

BOROUGH OF MANASQUAN

ORDINANCE NO. 2171-14

**ORDINANCE AMENDING ORDINANCE NO. 2131-13 CHAPTER 4
(GENERAL LICENSING) SECTION 4-16 (TAXICABS, AUTOCABS) OF THE
BOROUGH OF MANASQUAN CODE IN THE BOROUGH OF
MANASQUAN, COUNTY OF MONMOUTH, STATE OF NEW JERSEY**

WHEREAS, pursuant to the Revised General Ordinance of the Borough of Manasquan Code Section 4-16 refers to the regulations regarding the licensing and operation of taxicabs/autocabs in the Borough of Manasquan; and

WHEREAS, the Manasquan Borough Council of the Borough of Manasquan is desirous of amending Section 4-16.

NOW THEREFORE BE IT ORDAINED AS FOLLOWS:

Section 1: Section 4-16.4(a)(1) shall be amended to read as follows:

Applications for taxi/autocab owner's and driver's licenses shall be filed with the Borough Clerk at any time prior to February 1st of the year the license is to become effective. No taxi/autocab shall be operated in the Borough until both the taxi/autocab and driver are licensed in accordance with this section each year.

Section 2: Section 4-16.4(4)e shall be amended to include the following additional language:

The applicant shall be required to consent to and submit to a state and federal criminal history check, either by fingerprinting or live scan through Morphotrack, Inc. (a private company under contract with the State of New Jersey) or whoever the vendor under contract is at the time, at the Borough's sole discretion, or provide a CDL Passenger Endorsement, which shall be forwarded to the Borough at the cost and expense of the applicant.

Section 3: Section 4-16.4(a) (3)(c) shall be amended to include the following language:

For any applicant seeking to renew a taxi/autocab owner's and/or driver's license who does not maintain a valid CDL Passenger Endorsement, the Morphotrack criminal history check shall be performed once every three consecutive years. For the two consecutive years following each Morphotrack check, the applicant shall submit to a Criminal History Record Information for a Noncriminal Justice Purpose SBI 212B check to be performed through the Borough Police Department at the applicant's expense.

Section 4: Section 4-16.6(a)(b) shall be amended to read as follows:

(a) The annual fee for each taxi/autocab owner's license hereafter issued, or any renewal thereof, shall be three hundred fifty (\$350.00) dollars. The license is not transferable and is granted for up to five (5) vehicles. If such vehicle is sold or conveyed during the license year, the owner may apply to the Borough for a substitute for the remainder of the license period. The \$350.00 fee will include licensing of not more than five (5) vehicles. For each additional vehicle, there shall be a fee of one hundred (\$100.00) dollars per vehicle.

Section 5: Section 4-16.5(a) shall be amended to read as follows:

(a) Upon notification by the Borough Clerk of satisfactory fulfillment of the foregoing requirements, the Borough Clerk shall either grant or deny the license application, unless the Mayor or council returns or holds over the application for further investigation.

Section 6: Construction and effective date

- (a) Should any section or provision of this ordinance be held invalid in any proceedings, the same shall not affect any other section or provision of this ordinance, except insofar as the section or provisions so held invalid shall be inseparable from the remainder of any such section or provision.
- (b) Chapter 97, et seq., of the Borough of Manasquan Code and all ordinances and parts of ordinances inconsistent with this Ordinance herewith are hereby repealed.
- (c) This ordinance shall become effective following its final passage and publication according to the law.

NOTICE

PUBLIC NOTICE IS HEREBY GIVEN that Ordinance No. 2171-14 was introduced at a meeting of the Mayor and Council of the Borough of Manasquan on the 15th day of December 2014, and was then read for the first time. The said Ordinance will be further considered for final passage by the Mayor and Council at Borough Hall, 201 East Main Street, Manasquan, NJ 08736 at 8:00 p.m. on the 30th day of December 30, 2014. At such time and place, or at any such time or place to which said meeting may be adjourned, all interested persons will be given an opportunity to be heard concerning said ordinance. A copy of this ordinance can be obtained without cost by any member of the general public at the office of the Municipal Clerk in Borough Hall between the hours of 9:00 a.m. and 4:00 p.m. on Monday through Friday, except on legal holidays.

BARBARA ILARIA, RMC
Municipal Clerk

Mark G. Kitrick, Esquire
Municipal Attorney
P.O. Box 547
Brick, NJ 08723

STATEMENT

This ordinance published herewith has been finally adopted on December 30, 2014 and the twenty (20) day period of limitation within which a suit, action or proceeding questioning the validity of such ordinance can be commenced, as provided by law, has begun to run from the date of the first publication of said statement.

BARBARA ILARIA, RMC
Municipal Clerk

Passed on First Reading and Introduction:
Approved on Second Reading and Final Reading:

GEORGE R. DEMPSEY, JR.
Mayor