15.32, Section 15.32.070, "Registration Required" is hereby amended as follows:

A. No person shall operate a construction crane in the City without first having registered same as required by this Chapter.

B. No person shall operate a construction crane within, on or over a public right-of-way, other
publicly owned property or the private property of a person other than the owner of the crane or a person who has contracted for the use of or operation of such crane unless and until such person has applied for and obtained approval of a traffic control plan pursuant to Section 10.08.010(C) of the Revised General Ordinances of the City of New Brunswick.

C. Any construction crane operator must be licensed per the parameters set forth in N.J.S.A. 45:26-1 et seq. "CRANE OPERATORS" and N.J.A.C. 12:1-22 et seq.

SECTION VII

SEVERABILITY:

If any section, paragraph or provision of this Ordinance is declared to be invalid by a court of competent jurisdiction such finding shall not affect the remaining provisions hereof which shall remain in full force and effect.

SECTION VIII

REPEALER:

All ordinances inconsistent with the provisions of this Ordinance are repealed to the extent of such inconsistency.

SECTION IX

EFFECTIVE DATE:

This Ordinance shall become effective January 1, 2020 following final adoption and publication as required by law.

ADOPTED ON FIRST READING
DATED: October 2, 2019

COUNCIL PRESIDENT

ADOPTED ON SECOND READING
DATED:

COUNCIL PRESIDENT

ATTEST:

CITY CLERK

APPROVAL OF THE MAYOR ON THIS DAY OF , 2019.

MAYOR

APPROVALS:

CITY ADMINISTRATOR

CITY ATTORNEY

TKS/kc