ORDINANCE 1998-4

AN ORDINANCE OF THE TOWNSHIP OF BARNEGAT, COUNTY OF OCEAN, STATE OF NEW JERSEY, REPEALING CHAPTER 68 OF THE CODE OF THE TOWNSHIP OF BARNEGAT AND PROVIDING FOR THE LICENSING OF TAXICABS, ESTABLISHING FEES THEREFOR AND PROVIDING FOR PENALTIES FOR THE VIOLATION THEREOF

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

SECTION 1. That Chapter 68 of the Code of the Township of Barnegat entitled "Taxicabs and Taxi Stands" is hereby repealed in its entirety.

SECTION 2. That there is hereby established in the Township of Barnegat an Ordinance providing for the licensing of Taxicabs, establishing fees therefor and providing for penalties for the violation thereof.

SECTION 3. Definitions. "Taxicab" shall mean a motor vehicle engaged in the business of transportation of passengers for hire within the township, operated from public places or from calls to a central location.

SECTION 4. License required. No person, partnership, company, corporation or entity shall hire or use for hire or pay or cause to be used for hire or pay any taxicab without having obtained approval for a license by the Township Committee. No person shall operate or drive a taxicab within the township without having obtained approval for an operator's permit from the Township Committee.

SECTION 5. Issuance of License. Application for licenses for taxicabs or operators' permits shall be made to the township upon a form provided by the Township Clerk. The application shall contain the full name and address of the owner or lessee and the applicant, the year, type and model number of the vehicle for which the license is sought, and the number of passengers the manufacturer of the vehicle states may be legally transported. The application shall be accompanied by the fees prescribed in this chapter. Each applicant shall be finger printed and photographed by the Township Police Department. No license may issue for any vehicle that is more than nine model years old or for a vehicle that cannot accommodate a minimum of three passengers. Each applicant for a taxicab license or operator's permit shall submit to a police investigation, including a criminal background investigation.

SECTION 6. Fees. Each taxicab shall be required to be licensed and the fee for each license shall be $500.

SECTION 7. Insurance. Each application for a taxicab license shall be accompanied by an insurance certificate. The insurance required for each taxicab shall be in compliance with N.J.S.A. 48:16-1 et seq. Each taxicab shall have as a minimum requirement, an insurance policy which will guarantee payment for damages for an individual claim for bodily injury or death for at least $100,000 and for multiple claims for bodily injury or death for at least $300,000 for arising from a single incident, and for the payment of $50,000 for the payment of property damage from a single incident.

Upon issuance of the taxicab license this insurance must be maintained and the insurance certificate kept current and on file with the Township Clerk.

SECTION 8. Power of Attorney. Upon issuance of a license the owner or lessee of a taxicab shall file with the Chief Financial Officer a power of attorney whereby the owner or lessee shall appoint the Chief Financial Officer as the lawful authority for service of process upon the taxicab licensee.

SECTION 9. Operator's Permit. Each operator or driver of a taxicab must be licensed by the township. The fee for such operator's or driver's license shall be $50. Each operator's permit shall be numbered by the Township Clerk. The Township shall issue an operator's permit that shall contain the name, photograph and permit number of the operator.

SECTION 10. Registration. The Township Clerk shall maintain a numerical register of the name and address of each person owning, leasing or operating a taxicab as well as the year, model and manufacturer of each taxicab.

SECTION 11. Expiration and Renewal. Taxicab licenses and operator permits shall expire on December 31 of the year of issuance. Licenses may be renewed on an annual basis if applicants comply with the fees, terms and conditions of this chapter.

SECTION 12. Display. Each operator shall be supplied a badge upon issuance of the operator's permit which shall be on conspicuous display within the taxicab while the taxicab is in

operation for fee or hire. The owner license shall also be on conspicuous display within the licensed taxicab.

SECTION 13. Refusal to Carry Passenger. No owner or operator of any taxicab, while waiting for employment at any place other than the garage or residence of the owner thereof, shall refuse conveyance to any person without just cause.

SECTION 14. Occupancy of taxicab by additional passengers. No operator shall permit any person or persons other than the person or persons first employing the taxicab, to occupy or ride in said taxicab unless the person or persons first employing the taxicab shall consent to the acceptance of such additional passenger or passengers.

SECTION 15. Suspension or revocation of license. Every owner's or operator's license granted hereunder may be suspended or revoked by the Township Committee, after notice and hearing, for the violation of any of the provisions of this chapter or for other good and sufficient cause. During said suspension and after revocation, the license shall be inoperative and of no effect and the license shall be surrendered to the township forthwith.

SECTION 16. Violations and Penalties. Any person in violation of any provision of this Chapter shall, upon conviction, be subject to a fine not to exceed $1,000.00 or by incarceration in the county jail not to exceed 90 days and/or revocation of the taxicab license or operator's permit.

SECTION 17. This Ordinance repeals any inconsistent ordinance or ordinances or part or parts thereof.

SECTION 18. This Ordinance shall take effect immediately upon its 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, in the County of Ocean, held on the 17th day of February, 1998, and will be considered for second reading and final passage at a regular meeting of said governing body to be held on the 2nd day of March, 1998, at 7:00 p.m. at the Municipal Complex, 900 West Bay Avenue, Barnegat, New Jersey, at which time and place any person desiring to be so heard upon the same will be given an opportunity to be so heard.

Veronica E Jasina

VERONICA JASINA, RMC
Municipal Clerk