

**BOROUGH OF ELMER, COUNTY OF SALEM, NEW JERSEY**

**ORDINANCE NO. 2022 - 6**

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**AN ORDINANCE OF THE BOROUGH OF ELMER, COUNTY OF SALEM,  
STATE OF NEW JERSEY AMENDING CHAPTER 3, SECTION 4.1  
OPERATION ON PUBLIC PROPERTY PROHIBITED**

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**WHEREAS**, the Borough's Officer in Charge has brought to the Borough Council and Mayor's attention that individuals are utilizing lawn mowers within the Borough as modes of transportation on public roads; and

**WHEREAS**, this use of lawn mowers as a form of transportation creates safety risks for pedestrians and other drivers and as such the recommendation made by the Officer in Charge is to amend the Ordinance regarding Police Regulations for Operation on Public Property; and

**WHEREAS**, the Borough Council and Mayor desire to amend Chapter 3-4.1. Operation on Public Property Prohibited; and

**NOW, THEREFORE, BE IT ORDAINED**, by the Borough Council and Mayor for the Borough of Elmer, County of Salem, State of New Jersey, that it hereby amends the limited following Sections of Chapter 3-4.1. Operation on Public Property Prohibited to include the following:

**SECTION 1 – REPEAL**

§ 3-4.1 - Operation on Public Property Prohibited.

It shall be unlawful for any person to operate any type of unlicensed motor-driven vehicle or conveyance, including but not limited to, two-wheel motor vehicles, known as mini-bicycles, trail bicycles, and motor scooters, and four-wheel motor vehicles, upon any public property or Borough-owned land. Borough-owned land shall be considered as all parks, recreation areas, ball parks, lake areas, storage areas, Board of Education property and any and all other Borough-owned land and premises. Public property shall be considered as all streets, sidewalks, easements or any other area dedicated or commonly used for vehicular and/or pedestrian traffic. Lawn mowers are specifically excluded from the definition hereinabove.

**SECTION 2 – AMENDMENT**

§ 3-4.1 - Operation on Public Property Prohibited.

- A. It shall be unlawful for any person to operate any type of unlicensed motor-driven vehicle or conveyance, including but not limited to, two-wheel motor vehicles, known as mini-bicycles, trail bicycles, and motor scooters, and four-wheel motor vehicles, upon any public property or Borough-owned land. Borough-owned land shall be considered as all parks, recreation areas, ball parks, lake areas, storage areas, Board of Education property and any and all other Borough-owned land and premises. Public property shall be considered as all streets, sidewalks, easements or any other area dedicated or commonly used for vehicular and/or pedestrian traffic.
- B. Lawn mowers are specifically excluded from the definition hereinabove if they are being utilized to travel to and from one property within the Borough for the purposes of lawn care services. Any operator of a lawn mower on a public street must (a) be an adult licensed driver or (b) above the age of 14 and completed a safety course. Anyone found to be driving a lawn mower on a public street with a suspended or revoked license shall be subject to *N.J.S.A.* Title 39 violations.

**BE IT FURTHER ORDAINED**, should any ordinance or part thereof be found in conflict with this ordinance or the provisions thereof, then those sections contained herein shall be deemed controlling.

**BE IT FURTHER ORDAINED**, that all other sections of Chapter 3. Police Regulations shall remain in full force and effect.

**BE IT FURTHER ORDAINED** that this Ordinance shall become effective immediately upon final passage and publication as required by law. Introduced at a regular meeting of Borough Council on July 13, 2022 and passed upon a second reading of Borough Council held on August 10, 2022.

**BOROUGH OF ELMER**

BY: \_\_\_\_\_  
**Joseph Stemberger, Mayor**

**ATTEST:**

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**Sarah D. Walker**  
**Registered Municipal Clerk**

**ROLL CALL VOTE as follows:**

	<u>MOTION</u>	<u>SECOND</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
Schneider	_____	_____	_____	_____	_____	_____
Davis	_____	_____	_____	_____	_____	_____
Nolan	_____	_____	_____	_____	_____	_____
Foster	_____	_____	_____	_____	_____	_____
Schalick	_____	_____	_____	_____	_____	_____
Zee	_____	_____	_____	_____	_____	_____

**NOTICE**

The Ordinance published herein was introduced and passed upon first reading at a meeting of the Mayor and Council of the Borough of Elmer, in the County of Salem and State of New Jersey, held on July 13, 2022. It will be further considered for final passage, after public hearing hereon, at a meeting of said Mayor and Council to be held in the Borough Hall, 120 South Main Street, Elmer, New Jersey 08318, on August 10, 2022 at 7:30 P.M. During the week prior and up to and including the date of such meeting, copies of said Ordinance will be made available at the Clerk's office at Borough Hall, 120 South Main Street, in the Borough, to the members of the general public who shall request the same.

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Sarah D. Walker  
Registered Municipal Clerk