

ORDINANCE 2008-33

AN ORDINANCE AMENDING CHAPTER 68B ENTITLED "TOWING BUSINESSES" OF THE CODE OF THE TOWNSHIP OF BARNEGAT, COUNTY OF OCEAN, STATE OF NEW JERSEY

BE IT ORDAINED by the Township Committee of the Township of Barnegat, in the County of Ocean, and State of New Jersey, as follows:

SECTION 1. Section 38B-H entitled "Filing of application" is hereby deleted and in its place and stead the following shall be inserted:

H. Filing of application; investigation. [Added 5-17-04 by Ord. No. 2004-19] Every applicant for a license or license renewal under this section shall complete, sign and verify a written application, in duplicate, on such forms as are prescribed and furnished by the Township clerk and shall pay to the Township of Barnegat a nonrefundable fee of one hundred dollars (\$100.). The form to be supplied by the Clerk shall contain the following:

1. Name, address, and driver's license number of the applicant and any employees of the applicant that are expected to be involved in the operation of the applicant's vehicular equipment in accordance with this section
2. The applicant shall be given a copy of this section and shall certify that he or she has read and understood the section.
3. A certification by the applicant and each of the applicant's employees that are expected to participate in the applicant's activities as approved by this section that each individual has not been convicted of a crime or disorderly person's offense involving moral turpitude within a period of five (5) years preceding the date of the application. The application shall be filed with the Police Department and shall be processed as follows:
 - a. The Chief of Police or his designee shall be charged with the investigation of applicants and shall recommend to the Police Commissioner for the approval of the Mayor and the Township Committee the issuance of a license when he finds that:
 - i. The applicant and all employees are properly licensed under all applicable motor vehicle laws of the State of New Jersey and are trained in the safe and efficient operation of the applicant's vehicular equipment as set forth in this section; and
 - ii. The application submitted by the applicant complies with the requirements of this section and all other applicable ordinances of the Township.

- b. Upon notification of either approval or denial of the application by the Mayor and the Township Committee, the Township Clerk shall, within five (5) days, notify the applicant of the approval or denial of this application, and in the event of approval, shall issue the license.
- c. The license shall contain the name and address of the licensee, number of the license, date of issuance and expiration date, and the signature of the Township Clerk and the seal of the Township.
- d. All applicants and their employees that are expected to be involved in the operation of the applicant's vehicular equipment shall be required to obtain a picture ID processed in the Township Clerk's Office.

SECTION 2. This Ordinance repeals any and all other ordinances inconsistent herewith.

SECTION 3. This Ordinance shall become effective 20 days after final passage and publication as required by law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced and passed on first reading at a regular meeting of the Township Committee of the Township of Barnegat, County of Ocean, State of New Jersey on the 3rd day of November, 2008 and will be considered for final passage at a regular meeting to be held in the Municipal Court Room, 900 West Bay Avenue, Barnegat, New Jersey on the 17th day of November, 2008 at 6:30 PM at which any person desiring to be heard will be given the opportunity to be so heard.

Kathleen T. West, RMC
Municipal Clerk