



City of Newark

City Hall
920 Mayor Kenneth A.
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Legislation Text

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AN ORDINANCE AMENDING TITLE 8, BUSINESS AND OCCUPATIONS, CHAPTER 19, WRECKERS, OF THE REVISED ORDINANCES OF THE CITY OF NEWARK, NEW JERSEY, 2000, AS AMENDED AND SUPPLEMENTED, TO AMEND SECTION 19-3, RULES AND REGULATIONS, TO INCLUDE PERSONS EXEMPT FROM TOW FEES, AND SECTION 19-8, RELEASES OF MOTOR VEHICLES, TO INCLUDE NOTICE REQUIREMENTS FOR CERTAIN VEHICLES INVOLVED IN A CRIMINAL INVESTIGATION.

WHEREAS, Section 18:19-1 et seq., sets forth Rules and Regulations governing Wreckers in the City of Newark; and

WHEREAS, this Section needs to exempt certain individuals whose vehicles are involved in criminal investigations from towing fees; and

WHEREAS, there is a need to provide specific information to owners/operators of motor vehicles which have been towed.

NOW, THEREFORE, BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY, THAT:

Note: Additions are shown in **Bold and Underlined**. Deletions are shown in ~~Strikeouts~~.

Section 1.

8:19-3 Rules and Regulations.

m. No towing company shall assess or collect any towing, storage, or related fees for a vehicle that has been impounded or held at the direction of law enforcement solely for purposes of an active criminal investigation, provided the vehicle owner is not a suspect, defendant, or person of interest in such investigation, as determined by the investigating law enforcement agency.

Section 2.

8:19-8, Release of Motor Vehicles.

d. The Department of Public Safety, Division of Police, shall provide the owner of any vehicle towed or held at the direction of law enforcement solely in connection with a criminal investigation, where the owner is not a suspect or person of interest, with written notice, to be sent via regular mail, hand delivery, or electronic mail, within forty eight (48) hours of the inception of the tow or hold stating the reason for the tow or hold and that no towing, storage, or related fees shall be assessed. The Division

shall further provide written status updates regarding the vehicle at least every fifteen (15) days for the duration of such hold.

SECTION 3: If any provision of this Ordinance or application thereof to any person(s) or circumstance is judged invalid by a court of competent jurisdiction, the invalidity shall not affect other provisions or applications of the Ordinance that can be given effect without the invalidated provision or application, and to this end the provisions of this Ordinance are declared severable.

SECTION 4. Codification. This Ordinance shall be a part of the Code of the City of Newark as though codified and fully set forth therein. The City Clerk shall have this Ordinance codified and incorporated in the official copies of the Code. The City Clerk and the Corporation Counsel are authorized and directed to change any Chapter, Article and/or Section number of the Code of the City of Newark in the event that the codification of this Ordinance reveals that there is a conflict between the numbers and the existing Code, and in order to avoid confusion and possible accidental repealers of existing provisions not intended to be repealed.

SECTION 5. This Ordinance shall take effect upon final passage and publications in accordance with the laws of the State of New Jersey.

STATEMENT

This Ordinance amends Title 8, Business and Occupations, Chapter 19, Wreckers, of the Revised Ordinances of the City of Newark, New Jersey, 2000, as amended and supplemented to exempt certain individual from towing fees and include notice requirements.