

**TOWNSHIP OF HARDING
ORDINANCE NO. 06-14**

**“AN ORDINANCE OF THE TOWNSHIP OF HARDING,
MORRIS COUNTY, NEW JERSEY AMENDING THE CODE OF THE TOWNSHIP OF
HARDING BY ADDING A NEW CHAPTER 235, ENTITLED “LIMOUSINES OR
LIVERY SERVICE”**

BE IT ORDAINED by the Township Committee of the Township of Harding in the County of Morris, State of New Jersey that the Code of the Township of Harding is hereby amended by adoption of a new chapter entitled “Limousines or Livery Service” as follows:

Section 1. Chapter 235 – Limousines or Livery Service

§ 235-1 Definitions. For the purpose of this chapter, words and phrases herein shall have the same meaning as in N.J.S.A. 48:16-13.

§ 235-2 Insurance.

A. No limousine shall be operated wholly or partly along any street in any municipality until the owner of the limousine shall have filed with the Clerk of the municipality in which the owner has his principal place of business, an insurance policy of a company duly licensed to transact business under the insurance laws of this state in the sum of \$1,500,000 against loss by reason of the liability imposed by law upon every limousine owner for damages on account of bodily injury or death suffered by any person as the result of an accident occurring by reason of the ownership, maintenance or use of the limousine upon any public street. Such operation shall be permitted only so long as the insurance policy shall remain in force to the full and collectible amount of \$1,500,000.

B. The insurance policy shall provide for the payment of any final judgment recovered by any person on account of the ownership, maintenance and use of such limousine, or any fault in respect thereto, and shall be for the benefit of every person suffering loss, damage or injury as aforesaid.

§ 235-3 Power of attorney. The owner of the limousine shall execute and deliver to the Division of Motor Vehicles, concurrently with filing of a policy referred to in N.J.S.A. 48:16-14, a power of attorney, wherein and whereby the owner shall appoint the Director of the Division of Motor Vehicles his true and lawful attorney for the purpose of acknowledging service of any process out of a court of competent jurisdiction to be served against the insured by virtue of the indemnity granted under the insurance policy filed. A copy of the power of attorney shall be placed on file in the office of the Township Clerk.

§ 235-4 License application.

A. In addition to the submission of an insurance policy and the power of attorney, the applicant must submit a valid New Jersey driver's license and a valid registration for the vehicle to be licensed. The applicant shall submit to a background check and being photographed and fingerprinted by the Police Department. The minimum fee for such initial background check, fingerprinting and photographing shall be \$30. For renewal of fingerprinting and photographing, the minimum fee shall be \$18. Fees are to be paid by money order made payable to the Division of State Police.

B. An applicant shall be limited to one license per address. An applicant who wishes to obtain an additional license must submit a notarized letter from the garage or owner of commercial property where the applicant's additional limousine shall be garaged, stating the applicant is permitted to garage his or her limousine at such address.

§ 235-5 Issuance of license to operate limousine; fees.

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A. The clerk of the municipality in which the owner has his principal place of business, upon the filing of the required insurance policy, required documentation, and the payment of a fee of \$50, shall issue in duplicate a license to operate showing that the owner of the limousine has complied with the terms and provisions of this article.

B. The license shall recite the name of the insurance company, the number and date of expiration of the policy, a description of limousine insured thereunder and the registration number of the same.

C. The duplicate license shall be filed with the Division of Motor Vehicles before any such car is registered as a limousine.

D. The original license shall be retained within the limousine and be available for inspection by any police officer in the state. In lieu of insurance information required on the license pursuant to this section, the owner of a limousine may affix to the original license retained within the limousine, a notarized letter from an insurance company containing the same insurance information required in the recital, which shall constitute proof of insurance coverage, and which shall also be available for inspection by any police officer in the state. A copy of the notarized letter shall constitute proof to the Director of the Division of Motor Vehicles that the applicant has complied with the insurance provision of this section.

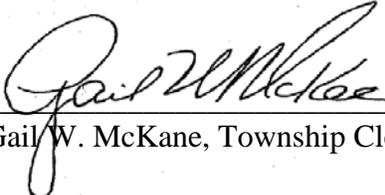
Section 4. All Ordinances or parts of Ordinances that are inconsistent with this Ordinance are hereby repealed to the extent of such inconsistencies.

Section 5. If any article, section, subsection, paragraph, phrase or sentence is, for any reason, held to unconstitutional or invalid, said article, section, subsection, paragraph, phrase or sentence shall be deemed severable.

Section 6. This Ordinance shall take effect immediately upon final publication as provided by law.

DATED: May 13, 2014

I, Gail W. McKane, Township Clerk of the Township of Harding, County of Morris, State of New Jersey, do hereby certify the foregoing ordinance to be a true and correct copy of the ordinance adopted by the Township Committee at the meeting held on May 12, 2014.



Gail W. McKane, Township Clerk