

(9-8-09)

(9-51)

**AN ORDINANCE TO AMEND CHAPTER 254, "VEHICLES AND TRAFFIC", by ARTICLE III "PARKING, STANDING AND STOPPING" § 254-254-26.1 "VEHICLE IDLING"**

**BE IT ORDAINED**, by the Mayor and Council of the Township of Bloomfield, County of Essex, State of New Jersey, as follows:

**Section 1.** Chapter 254 "Vehicles and Traffic", ARTICLE III "Parking, Standing and Stopping", of the Code of the Township of Bloomfield, County of Essex, State of New Jersey, is hereby amended by the addition of the following, § 254-26.1 "Vehicle idling"

**Purpose**

It is the policy of the Township of Bloomfield to prevent the air pollution caused by the idling of diesel or gasoline powered motor vehicles that may jeopardize the health, welfare, or safety of the citizens or degrade the quality of life.

**Definitions.**

The following words and terms, when used in this section, shall have the following meanings:

**DIESEL-POWERED MOTOR VEHICLE** shall mean a vehicle which is self-propelled by a compression-ignition-type of internal combustion engine and which is designed primarily for transporting persons or property on a public street or highway.

**GASOLINE-FUELED MOTOR VEHICLE** shall mean any motor vehicle equipped to be powered by a hydrocarbon fuel other than diesel fuel, but including alcohol fuels and hydrocarbon-alcohol fuel blends.

**IDLE** means the motor vehicle operating mode consisting of a non-loaded, throttled engine speed at the revolutions per minute specified by the manufacturer or at any other engine speed.

**Idling Prohibited.**

a. No person shall cause, suffer, allow or permit the engine of a diesel-powered or gasoline-fueled motor vehicle to idle for more than three consecutive minutes if the vehicle is not in motion, except:

i. A motor vehicle at the vehicle operator's place of business where the motor vehicle is permanently assigned may idle for 30 consecutive minutes; or

RECEIVED AS TO FORM AND PROCEDURE  
ON BASIS OF FACTS SET FORTH  
[Signature]  
Director of Law-Township Attorney

- ii. A motor vehicle may idle for 15 consecutive minutes when the vehicle engine has been stopped for three or more hours.
- b. The provisions of Paragraph a above shall not apply to:
- i. Buses while discharging or picking up passengers.
  - ii. Motor vehicles stopped in a line of traffic.
  - iii. Motor vehicles being or waiting to be examined by state or federal motor vehicle inspectors.
  - iv. Motor vehicles whose primary and/or secondary power source is utilized in whole or in part for necessary and definitively prescribed mechanical operation other than propulsion, passenger compartment heating or air conditioning.
  - v. Emergency motor vehicles in an emergency situation.
  - vi. Motor vehicles while being repaired.
  - vii. Motor vehicles while engaged in the process of connection, detachment or exchange of trailers; or
  - viii. Motor vehicles manufactured with a sleeper berth while being used, in a non-residentially zoned area, by the vehicle's operator for sleeping or resting.

**Violations and Penalties.**

- a. Any person violating any provision of this section shall, upon conviction thereof, be subject to a fine not less than \$100 nor greater than \$2,500 for each violation.

**Issuance of Summons.**

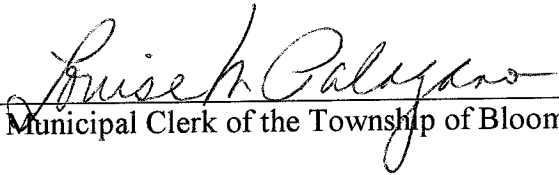
- a. Local health officials, the Bloomfield Police Department, and the local code enforcement office shall be empowered to enforce the provisions of this Article

**Section 2.** All ordinances inconsistent herewith are hereby repealed.

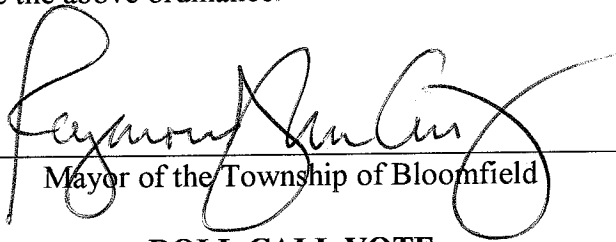
**Section 3.** This ordinance shall take effect upon final passage and publication in accordance with the law.

\* \* \*

I hereby certify that the above ordinance was duly adopted by the Mayor and Council of the Township of Bloomfield at a meeting of said Township Council held on Sept 8, 2009

  
 \_\_\_\_\_  
 Municipal Clerk of the Township of Bloomfield

I hereby approve the above ordinance.

  
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 Mayor of the Township of Bloomfield

**ROLL CALL VOTE**

MAYOR & COUNCIL	Y	N	ABSTAIN	ABSENT	Y	N	ABSTAIN	ABSENT
<b>MALY</b>	✓				✓			
<b>JOANOW</b>	✓				✓			
<b>RUANE</b>	✓				✓			
<b>BARKER</b>	✓							✓
<b>SPYCHALA</b>	✓							✓
<b>HAMILTON</b>	✓				✓			
<b>McCARTHY</b>	✓				✓			