

**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:

<b><u>STREET</u></b>	<b><u>SIDE</u></b>	<b><u>LOCATION</u></b>
84 Paulus Boulevard (Placard # P1943162)	Southwest	Beginning at a point 126 feet from the southwesterly curblineline of Paulus Boulevard and extending to a point 23 feet south thereof.
28 Lee Avenue, Apt. 3 (Placard # P2228808)	East	Beginning at a point 69 feet from the northeasterly curblineline of Townsend Street and extending to a point 23 feet north thereof.
456 Remsen Avenue (Placard # P2158027)	West	Beginning at a point 236 feet from the northwesterly curblineline of May Street and extending to a point 23 feet north thereof.

**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All ordinances inconsistent with the provisions of this Ordinance are repealed to the extent of such inconsistency.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 7, 2020

  
 \_\_\_\_\_  
 COUNCIL PRESIDENT

ADOPTED ON SECOND READING:  
DATED:

\_\_\_\_\_  
 COUNCIL PRESIDENT

ATTEST:

\_\_\_\_\_  
CITY CLERK

COUNCILMEMBER	Y	N	NV	AB	COUNCILMEMBER	Y	N	NV	AB
EGAN					ANDERSON				
ESCOROH					ANDERSON Pres				
FLEMING									

FIRST READING VOTE ON OCTOBER 7, 2020    NV=MOVED    S=SECOND    NV=NO VOTE    AB=ABSENT

APPROVAL OF THE MAYOR ON THIS DAY OF , 2020.

\_\_\_\_\_  
MAYOR

APPROVALS:

  
\_\_\_\_\_  
CITY ADMINISTRATOR

  
\_\_\_\_\_  
CITY ATTORNEY  
GG/kc

**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 to electric scooter operation and placement 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 authorized and permitted by the City of New Brunswick to offer publicly accessible electric scooters through a pay-per-ride or subscription program under an Agreement that incorporates the provisions of Section 10.41.070 of this Chapter.

**USER**

Any person who is operating an electric scooter.

**OWNER**

Any company, entity or individual that has ownership of an electric scooter.

10.41.030

Application of traffic laws to electric scooters.

Every person riding an electric scooter within the City of New Brunswick 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 including the provisions of Chapter 4 of Title 39 of the New Jersey Revised Statutes applicable to bicycles as defined in N.J.S. 39:4-10 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 comply with New Jersey Statutes, including Chapter 4 of Title 39 of the Revised Statutes, Rules and Regulations applicable to bicycles as defined in N.J.S. 39:4-10.

B.

Reserved.

C.

User age restrictions. No person younger than 17 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.

Reserved.

G.

Reserved.

H.

Reserved.

I.

Reserved.

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.

Reserved.

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

N.

Electric scooter parking/placement.

- (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 or owner shall leave an electric scooter lying on or standing upon the sidewalk or any portion of the City's right-of-way as to impede the pedestrian egress pathway such that less than four (4) feet shall remain for pedestrian travel.

O.

Abandonment of electric scooters.

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

- (a) It has been parked for a period of forty-eight (48) or more consecutive hours except in designated bicycle racks and approved marked areas;
- (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;
- (c) It is found in any other condition in which an electric scooter would be deemed abandoned; or
- (d) It is parked, placed or left on a roadway or in any public right-of-way in violation of this chapter.

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

(3) In the event that an electric scooter is deemed to be abandoned as defined herein, the City's Department of Engineering and Public Works, the Police Department or the New Brunswick Parking Authority shall have the authority to seize and impound same or place an abandoned electric scooter notice, in the form of an adhesive sticker, on the electric scooter itself to notify the user and/or owner that said electric scooter is deemed to be abandoned pursuant to this section 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 of 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 forty-eight (48) hours as set forth on the notice sticker to remove the electric scooter from the location. If it is not removed within the forty-eight (48) hour notice period as provided on the sticker, it may thereafter be removed from its location by any means necessary and held by the City until claimed by the owner as provided for in this section. If the electric scooter is not claimed, it shall be disposed of by the City in accordance with the law.

(6) Any electric scooter seized by the City pursuant to this section shall be impounded by the City and only released to the owner after payment to the City of the seizure and impoundment fee of One Hundred Dollars (\$100.00). Any electric scooter not claimed by its owner within ten (10) days of the date of impoundment shall pay a two dollar (\$2.00) per day fee from the date of impoundment. Any electric scooter not claimed by the owner shall be 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 below, in the event that any user or owner violates the terms of this chapter, the violator shall be subject to a fine in the Municipal Court of the City of New Brunswick in an amount of \$100.00.

No court appearance shall be required for this violation.

B.

If the offense is for 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;

(1) the penalty for the second offense and any subsequent offenses shall be \$100.00.

No court appearance shall be required for this violation.

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 \$250.00;

(1) the penalty for subsequent offenses shall be \$500.00 per occurrence.

No court appearance shall be required for this violation.

D.

If the offense is for electric scooter parking/placement, in violation of 10.41.040 N, the penalty shall be One Hundred Dollars (\$100.00) per offense and each continuing day shall be deemed a separate offense.

No court appearance shall be required for this violation.

10.41.060

Voluntary Personal Scooter Registration

A.

Any resident of the City that desires 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.

10.41.070

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) The 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.

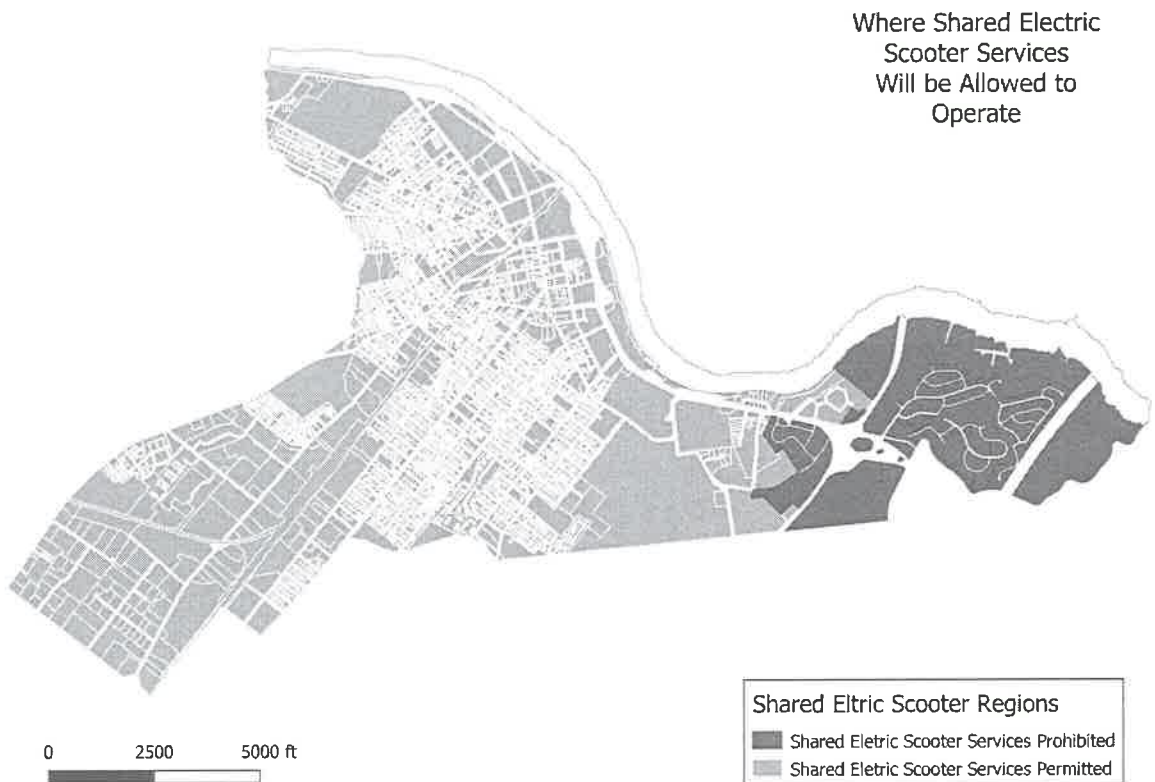
(12) The company will disable and store away all electric scooters on days of inclement weather and for 48 hours following a snowfall of greater than 5 inches.

(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".

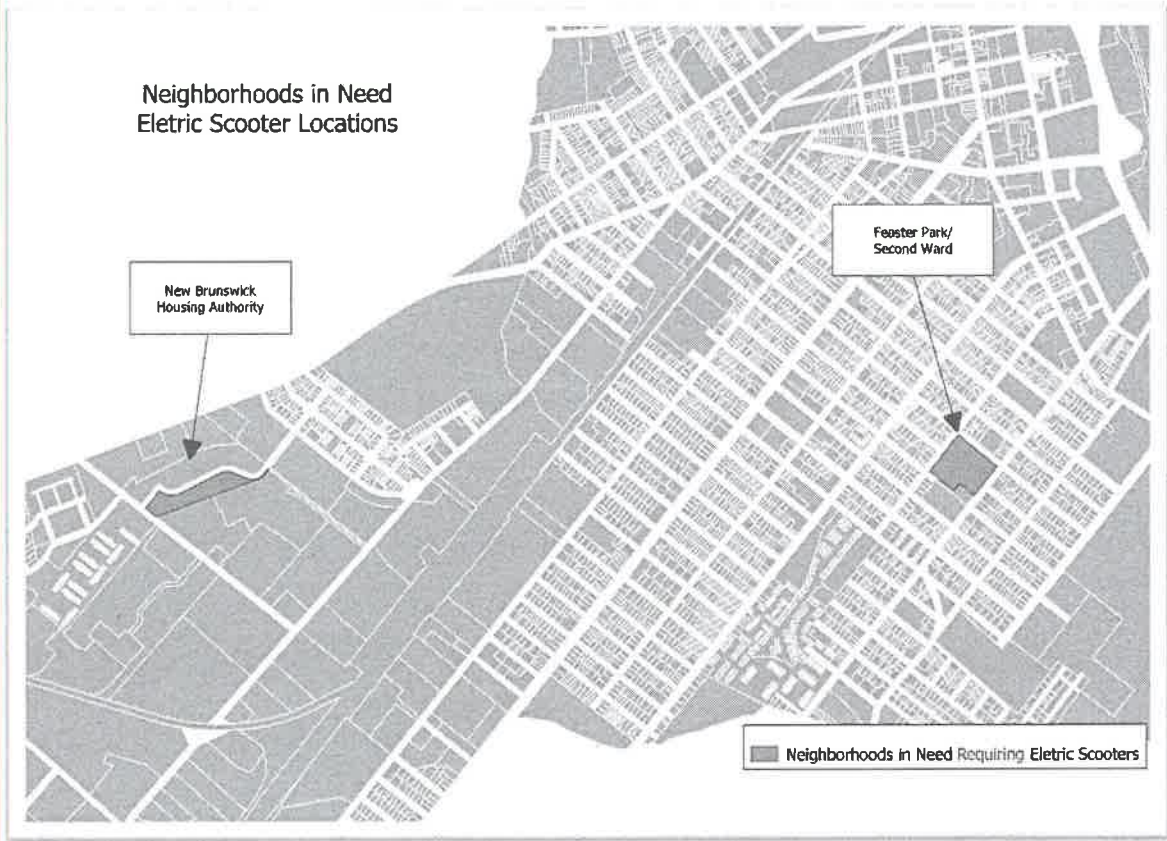
(14) The company will locate 5% of their electric scooters, rounded up to the next whole electric scooter, and no fewer than five (5), in each neighborhood of need every morning in compliance with the map located at 10.41.070 A (17).

(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.



(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 7, 2020

*[Handwritten Signature]*  
\_\_\_\_\_  
COUNCIL PRESIDENT

ADOPTED ON SECOND READING  
DATED:

\_\_\_\_\_  
COUNCIL PRESIDENT

ATTEST:

\_\_\_\_\_  
CITY CLERK

COUNCILMEMBER	Y	N	NV	AB	CO	CR	SP	AM	AD	ABSENT
EGAN	X									
ESCOBAR	X									
FLEMING	X									

FIRST READING: Y=VOTE ON OCTOBER 7, 2020; N=NO VOTE; NV=NOT VOTED; AB=ABSENT; CO=COORDINATOR; CR=COUNCIL CLERK; SP=SPECIAL ORDER; AM=AMENDMENT; AD=ADJOURN; ABSENT=ABSENT



APPROVAL OF THE MAYOR ON THIS DAY OF \_\_\_\_\_, 2020.

\_\_\_\_\_  
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 5, BUSINESS LICENSES AND REGULATIONS, CHAPTER 5.20 "BARBERS AND BEAUTICIANS"**

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

**SECTION I**

Title 5, Chapter 5.20, Section 5.20.010, "**Regulations**" is hereby amended to read as follows:

- A. No barber shop or beauty shop is open for business earlier than 6:00 a.m. nor closed later than 10:00 p.m.

**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 and the entire Ordinance shall be null and void.

**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 7, 2020

  
COUNCIL PRESIDENT

ADOPTED ON SECOND READING  
DATED:

  
COUNCIL PRESIDENT

ATTEST:

\_\_\_\_\_  
CITY CLERK

APPROVAL OF THE MAYOR ON THIS DAY OF \_\_\_\_\_, 2020.


\_\_\_\_\_  
MAYOR

COUNCIL MEMBER	V	N	NV	AB	COUNCIL MEMBER	Y	N	NV	AB
EGAN					MORAY DWIG A.P.M.				
ESCHBAR					ANDERSON Pres				
FLEMING S									

FIRST READING VOTE ON OCTOBER 7, 2020. NV=MOVED S=SECOND NV=NO VOTE AB=ABSENT

APPROVALS:

  
CITY ADMINISTRATOR

  
CITY ATTORNEY

TKS/kc

**AN ORDINANCE TO AMEND AND SUPPLEMENT THE  
REVISED GENERAL ORDINANCES OF THE CITY OF NEW BRUNSWICK,  
TITLE 2, ADMINISTRATION AND PERSONNEL**

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

**SECTION I**

Title 2, Chapter 2.68 is hereby amended to **ADD** the following:

Chapter 2.68 DEPARTMENT OF HUMAN AND COMMUNITY SERVICES

**SECTIONS 2.68.010 – Generally**

There is a Department of Human and Community Services, the head of which is the Director of the Department of Human and Community Services who shall serve in a full-time capacity. The Department consists of the Division of Human Services and the Division of Community Services.

**SECTION 2.68.060 – Division of Human Services**

1) Within the Department of Human and Community Services there is a Division of Human Services which shall be responsible for the following:

- a. the management of the City of New Brunswick’s emergency shelter programs;
- b. manage and oversee the City of New Brunswick’s International programs;
- c. manage and oversee the City of New Brunswick’s arts and murals programs;
- d. address homeless outreach and intervention;
- e. serve as support between residents and social services organizations to bring inquiries to their best conclusion relative to Veterans Affairs, Food and Nutrition, Community Preservation and Renters Assistance, and Women and Minority Owned Business opportunities;

2) Within the Division of Human Services there is an Office of Parks and Recreation which shall be responsible for the following:

- a. administer and operate indoor and outdoor athletic and recreational programs and activities for adults and children in parks, playgrounds and other facilities;
- b. provide for coordination and development of that office’s activities with other public and private recreational facilities and programs;
- c. promote and direct an all year-round program of cultural and leisure time activities for children, youth and adults;
- d. promulgate a schedule of fees for services rendered to the public, which schedule of fees is subject to approval by resolution of the city council;

**SECTION 2.68.030 – Division of Community Services**

1) Within the Department of Human and Community Services there is a Division of Community Services which shall be responsible for the following:

- a. administer Housing Inspections and Sanitation/Recycling Inspections and Compliance;
- b. coordinate the Division of Animal Control;

**SECTION II**

Title 2, Chapter 2.16, Section 2.16.010 (J) is hereby amended to read as follows:

J. Department of Human and Community Services.

**SECTION III**

Title 2, Chapter 2.40, Section 2.40.010 is hereby amended to read as follows:

There is a department of administration, the director of which is the business administrator, who shall serve the city in a full-time capacity. The department consists of the division of purchasing, the division of planning, the division of personnel and the construction code division.



**SECTION IV**

Title 2, Chapter 2.72, Section 2.72.010 is hereby amended to read as follows:

There is a department of social services, the head of which is the director of social services who shall serve the city in a full-time capacity. The department director shall also supervise and oversee the performance of duties of the city medical services as hereinafter set forth in this chapter. The department shall include the division of health, the division of dial-a-ride transportation, the division of senior resource center and the youth services system (YSS). The director shall develop and implement immediate and long-range plans to meet the social service needs of the city.

**SECTION V**

Title 2, Chapter 2.72, Section 2.72.030 Division of Recreation is hereby deleted.

**SECTION VI**

Title 2, Chapter 2.72, Section 2.72.070 Division of Welfare is hereby deleted.

**SECTION VII**

**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 VIII**

**REPEALER:**

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

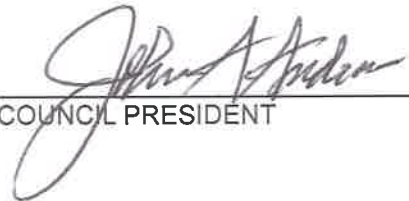
**SECTION IX**

**EFFECTIVE DATE:**

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

ADOPTED ON FIRST READING:

DATED: October 7, 2020

  
\_\_\_\_\_  
COUNCIL PRESIDENT

ADOPTED ON SECOND READING:

DATED:

\_\_\_\_\_  
COUNCIL PRESIDENT

ATTEST:

\_\_\_\_\_  
CITY CLERK

COUNCILMEMBER	Y	N	NV	AB	Y	N	NV	AB
EGAN	X				X			
ESCOBAR	X				X			
FLEMING	X				X			
COUNCILMEMBER								
SCORATTO DIRG VP								
M								
ANDERSON Pres								

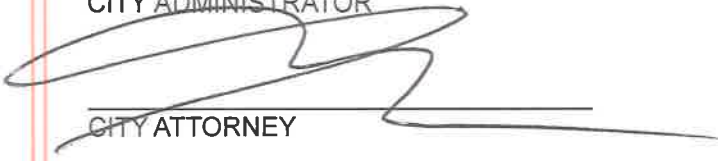
FIRST READING VOTE: ON OCTOBER 7, 2020 M=MOVED S= SECOND NV= NO VOTE AB= ABSENT

APPROVAL OF THE MAYOR ON THIS DAY OF , 2020.

\_\_\_\_\_  
MAYOR

APPROVALS:

  
\_\_\_\_\_  
CITY ADMINISTRATOR

  
\_\_\_\_\_  
CITY ATTORNEY

TKS/kc