

ORDINANCE NO. 2021-03

**AN ORDINANCE OF THE BOROUGH OF HARVEY CEDARS, COUNTY OF OCEAN,
STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 8 OF
THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HARVEY
CEDARS, 1975, ENTITLED “TRAFFIC”
AS IT PERTAINS TO WEST 80TH STREET SPEED LIMIT**

WHEREAS pursuant to N.J.S.A.40:48-2, the governing body of a municipality may make, amend, repeal, and enforce such other ordinances, regulations, rules and by-laws not contrary to the laws of this state or of the United States, as it may deem necessary and proper for the good government, order and protection of person and property, and for the preservation of the public health, safety and welfare of the municipality and its inhabitants, and as may be necessary to carry into effect the powers and duties conferred and imposed by this subtitle, or by any law; and

WHEREAS West 80th Street, an Ocean County owned and maintained side-street within the Borough of Harvey Cedars, has an established speed limit of 25 mph; and

WHEREAS as a result of speeding complaints registered with the Borough and in the interest of public safety, traffic studies were conducted by both the Harvey Cedars Police Department and the Ocean County Engineering Department in 2020; and

WHEREAS the traffic study data collected by the County Engineer supports lowering the speed limit to 20 mph; and

WHEREAS the County Engineer approves the Borough lowering the speed limit to 20 mph and for the Borough to install and maintain the required signage upon adoption of an Ordinance and receipt of a concurring County Resolution; and

WHEREAS in the interest of public safety, the Board of Commissioners of the Borough of Harvey Cedars desires to lower the speed limit for the entire length of West 80th Street within the Borough of Harvey Cedars to 20 mph.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE BOROUGH OF HARVEY CEDARS as follows:

SECTION 1. Section 8-11 entitled “Penalty” is hereby renumbered as Section 8-12 entitled “Penalty”.

SECTION 2. New Section 8-11 entitled “Speed Limits” is hereby inserted and supplemented as follows:

8-11 Speed Limits. The following speed limits shall apply to designated streets within the Borough:

<u>Street Name</u>	<u>Traffic Direction</u>	<u>Speed Limit</u>	<u>Location</u>
West 80 th Street, aka County Road #2	Both	20mph	Entire length

SECTION 3. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions.

SECTION 5. A certified copy of the Ordinance shall be forwarded to the Ocean County Engineer and shall take effect upon final adoption after publication in accordance with law and upon a concurring adopted Ocean County Resolution.

NOTICE

NOTICE is hereby given that the foregoing Ordinance was duly introduced and passed on the first reading at a regular meeting of the Board of Commissioners of the Borough of Harvey Cedars held on **February 5, 2021**. Further notice is given that said Ordinance shall be considered for final passage and adoption at a regular meeting of said Board of Commissioners to be held via Zoom on **February 19, 2021** at 4:30pm hosted at the Borough Hall, 7606 Long Beach Blvd., Harvey Cedars, NJ, at which time and place any person desiring to be heard will be given an opportunity to be so heard.

Daina Dale, Municipal Clerk