

**TOWNSHIP OF FAIRFIELD  
ORDINANCE #2024-07**

**AN ORDINANCE OF THE TOWNSHIP OF FAIRFIELD, ESSEX  
COUNTY, NEW JERSEY AMENDING CHAPTER 3, POLICE  
REGULATIONS, OF THE TOWNSHIP CODE**

**WHEREAS**, the Governing Body of the Township of Fairfield (“Governing Body”) desires to amend the sections of the Code in order to set forth the notice procedures for impoundment of motor vehicles purchasing by the Township pursuant to N.J.S.A. 40A:11-6.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Township Council of the Township of Fairfield, County of Essex, State of New Jersey, as follows:

**SECTION 1.** Chapter 3, Article V, Section 3-4.2, entitled “Prohibited Storage Areas”, of the Township Code of the Township of Fairfield is hereby amended to read as follows: (All additions are shown in ***bold italics with underlines***. The deletions are shown as ~~***strikeovers in bold italics.***~~)

**§3-4.2. Definitions.**

**ABANDON. Includes any motor vehicle, omnibus, road tractor, trailer, truck, truck tractor or vehicle which:**

**(1) Is parked on private or public property without the current year's registration or identification markers as required by law for a period of 15 days;**

**(2) Has been continuously parked in any public street or on any public land or on any private property for a period of 15 days;**

**(3) Is so disabled as to constitute an obstruction to traffic, and the driver or person owning or in charge thereof neglects or refuses to move the same to a place where it will not obstruct traffic; or**

**(4) Is found to be mechanically inoperative and is allowed to remain inoperative for a period of 15 days. Said period of time may be extended by the Police Department for good cause.**

**MOTOR VEHICLE, OMNIBUS, ROAD TRACTOR, TRAILER, TRUCK, TRUCK TRACTOR and VEHICLE. Have the meanings stated and defined in N.J.S.A. 39:1-1 et seq.**

**SECTION 2.** Chapter 3, Article V, Section 3-4.2, entitled “Prohibited Storage Areas”; Section 3-4.3, entitled “Presumption of Intent”; Section 3-4.4, entitled “Violation on Private Land; Notice to Abate.”; and Section 3-4.5, entitled “Violation on Public Lands or Between Right-of-Way Sidelines” of Township Code of the Township of Fairfield are hereby renumbered as Sections 3-4.3 through 3-4.6, respectively.

**SECTION 3.** Chapter 3, Article V, Section 3-4.7, entitled “Violations and Penalties”, of the Township Code of the Township of Fairfield is hereby amended to read as follows: (All additions are shown in **bold italics with underlines**. The deletions are shown as ~~strikeovers in bold italics~~.)

**§3-4.7. Notice of Impoundment.**

**a. Notice of the impoundment of any motor vehicle, junk automobile or junk automobile body shall be given to the owner of said motor vehicle, junk automobile or junk automobile body or to the owner or tenant of lands upon which a violation is occurring pursuant to § 3-4.1 above, in writing, by certified mail, return receipt requested, at the last known address of the party to be served, no later than five (5) calendar days from the date of impoundment and shall contain the following:**

- 1. The time and place of impoundment.**
- 2. Location of the motor vehicle, junk automobile or junk automobile body.**
- 3. The reason for impoundment.**
- 4. The amount and nature of penalties and costs that may be entered, including but not limited to the costs of towing and storage of the motor vehicle.**
- 5. A statement that a sale of the motor vehicle, junk automobile or junk automobile body will occur after 90 days if the motor vehicle, junk automobile or junk automobile body is not reclaimed.**
- 6. A statement of the time and place of sale.**

**b. The address of the owner as shown on the records of the State Division of Motor Vehicles shall be deemed sufficient for the purpose of this section.**

**SECTION 4.** Chapter 3, Article V, Section 3-4.8, entitled “Removal From Public Property.”, of the Township Code of the Township of Fairfield is hereby created to read as follows: (All additions are shown in **bold italics with underlines**. The deletions are shown as ~~strikeovers in bold italics~~.)

**§3-4.8. Removal From Public Property.**

**Whenever any motor vehicle, omnibus, road tractor, trailer, truck, truck tractor or vehicle is found on any public street, highway or public property, an emergency condition is herewith declared to exist, and any officer of the Township Police Department is hereby authorized to immediately remove, secure the removal of and/or impound the motor vehicle, omnibus, road tractor, trailer, truck, truck tractor or vehicle without necessity of notice prior to said impoundment. After impoundment, the Police Department shall use diligent efforts to identify and locate the owner of the impounded motor vehicle, omnibus, road tractor, trailer, truck, truck tractor or vehicle and notify the owner in accordance with § 3-4.7. The expenses of the impoundment shall be borne by and be the responsibility of the owner of the vehicle.**

**SECTION 5.** Chapter 3, Article V, Section 3-4.9, entitled “Violations and Penalties”, of the Township Code of the Township of Fairfield is hereby created to read as follows: (All additions are shown in *bold italics with underlines.*)

*§ 3-4.9. Violations and Penalties.*

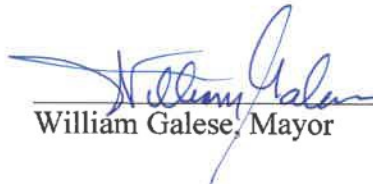
*Anyone who shall violate this section, upon conviction, shall be liable to the penalty stated in Chapter 1, § 1-5.*

**SECTION 6.** All actions of the Township taken prior to the date of adoption hereof contemplated by this Ordinance are hereby ratified and approved.

**SECTION 7.** If any section, paragraph, subsection, clause or provision of this Ordinance shall be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole or any remaining part thereof.

**SECTION 8.** All Ordinances or parts of Ordinances of the Township of Fairfield heretofore adopted that are inconsistent with any of the terms and provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

**SECTION 9.** This Ordinance shall take effect immediately upon its final passage, approval and publication as provided by law.

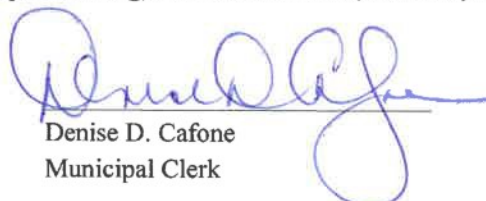
  
William Galese, Mayor

ATTEST:

  
Denise D. Cafone, Municipal Clerk

**NOTICE**

"NOTICE is hereby given that the foregoing Ordinance was introduced and passed upon First Reading at a Meeting of the Mayor and Council of the Township of Fairfield on April 22, 2024 Said ordinance shall have a second Reading and Public Hearing and be considered for final adoption at a meeting of said Governing Body to be held on May 28, 2024 at 7:00 p.m. in the Township Municipal Building, 230 Fairfield Road, Fairfield, N.J."

  
Denise D. Cafone  
Municipal Clerk

**INTRODUCTION OF ORDINANCE –**

**ORDINANCE #2024-07 ~ AN ORDINANCE OF THE TOWNSHIP OF FAIRFIELD, ESSEX COUNTY, NEW JERSEY AMENDING CHAPTER 3, POLICE REGULATIONS, OF THE TOWNSHIP CODE**

**INTRODUCED BY:** Councilman Campisi  
**SECONDED BY:** Councilman LaForgia  
**PUBLISHED:** April 25, 2024

**ROLL CALL VOTE**

<b>GOVERNING BODY</b>	<b>AYES</b>	<b>NAYS</b>	<b>ABSTAIN</b>	<b>ABSENT</b>	<b>NOT VOTING</b>
<b>COUNCIL PRESIDENT JOSEPH CIFELLI</b>	X				
<b>COUNCILMAN JOHN LAFORGIA</b>	X				
<b>COUNCILMAN MICHAEL B MCGLYNN</b>	X				
<b>COUNCILMAN PETER CAMPISI</b>	X				
<b>MAYOR WILLIAM GALESE</b>	X				

**2<sup>ND</sup> READING AND PUBLIC HEARING – MAY 28, 2024**

**INTRODUCED BY:** Council President Cifelli  
**SECONDED BY:** Councilman LaForgia  
**PUBLISHED:** June 6, 2024

**ROLL CALL VOTE**

<b>GOVERNING BODY</b>	<b>AYES</b>	<b>NAYS</b>	<b>ABSTAIN</b>	<b>ABSENT</b>	<b>NOT VOTING</b>
<b>COUNCIL PRESIDENT JOSEPH CIFELLI</b>	X				
<b>COUNCILMAN JOHN LAFORGIA</b>	X				
<b>COUNCILMAN MICHAEL B MCGLYNN</b>	X				
<b>COUNCILMAN PETER CAMPISI</b>	X				
<b>MAYOR WILLIAM GALESE</b>	X				