

**TOWNSHIP OF CLINTON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY**

**ORDINANCE
#1199 – 2024**

**AN ORDINANCE OF THE TOWNSHIP OF CLINTON IN HUNTERDON COUNTY,
NEW JERSEY AUTHORIZING AND DIRECTING THE PERMANENT CLOSURE OF
MOEBUS PLACE TO VEHICULAR TRAFFIC WITHIN THE TOWNSHIP OF CLINTON
AND AMENDING SECTION 7-17 OF THE CODE OF THE TOWNSHIP OF CLINTON**

WHEREAS, Moebus Place is a two-way municipal roadway that runs in a north-south direction between New Jersey State Highway Route 31 North in the Town of Clinton (Town) to River Bend Road in the Township of Clinton (Township); and

WHEREAS, Moebus Place is bisected by the municipal boundary line between the Town and the Township; and

WHEREAS, the Township wishes to permanently close to vehicular traffic the portion of Moebus Place that extends from the boundary line between the Town and Township northward to River Bend Road; and

WHEREAS, by passage of this ordinance, the Mayor and Council seek to authorize and effectuate the permanent closure of Moebus Place to vehicular traffic, including the removal of all paved surfaces within the Moebus Place right-of-way and the installation of such signage and other improvements or modifications as may needed in connection with said closure, without vacating or otherwise relinquishing its rights in the Moebus Place right-of-way; and

WHEREAS, Moebus Place is currently listed in section 7-17 of the Township's motor vehicle regulations among the streets on which vehicles over six tons are excluded; and

WHEREAS, the closure of Moebus Place to vehicular traffic renders this weight limit moot;

NOW THEREFORE, BE IT ORDAINED by the Mayor and Council of the Township of Clinton, County of Hunterdon, State of New Jersey as follows:

SECTION 1. The preamble to this ordinance is hereby incorporated as if restated in full.

SECTION 2. That portion of Moebus Place that extends from the municipal boundary line between the Town of Clinton and Clinton Township northward to River Bend Road is hereby permanently closed to all vehicular traffic.

SECTION 3. Consistent with section 2 of this ordinance, all existing curbs and all existing pavement in the Moebus Place right-of-way shall be removed and replaced with topsoil

and sod or such other vegetative surface as shall be deemed appropriate, except for (a) the existing sidewalks and (b) that portion of the existing pavement adjacent to the municipal boundary line as is needed to collect and convey stormwater runoff.

SECTION 4. The Township shall install such signage and make any and all other improvements within the Township and/or State right-of-way as shall be needed and/or required by the New Jersey Department of Transportation in connection with the closure of Moebus Place to vehicular traffic.

SECTION 5. The authority granted herein is limited to the permanent closure of Moebus Place to vehicular traffic. It is the Township's intent that Moebus Place shall retain its status as a "paper" street.

SECTION 6. Nothing shall not be construed as creating property to be used for passive or active recreation or conservation.

SECTION 7. Nothing herein shall be construed as vacating the Township's right-of-way in Moebus Place or otherwise relinquishing the Township's rights of access in said right-of-way.

SECTION 8. Nothing herein shall be construed as precluding the Township from installing such paths or other improvements as may be needed to facilitate access to Route 31 by pedestrians, cyclists, and individuals using mobility assistive devices such as wheelchairs.

SECTION 9. Section 7-17 ("Vehicles over designated weight excluded from certain streets") of the Code of the Township of Clinton is hereby amended by deleting therefrom the reference to Moebus Place.

SECTION 10. Pursuant to the requirements of N.J.S.A. 39:4-8a, the Township Clerk within 30 days of the date hereof shall transmit a certified copy of this ordinance to the commissioner of the New Jersey Department of Transportation, together with: a copy of the Township Engineer's certification, a statement of reasons for the Township Engineer's decision, and detailed information as to the location of the streets, intersections and signs affected by the ordinance.

SECTION 11. The Mayor, Township Clerk, Township Engineer, and all other appropriate Township staff and officials are hereby authorized and directed to undertake any and all acts and sign and submit any and all documents as shall be necessary to effectuate the terms hereof.

SECTION 12. All ordinances and resolutions or parts thereof inconsistent with this ordinance are hereby repealed as to such inconsistencies only.

SECTION 13. If any paragraph, section, subsection, sentence, sentence clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court

or administrative agency of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision of such holding shall not affect the validity of the remaining paragraphs or sections hereof.

SECTION 14. This ordinance shall take effect 20 days after final passage in accordance with N.J.S.A. 40:69A-181, and upon approval of the commissioner of the New Jersey Department of Transportation in accordance with N.J.S.A. 39:4-8a.

Lindsay Heller, Acting Township Clerk

Hon. Brian Mullay, Mayor

Introduced: May 8, 2024
Public hearing: May 22, 2024
Adopted: _____, 2024

The foregoing ordinance was introduced on first reading at the May 8, 2024 meeting of the Mayor and Council of the Township of Clinton. It will be further considered for final passage following a public hearing thereon to be held on **May 22, 2024, at 7:00 p.m.**, on the third floor of the Clinton Township Public Safety Building, 1370 Route 31 North, Annandale, NJ 08801, at which time and place anyone from the public wishing to be heard will be permitted to ask questions or offer comments regarding the ordinance. During the week prior to and up to and including the date of such meeting and public hearing, copies of the full ordinance will be available at no cost during regular business hours in the Office of the Township Clerk for members of the public who shall request a copy of same. The ordinance will also be available on the Township's website at <https://clintontwpnj.gov>.

The purpose of the ordinance is to authorize the permanent closure of Moebus Place vehicular traffic, including the making of such modifications or improvements as may be necessary to effectuate the road closure.