

**ADOPTED ORDINANCE O-25-13  
TOWNSHIP OF MONTCLAIR**

**ORDINANCE AMENDING CHAPTER 297 STREETS AND SIDEWALKS OF THE  
TOWNSHIP'S REVISED GENERAL ORDINANCES TO ESTABLISH A COMPLETE  
STREETS POLICY AND CREATE A COMPLETE STREETS DIRECTOR AND  
OVERSIGHT BOARD**

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April 8, 2025 (date of introduction)  
May 6, 2025 (date of public hearing)

**WHEREAS**, the Resolution for a “Complete Streets Policy” adopted October 6, 2009 and amended on December 6, 2011 by the Township of Montclair shall be amended to include the following NJDOT Complete & Green Streets for All Model Complete Streets Policy & Guide (2019) updates; and

**WHEREAS**, in Resolution R-11-231 the Township of Montclair is “committed to creating street corridors that safely accommodate all road users of all abilities”; and

**WHEREAS**, “all road users of all abilities” include motorists, bicyclists, pedestrians, public and private transportation vehicles and their passengers, delivery trucks and movers of commercial goods, persons with disabilities, older adults, and residents of Priority Communities which include minorities, low-income and carless residents who are often underserved and adversely impacted; and

**WHEREAS**, the U.S. Department of Transportation conveys that Complete Streets reduce motor vehicle-related crashes and pedestrian risk, as well as bicyclist risk, and can promote walking and bicycling by providing safer places to achieve physical activity through transportation; and

**WHEREAS**, the Vision Zero Task Force was established by the Township of Montclair by Resolution R-23-129 with the goal of eliminating all traffic-related deaths and serious injuries by the end of 2028; and

**WHEREAS**, Montclair is committed to adopting a policy which ensures fair treatment, equitable funding and resource distribution, and meaningful involvement of all communities in all phases from selection, planning, and design to construction and long-term maintenance; and

**WHEREAS**, Montclair is committed to successfully managing the challenges and opportunities represented by the development and use of autonomous vehicles; and

**WHEREAS**, a balanced and flexible transportation network where all people can easily and safely walk and bicycle to everyday destinations — such as schools, shops, restaurants, businesses, parks, transit, and jobs – enhance neighborhood economic vitality and livability, as well as overall health; and

**WHEREAS**, implementing Complete Streets improves public access, community safety, promotes a healthy lifestyle, reduces Montclair’s carbon footprint and vehicle congestion.

**NOW, THEREFORE, BE IT ORDAINED**, by the Mayor and Council of the Township of Montclair, County of Essex, State of New Jersey, that Chapter 297: Streets and Sidewalks of the Township’s Revised General Ordinances is hereby amended to include new Article IX Complete Streets Oversight Board and new Article X Complete Streets Ordinance as follows:

**CHAPTER 297: Streets and Sidewalks**

**ARTICLE IX: Complete Streets Oversight Board**

**§ 297-60 Creation.**

An oversight committee, which shall be known as the "Complete Streets Oversight Board," is hereby created.

**§ 297-61 Membership; Organization; Powers and Duties.**

A) Membership: The Complete Streets Oversight Board shall consist of nine members:

1. Up to five (5) members of municipal staff appointed by the Township Manager, including the Complete Streets Director, who shall serve as Chair;
2. A member of the Police Department Traffic Safety Bureau, to be appointed by the Chief of Police.
3. Up to three (3) Governing Body members, appointed by the Governing Body; and
4. Two members of the public who either have experience in transportation planning or are members of organizations that have a vested interest in complete streets, appointed for two-year terms by the full Governing Body, and drawn initially from volunteer members of the Vision Zero Task Force established by the Township of Montclair by Resolution R-23-129.

B) The Township's governing body may, in its discretion, provide for the employment of professional and/or clerical assistance for the Complete Streets Oversight Board. The operations of the Board shall be appropriated by the Township's Governing Body and expenses financed through ordinary budgetary means.

C) Organization.

1. The Complete Streets Oversight Board shall meet annually to reorganize and determine meeting dates, provided, however, that the Board shall meet at least ten times per year. The Board shall also establish rules and procedures for both the Board and its members to follow, including public access to its agendas, meetings, meeting minutes, and deliberations.
2. The Complete Streets Oversight Board shall keep accurate minutes of its meetings and regularly transmit same to the Township Clerk when approved.
3. The Complete Streets Oversight Board shall file an annual report with the Township's governing body covering the activities of the Committee and including recommendations to fulfill the purposes of Section 297-62: Complete Streets Policy of the Township Code and costs incurred.

D) Powers and Duties. The Complete Streets Oversight Board shall have the powers and duties to:

1. Review Transportation Project checklists.
2. Identify priority Transportation Projects through a Project Prioritization Process as

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described in Article X, Section **297-63 Complete Streets Policy** to quantitatively weigh performance measures addressing, but not limited to, safety, multi-modal access, and equity.

3. Conduct studies and reviews to develop policies and recommendations to the Township's governing body to fulfill the purposes of Section 297-62: Complete Streets Policy of the Township Code.
4. Investigate and analyze issues affecting pedestrian and bicycle safety.
5. Recommend to the Township's governing body initiatives and policies designed to enhance pedestrian and bicycle safety.
6. Collaborate with Township boards/committees, residents, volunteers, employees, governmental agencies etc., to share resource information and ideas consistent with the purposes of the Complete Streets Oversight Board.
7. Encourage participation in Complete Streets projects and undertake factual investigation to determine the need to create, continue and expand Complete Streets initiatives, which shall include, but not be limited to, walking and bicycling programs to encourage individuals to be more physically active and to connect our community's parks and recreational amenities.
8. Participate in training to research and analyze methods, trends, and studies to incorporate the best approaches to Complete Streets for a healthier and safer environment for the residents, visitors, and travelers of the Township.
9. Develop strategies to create and expand upon the benefits of Complete Streets and to make the Township more walk and bike friendly.
10. Maintain communication with the public; county, state, federal, and local government entities and agencies, as well as private organizations, whose programs and activities may have an impact on, and are compatible with, the Complete Streets initiatives, and can be of assistance to the Complete Streets Oversight Board.
11. Review and submit comments regarding the finished Complete Streets checklists that are submitted to the Planning Board and Zoning Board of Adjustment.
12. Carry out other such duties as may be assigned from time to time by the Township's governing body and/or Township Manager.
13. Encourage and seek participation of the Township's residents in the work and activities of the Complete Oversight Board.

**Designating a Complete Streets Director**

The Township Manager shall designate or hire a Complete Streets Director to manage the implementation of this ordinance, which implementation shall include, but not be limited to, policy development, interagency cooperation, regulatory and workflow compliance, and communications with the public on issues of street design and safety, and any other related duties as determined by the Township Manager.

The Complete Streets Director shall develop and maintain robust reporting mechanisms for safety issues and concerns, and a centralized and responsive clearinghouse for detailed information on

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the Township's Complete Streets efforts, making all key documents publicly available in electronic format.

The Complete Streets Director shall report to the Township Manager and be a dedicated full-time employee. In the absence of a full-time Complete Streets Director, the role of Acting Complete Streets Director may be filled by another member of Township staff, or a representative of an external contracted engineering firm.

**ARTICLE X: COMPLETE STREETS POLICY**

**§ 297-62. Definitions**

**COMPLETE STREETS**

means an integrated transportation network designed to enable safe and convenient travel and access along and across streets for all users of all ages and abilities, including pedestrians, bicyclists, persons with disabilities, motorists, movers of commercial goods, and transit riders.

**ENVIRONMENTAL JUSTICE**

means the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income, with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. Fair treatment means that no group of people should bear a disproportionate share of the negative environmental consequences resulting from industrial, governmental, and commercial operations or policies. Meaningful involvement means that:

- A) People have an opportunity to participate in decisions about activities that may affect their environment and/or health.
- B) The public's contribution can influence the regulatory agency's decision.
- C) Community concerns will be considered in the decision-making process; and
- D) Decision makers will seek out and facilitate the involvement of those potentially affected.

**PRIORITY COMMUNITIES**

means categories of underserved and adversely impacted populations. There is a wide range of definitions used to quantify and locate underserved populations developed by agencies and organizations dedicated to social equity by law or mission.

**TRAFFIC CALMING**

means the combination of mainly physical measures that reduce the negative effects of motor vehicle use, alter driver behavior, and improve conditions for non-motorized street users. Traffic Calming objectives include:

- A) Achieving slow speeds for motor vehicles;
- B) Reducing collision frequency and severity;
- C) Increasing the safety and the perception of safety for non-motorized users of the street(s);
- D) Reducing the need for police enforcement;
- E) Enhancing the street environment (e.g., streetscaping);

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- F) Encouraging water infiltration into the ground using Green Street stormwater infrastructure practices; and
- G) Increasing access for all modes of transportation and reducing cut-through motor vehicle traffic.

**TRANSIT AMENITIES**

include seating, shelter and shade, wayfinding signage, trash and recycling cans, lighting, route information, bike infrastructure (lockers, racks, fix-it stations, depots, bikeshare, etc.).

**TRANSPORTATION FACILITY**

means a facility consisting of the means and equipment necessary for the movement of people or goods; any road, bridge, tunnel, overpass, ferry, airport, mass transit facility, vehicle parking facility, port facility or similar commercial facility used for the transportation of persons or goods together with any buildings, structures, parking areas, appurtenances, and other property needed to operate such facility; however, a commercial or retail use or enterprise not essential to the transportation of people or goods shall not be considered a Transportation Facility.

**TRANSPORTATION PROJECT**

means any public and/or private land development, project, program, or practice that affects the transportation network or occurs in the public right-of-way, including any construction, reconstruction, retrofit, signalization operations, restriping, rehabilitation, maintenance (excluding routine maintenance that does not change the roadway geometry or operations, such as mowing, sweeping, and spot repair), operations, alteration, and repair of any public street or roadway within a jurisdiction (including alleys, bridges, frontage roads, and other elements of the transportation system).

**§ 297-63 Complete Streets Policy.**

- A) The Township of Montclair shall develop an integrated and connected multimodal transportation system of Complete Streets that serve all neighborhoods and populations. Towards this end:
  - 1) All Transportation Projects shall create Complete Streets that allow safe, environmentally healthy, economically sound, equitable, accessible, and convenient travel along and across streets for users of all ages and abilities and for all modes of transportation, including motorists, bicyclists, public transportation vehicles and their passengers, Priority Communities, and pedestrians, and that strive to meet the following goals:
    - a) Safety: Eliminate all road fatalities, significantly reduce crash severity and injury, and improve personal safety by prioritizing safety improvements for people walking, bicycling, and using other mobility devices.
    - b) Environment: Improve air and water quality; reduce flooding; mitigate traffic congestion.
    - c) Economic: Stimulate economic prosperity.
    - d) Health: Increase physical activity and social connectivity with the goal of lowering the risk of obesity, reducing chronic disease, and promoting wellness.
    - e) Equity: Implement policies and distribute funding and other resources equitably and responsibly in all Montclair neighborhoods.

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- f) Access: Improve Active Transportation Networks by adding protected bicycling lanes and pedestrian walkways for all users and abilities.
- 2) The Planning Board and Zoning Board of Adjustment, along with their respective planning and engineering professionals, shall incorporate this Complete Streets policy into their reviews and recommendations of ~~major site plan and development~~ applications /redevelopment projects;
- 3) All initial planning, designing studies and reviews for projects requiring funding or approval by the Township should:
  - a) evaluate the effect of the proposed project on safe travel by all users; and
  - b) identify measures to mitigate any adverse impacts on such travel that are identified.
- 4) This Policy shall apply to all public and/or private Transportation Projects, including those using funds awarded by the federal, state, regional, county, municipality, or any other local agency. This shall include new construction, reconstruction, resurfacing, restoration, repaving, rehabilitation, private development projects, and maintenance of highways, roads, and streets.
- 5) The Montclair Township Council, Director of the Department of Community Services, and Township Engineer shall work in coordination with each other and adjacent jurisdictions, and any relevant advisory committees/teams, to create Complete Streets and ensure consistency with the Master Plan and any other existing pedestrian, bicycle, and multimodal plans, stormwater management plans, and pollution prevention plans.
- 6) The Complete Streets Oversight Board and Complete Streets Director, working with the Township Manager and other municipal departments, shall recommend priority items, and inventory and continuously review and update all procedures, policies, plans, documents, training programs, performance measures and other guidance documents to be consistent with this Complete Streets Policy. The purpose of these reviews of policies and practices is to identify areas where tenets of this Policy will need to be incorporated. This includes, but is not limited to, funding, planning, designing, operating, and maintaining transportation infrastructure. The Township Council shall use these reports to incorporate this Policy as updates to procedures, plans, policies, etc.
- 7) Transportation Projects and master and capital plans shall include, when appropriate and feasible, sustainable design elements, including, but not limited to:
  - a) Traffic Calming;
  - b) Shade trees and other vegetation;
  - c) Permeable pavements, including those made from recycled materials such as rubber, concrete, glass, and plastic.
- 8) Transportation Projects and master and capital plans shall include, where appropriate and feasible, pedestrian and bicycle design elements and transit amenities, including but not limited to curb extensions, sidewalks, radar feedback signs, pedestrian countdown signals, pedestrian refuge islands, road diets, lane width reductions, chicanes, roundabouts, bike lanes, protected bike lanes, bike parking, lighting, wayfinding, seating, trash receptacles, transit amenities, etc.

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- 9) The Township Manager shall implement this Policy and coordinate with the Director of the Department of Community Services and Township Engineer with advice and input from the Complete Streets Oversight Board to set measurable goals to ensure the successful implementation of the Complete Streets Policy in the Township and in its Priority Communities.
- 10) The Township shall utilize the most current editions of guides, manuals, and best practices on street design, construction, operations, and maintenance that apply to bicycle, pedestrian, transit, stormwater, and highway facilities. All manuals, standards, and guidelines shall be made publicly available online, when applicable.

**B) Complete Streets Checklists.**

- 1) The Complete Streets Director shall develop and adopt (subject to the Oversight Board's approval) one or more Complete Streets Checklists to be used during the project selection, planning, designing, construction, funding, and maintenance of all Transportation Projects, that are identified as a priority by the Complete Streets Oversight Board.
- 2) Each item in the Checklist(s) must include an area to provide a brief description for how the item is addressed, not addressed, or not applicable to the Complete Streets Policy.
- 3) The Checklist(s) shall explain the process for granting exceptions and indicate who is responsible for approving any exceptions before they are granted.
- 4) For Township-funded Transportation Projects in which there is no applicant, the Complete Streets Director will be solely responsible for completion of the Checklist.
- 5) Applicants that appear before the Planning Board or Zoning Board of Adjustment will have their professionals complete the Checklist(s) and submit same to the respective Board's Engineers for review.
- 6) A Complete Streets Checklist shall entail but is not limited to:
  - a) Existing pedestrian, bicycle, transit, motor vehicle, and truck and freight facilities and operations.
  - b) Traffic volumes.
  - c) Existing safety and/or access issues (ADA compliance).
  - d) Land use within the study area, including trip generators.
  - e) Existing and proposed streetscape elements including furniture, trees, or other environmental enhancements.
  - f) Review of existing plans.
  - g) Proposed pedestrian, bicycle, transit, motor vehicle, and truck and freight facilities, and desired future operations.
  - h) ADA compliance of the proposed design.
  - i) Compatibility with the surrounding land use and density.
  - j) Consistency with applicable design standards and guidelines.
  - k) Opportunities to improve public health through physical activity and mobility options.

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- l) Opportunities to manage stormwater through green infrastructure.
  - 7) Complete Streets Checklists shall not be substantively modified without approval from the Complete Streets Oversight Board.
  - 8) All Complete Streets Checklists shall be made publicly available, in electronic format easily accessible on the Township's website, as well as in paper form via the office of the Township Clerk.
- C) Project Prioritization Process. The Complete Streets Oversight Board shall create a Project Prioritization Process to quantitatively weigh performance measures addressing, but not limited to, safety, multi-modal access, and equity. Projects shall be prioritized to support investment in High Injury and Crash zones, access to the Complete Streets Network near schools, train transit, bus stops, business districts and parks and investing in Priority Communities that are most often under invested and underserved. Categories to consider when defining Priority Communities include:
- 1) Minority concentrations;
  - 2) Low-income household concentrations; and
  - 3) Other indicators of underserved and adversely impacted populations:
    - a) Female head of household with children
    - b) Persons with limited English proficiency
    - c) Carless households
    - d) Elderly populations and children
    - e) Persons with disabilities
    - f) Hispanic populations
    - g) Other ethnic minorities
    - h) Families in poverty with children
- D) Safety Action Plan. The Complete Streets Oversight Board and Complete Streets Director, working with the Township Manager and other municipal departments, shall prepare a Safety Action Plan with measurable goals.
- 1) The Safety Action Plan shall address these areas:
    - a) Road infrastructure and safety
    - b) Bicycle network and access
    - c) Pedestrian network and access
  - 2) The Safety Action Plan shall incorporate Montclair's Safe Complete Streets Implementation Plan as well as the most current editions of guides, manuals, and best practices on street design and maintenance that apply to bicycle, pedestrian, transit, stormwater, and highway facilities.
  - 3) Timelines, including short- and long-term goals shall be addressed, as well as funding. To meet the short- and long-term goals of creating Complete Streets the Township shall allocate a percentage of budget funding each year to further these overall action plans.



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- 4) The Safety Action Plan shall be updated as necessary and the plan, design guides and timelines shall be made available online.

**E) Public Participation.**

- 1) The Complete Streets Director and Complete Streets Oversight Board will help the Township to comply with the Complete Streets Policy and facilitate community engagement by establishing clear channels of communication with residents and providing ongoing feedback related to the implementation of this Policy. The Complete Streets Director and Complete Streets Oversight Board, through coordination with the Township Manager, shall solicit the feedback of a broad group of stakeholders including, but not limited to:
  - a) Township elected officials;
  - b) Law enforcement;
  - c) Public works;
  - d) Planners;
  - e) Engineers;
  - f) Emergency medical service (EMS);
  - g) Fire Department;
  - h) Schools;
  - i) Business and developer community;
  - j) Civic and advocacy groups;
  - k) Public health professionals;
  - l) Transit professionals; and
  - m) Community members, including persons with disabilities, senior and youth organizations, persons or organizations representing low- and moderate-income communities, people with limited or no access to a vehicle, people with limited English proficiency, and persons of racial or ethnic minorities.
- 2) Beginning with the planning stage, the Township of Montclair shall identify an existing process or develop a new process that allows for public participation in decision-making concerning the design, planning, and use of streets and roadways covered by this Policy.

**F) Exceptions.**

- 1) A Transportation Project may not be required to accommodate the needs of a particular user group if the Complete Streets Director determines, in writing, that any one of the following are
  - a) The use of the Transportation Facility by the particular user group is prohibited by law, such as pedestrian traffic on roads deemed to be limited-access by State or county authorities;
  - b) There is a demonstrated absence of both a current and future need to accommodate the category of user. Absence of future need may be shown via demographic, school,

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employment, and public transportation route data that demonstrate, for example, a low likelihood of bicycle, pedestrian, or transit activity in an area over the next 20 years; or

- c) The adverse impacts of implementing this Complete Streets Policy to the Transportation Project significantly outweigh the benefits.

2) An exception shall be granted only if:

- a) A request for an exception is submitted in writing, with supporting documentation, and made publicly available with a minimum of 30 days allowed for public input; and
- b) The exception is approved in writing by the Complete Streets Director and the written approval is made publicly available to the extent permitted by law.

G) Program Reporting.

- 1) The Complete Streets Oversight Board shall establish benchmarks, develop plans, and set goals to ensure the successful implementation of the Complete Streets Policy, to make sure all users can travel safely and conveniently along highways, roads, and streets within the Township's jurisdiction and in its Priority Communities. The Oversight Board shall prepare an annual report to the Township Council identifying barriers and proposing solutions to successful implementation of this Policy.
- 2) The Oversight Board's annual report will allow the Township Council to evaluate implementation of the Complete Streets Policy. Each annual report shall include the data collected pursuant to program reporting, as well as a list of ongoing and completed Transportation Projects. If any exceptions are applied to Transportation Projects, such projects and the applicable exceptions should be identified in the Oversight Board's annual report. All benchmarks and reports shall be made publicly available online.
- 3) The Township Manager or Complete Streets Director shall assign appropriate responsibility to collect and monitor data under the Township's jurisdiction, and in coordination with the county and state when available, to determine compliance with the Complete Streets Oversight Board's benchmarks. Benchmarks shall include but are not limited to:
  - a) Mileage of new and existing bicycle infrastructure included in priority communities (e.g., bicycle lanes, bike parking, paths, and boulevards).
  - b) Linear feet (or mileage) of new and existing pedestrian infrastructure (e.g., sidewalks, trails, transit amenities).
  - c) Number of new and existing Americans with Disabilities Act (ADA)-compliant infrastructure (e.g., curb ramps, pedestrian buttons).
  - d) Number of new street trees.
  - e) Number of pedestrian and bicycle lighting improvements.
  - f) Bicycle and pedestrian counts.
  - g) Commute mode percentages (e.g., drive alone, carpool, transit, bicycle, walk).
  - h) The number and percentage of designated transit stops accessible via sidewalks and curb ramps.

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- i) The number, locations, and causes of collisions, injuries, and fatalities by each mode of transportation.
- j) The percentage of children walking or bicycling to school.

**BE IT FURTHER ORDAINED**, that any ordinances or portions thereof which are inconsistent with the provisions of this Ordinance are hereby repealed as of the effective date of this Ordinance. All other provisions of the Revised General Ordinances are ratified and remain in full force and effect.

**BE IT FURTHER ORDAINED**, that if any provision of this Ordinance or the application of such provision to any person or circumstance is declared invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can be given effect, and to this end, the provisions of this Ordinance are declared to be severable.

**BE IT FURTHER ORDAINED**, this Ordinance shall take effect immediately upon adoption and publication in accordance with the laws of the State of New Jersey.

RECORD OF COUNCIL VOTE ON ADOPTION						
COUNCIL MEMBER	MOVANT	SECOND	YES	NO	ABSTAIN	ABSENT
Deputy Mayor Andersen			✓			
Councilor Birmingham			✓			
Councilor D'Amato	✓		✓			
Councilor Loughman			✓			
Councilor Toler			✓			
Councilor Williams			✓			
Mayor Baskerville		✓	✓			

**I HEREBY CERTIFY** the foregoing to be a true copy of Ordinance O-25-13 adopted by the Mayor and Council of the Township of Montclair, in the County of Essex, at its meeting held on May 6, 2025.

  
Angelese Bermúdez Nieves, Township Clerk