

BOROUGH OF CRESSKILL

ORDINANCE NO. 14-05-1462

AMEND CHAPTER 255 TOWING

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

SECTION I §255-2 B (1) Complete and file with the Chief of Police an application which includes the company's name, address, responsible individual and location of business, which must be within five (5) miles of the Borough of Cresskill and the name, address and telephone number of the applicant's insurance company.

B (5) Provide proof that the applicant owns, leases or has access to a storage area for not less than ten (10) motor vehicles except for inside storage located within five (5) miles of the Borough.

ADD D. The Chief of Police may refuse to approve the permit of any applicant if the applicant has been:

1. Convicted of a crime.
2. Convicted of driving a motor vehicle resulting in the death to any person or of driving a motor vehicle while under the influence of intoxicating liquor or a controlled dangerous drug or substance.
3. Convicted of violating any Federal or State law relating to the use, possession or sale of any controlled dangerous drug or substance.
4. An habitual violator of motor vehicle laws.
5. Whose automobile driver's license issued by the State of New Jersey has been suspended or revoked.
6. Violated any of the provisions of this section; or
7. Whenever for just cause the Chief of Police finds the applicant unfit to operate a tow truck.

If the applicant is rejected, the applicant, within ten (10) days, may request a personal appearance before the Mayor and Council to offer evidence as to why his application should be reconsidered.

E. Notwithstanding the provisions of paragraph B(4) hereinabove, the Chief of Police shall have and is hereby granted the authority to suspend or revoke any permit issued under this section if the permittee or any of his employees:

1. Convicted of a crime;
2. Violates any of the ordinances of the Borough or the laws of the United States of America or of the State of New Jersey, the violation of which reflects unfavorably on the fitness or the permittee or his employee to drive a tow truck; or
3. Performs any act which would be a basis for a denial of the permit application.

A person whose permit is suspended or revoked may, within ten (10) days, request a personal appearance before the Mayor and Council to offer evidence as to why the suspension or revocation should be considered.

SECTION II

All other Ordinances of the Borough, or parts thereof, which are in conflict with this Ordinance, are hereby repealed to the extent of such conflict.

SECTION III

If any section, subsection, paragraph, subdivision, or sentence of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, such decision shall apply only to the section, subsection, paragraph, subdivision, sentence, clause, phrase or provision so adjudged, and the remainder of this Ordinance shall be deemed valid and effective.

SECTION IV

This Ordinance shall take effect immediately upon final passage and publication according to law.