

**BOROUGH OF WILDWOOD CREST  
COUNTY OF CAPE MAY  
STATE OF NEW JERSEY**

**ORDINANCE NO. 1476**

**ORDINANCE OF THE BOROUGH OF WILDWOOD CREST  
ESTABLISHING PROHIBITION OF OPERATION OF MOTOR  
VEHICLES ON FLOODED ROADWAYS THAT CREATE WAVES OR  
WAKES THAT MAY DAMAGE PUBLIC AND PRIVATE PROPERTY**

**WHEREAS**, the Board of Commissioners of the Borough of Wildwood Crest has determined that it is necessary and proper for good government, order and the protection of persons and property, and for the preservation of the public health, safety and welfare of the Borough and its inhabitants to supplement and amend Chapter 48 of the Code of the Borough of Wildwood Crest to prohibit the operation of motor vehicles on flooded roadways that results in the creation of wakes or waves that carry beyond the curblines causing damage to public and private property.

**NOW, THEREFORE, BE IT ORDAINED** by the Board of Commissioners of the Borough of Wildwood Crest, in the County of Cape May, New Jersey, as follows:

**Section 1.** Ordinance Number 305 adopted July 24, 1968, Ordinance Number 452 adopted June 13, 1973, Ordinance Number 826 adopted March 12, 1997, Ordinance Number 873 adopted July 26, 2000, Ordinance Number 955 adopted March 24, 2004, Ordinance Number 1002 adopted February 22, 2006, Ordinance Number 1284 adopted August 8, 2018, Ordinance Number 1300 adopted April 3, 2019, Ordinance Number 1301 adopted April 3, 2019, Ordinance Number 1353 adopted May 12, 2021, Ordinance Number 1355 adopted April 28, 2021, and codified in the Code of the Borough of Wildwood Crest at Section 79-8.3; Ordinance 1462, adopted July 9, 2025 are hereby amended as follows:

**Section 2.** A new Article IX, entitled Operation of Motor Vehicles on Flooded Roads, is hereby added to Chapter 48, of the Code of the Borough of Wildwood Crest, which shall read as follows:

**ARTICLE IX  
Operation of Motor Vehicles on Flooded Roadways**

**§ 48-52 through 48-54 Reserved.**

**§ 48-55. Definitions.**

As used in this article, the following terms shall have the meanings indicated:

**FLOODED ROADWAY** – Any portion of any public street or right-of-way in which there exists a depth of water exceeding six inches.

**MOTOR VEHICLE** – As defined in N.J.S.A. 39:1-1.

**§ 48-56. Prohibition.**

No person shall operate a motor vehicle on a closed roadway, or on a flooded roadway in a manner that casts or discharges a wave or wake that carries beyond the edge of the street or curblines, or that results in the disabling of the motor vehicle in the roadway. It shall not be a defense that the wave or wake that was created by operation of a motor vehicle on a flooded roadway did not cause actual damage to public or private property.

**§ 48-57. Violations and penalties.**

Any person violating the provision of this article shall, upon conviction thereof, be punishable by a fine of not less than \$100, nor more than \$2,000, by imprisonment for a term not exceeding 90 days, or community service for not more than 90 days, or any combination thereof.

**Section 3.** The remainder of all other sections and subsections of the aforementioned ordinance not specifically amended by this Ordinance shall remain in full force and effect.


**Section 4.** All other ordinances in conflict with or inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.


**Section 5.** If any portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not affect or invalidate the remainder of this ordinance, but shall be confined in its effect to the provision directly involved in the controversy in which such judgment shall have been rendered.


**Section 6.** This ordinance shall become effective twenty (20) days after final passage and advertisement thereof as required by law.

Dated: February 4, 2026

  
Patricia A. Feketics, Borough Clerk

  
Don Cabrera, Mayor

  
Joseph Franco, Jr., Commissioner

  
Toni D. Fuscellaro, Commissioner

Introduced: January 21, 2026

Adopted: February 4, 2026