

ORDINANCE NO. 2006-1036

AN ORDINANCE REPEALING ORDINANCE NO. 747 AND PROVIDING FOR THE LICENSURE OF LIMOUSINES HAVING A PRINCIPAL PLACE OF BUSINESS WITHIN THE BOROUGH OF MANVILLE

BE IT ORDAINED by the Mayor and Council of the Borough of Manville in the County of Somerset and State of New Jersey, as follows:

SECTION 1. REPEAL OF ORDINANCE NO. 747

Ordinance No. 747 entitled "An Ordinance to Regulate and License Limousines and Private Livery Automobiles in the Borough of Manville" is hereby repealed.

SECTION 2. LICENSE REQUIRED

No person shall conduct a limousine service having its principal place of business within the Borough of Manville without having obtained a license as herein provided. Any license issued shall expire at midnight on the next following December 31st.

SECTION 3. APPLICATION

Annually, the owner of the limousine shall apply to the Borough Clerk providing the name and address of the owner, the address of the principal place of business, a description of every limousine which will be operated under the license, and the registration number of each such vehicle. The owner shall file the required liability insurance policy in an amount not less than \$1,500,000 with the Borough Clerk and shall pay a non-refundable license fee of \$50.00 .

The Borough Clerk shall forward copies of the application to the Chief of Police for verification of compliance with statutory requirements and to the Zoning Officer for a determination that the principal place of business complies with the requirements of the land use ordinance.

Upon receipt of favorable reports from the Chief of Police and Zoning Officer, the Borough Clerk shall issue the license.

SECTION 4. COMPLIANCE WITH STATUTORY REQUIREMENTS

The limousine service shall be conducted in compliance with the provisions of *N.J.S.A. 48:16-13, et seq.* In addition to the penalties set forth in Section 8 of this ordinance, violation of any statutory requirements may subject the license to suspension or revocation upon notice and opportunity to be heard by the Mayor and Council.

SECTION 5. CONSTRUCTION

Where consistent with the context in which used in this ordinance, words importing the singular shall include the plural; words importing the plural shall include the singular; and, words importing one gender shall include all other genders.

SECTION 6. INCONSISTENCY

Should any provision of this ordinance be inconsistent with the provisions of any prior ordinances, the inconsistent provisions of said prior ordinances are hereby repealed, but only to the extent of such inconsistencies.

SECTION 7. SEVERABILITY

In the event that any provision of this ordinance, or the application thereof to any person or circumstance is declared invalid by a court of competent jurisdiction, such declaration of invalidity shall not affect any other provision or application of this ordinance which may be given effect, and, to realize this intent, the provisions and applications of this ordinance are declared to be severable.

SECTION 8. PENALTY

Upon conviction for violation of any provision of this ordinance the maximum penalty shall be one (1) or more of the following: a fine not to exceed Two Thousand (\$2000.00) Dollars, imprisonment in the County Jail for a period not to exceed ninety (90) days, and/or a period of community service not to exceed ninety (90) days. Each and every day upon which a violation of any provision of this ordinance exists shall constitute a separate violation.

SECTION 9. PURPOSE OF CAPTIONS

Captions contained in this ordinance have been inserted only for the purpose of facilitating reference to the various sections, and are not intended and shall not be utilized to construe the intent and meaning of the text of any section.

SECTION 10. EFFECTIVE DATE

This ordinance shall be effective immediately upon final adoption, approval and publication in accordance with law.

Borough of Manville

Angelo Corradino, Mayor

ATTEST:

Philip E. Petrone, Borough Clerk

STATEMENT OF PURPOSE

The purpose of this Ordinance is provide for the licensure of limousines in accordance with the statutory scheme.

ORDINANCE #2006-1036

FIRST READING:

Introduced	Seconded	Council	Yes	No	Abstain	Absent
		ASHER	√			
		OTRIMSKI	√			
		PETROCK	√			
		PETRONE	√			
√		QUICK	√			
	√	SZABO	√			
		MAYOR CORRADINO				

PASSED this 8th day of May, 2006.

Attest:

Philip E. Petrone, Borough Clerk

SECOND READING:

Introduced	Seconded	Council	Yes	No	Abstain	Absent
	√	ASHER	√			
		OTRIMSKI				√
√		PETROCK	√			
		PETRONE	√			
		QUICK	√			
		SZABO	√			
		MAYOR CORRADINO				

PASSED this 22nd day of May, 2006.

Attest:

Philip E. Petrone, Clerk