



City of Newark

City Hall
920 Broad Street
Newark, New Jersey
07102

Ordinance

6PSF-d 08/06/2025

File ID: 25-0919

Type: Ordinance

Status: Adopted

AN ORDINANCE AMENDING TITLE 8, BUSINESS AND OCCUPATIONS, CHAPTER 19, WRECKERS, OF THE REVISED GENERAL ORDINANCES OF THE CITY OF NEWARK, NEW JERSEY, 2000, AS AMENDED AND SUPPLEMENTED TO AMEND SECTIONS 8:19-10, BOOTING OR REMOVAL OF VEHICLE ON PRIVATE PROPERTY TO UPDATE BOOT/IMMOBILIZATION REGULATIONS AND ADOPT FEES.

WHEREAS, N.J.S.A. 40:48-2.49 permits a municipality to regulate by ordinance the removal of motor vehicles from private or public property by operators engaged in such practice, including but not limited to, the fees charged for storage including non-discriminatory and non-exclusionary regulations governing towing operators engaged in business and removing and storing motor vehicles; and

WHEREAS, Section 18:19-10 et seq., sets forth Rules and Regulations governing the Booting/Immobilization of vehicles on private property in the City of Newark; and

WHEREAS, this Section needs to be amended to adopt service rates and additional regulations; and

WHEREAS, N.J.S.A. 40:48-2 authorizes a municipality to make, amend, repeal and enforce such other ordinances, regulations, rules and by-laws not contrary to the laws of this State or of the United States, as it may deem necessary and proper for the good government, order and protection of persons and property, and for the preservation of the public health, safety and welfare of the municipality and its inhabitants.

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. Title 8, Business and Occupations, Chapter 19, Wreckers, Section 8:19-10, Booting or Removal of Vehicle From Private Property, of the Revised General Ordinances of the City of Newark, New Jersey, 2000, as amended and supplemented, by adding fees and regulations:

The Director of the Department of Public Safety or his designee is hereby authorized and empowered to establish reasonable rules and regulations governing the booting, immobilization, and removal of vehicles from private property.

a. No person shall boot or immobilize any motor vehicle parked for an unauthorized purpose from:

1. Any privately owned parking lot, or
2. From other private property, or
3. From any common driveway without the consent of the motor vehicle owner or operator, in the of City of Newark without first obtaining a license from the Division of Tax Abatements/Special Taxes. All licenses issued, and renewals thereof, under this Chapter shall expire biennially on May 31st after its date of issuance. If any applicant obtains an initial license pursuant to this section after the renewal date or in between a biennial cycle, the applicant will pay a pro-rated application fee. The applicant's license will thereafter expire on May 31st in accordance with the biennial licensing cycle. The Division of Tax Abatements/Special Taxes shall establish administrative rules and/or regulations pertaining to scheduling for the issuance of a booting operator's license. The biennial fee for such license shall be \$300.
4. All applications for licenses shall be granted or denied by the Division of Tax Abatements/Special Taxes, based upon the recommendation of the Director of the Department of Public Safety or his designee, upon review of same.

b. It shall be unlawful to boot or immobilize a motor vehicle at any location unless:

There is posted in a conspicuous place at all vehicular entrances to the property which can easily be seen by the public a sign no smaller than thirty-six (36) inches high and thirty-six (36) inches wide stating:

- (a) The purpose or purposes for which parking is authorized and the times during which such parking is permitted; and
- (b) That unauthorized parking is prohibited and unauthorized motor vehicles will be booted or immobilized at the owner's expense; and
- (c) The name, address, and telephone number of the booting company that will perform the booting or immobilization; and
- (d) The minimum and full boot removal fee. ~~charges, which shall not exceed the fee specified in the ordinance on file with the Municipal Clerk for the booting or immobilization of motor vehicles.~~

c. A booting company shall not boot, or immobilize or remove a motor vehicle on private property without the consent of the owner or operator of the vehicle, without first obtaining the written authorization from the property owner or lessee, or its employee or agent, who shall verify the alleged violation with the Department of Public Safety, Division of Police by way of notification herein below.

- 1) The booting operator must advise the Police Division of the time and place at which the vehicle was booted, the license plate number, the vehicle identification

number, the make, model, and color of the vehicle.

- 2) If it occurs during normal business hours of any premises at the location operated by the property owner or lessee authorizing the booting, immobilization, or removal of the vehicle, except that general authorization in writing shall be sufficient for the booting, immobilization, or removal of a motor vehicle parked on private property if the violation occurs at a time other than during normal business hours of the premises of the property owner or lessee authorizing the removal of the vehicle.
- 3) No person or booting company shall boot, immobilize, or otherwise restrict the movement of a clearly marked official deliver vehicle, such as those operated by the United States Postal Service, FedEx, DHL, UPS, Amazon, or other nationally or regionally recognized delivery services, that is temporarily stopped for the purpose of making a delivery, provided the vehicle is actively engaged in such delivery and is not parked in a manner that poses an immediate threat to public safety or obstructs emergency access. A vehicle shall be considered "clearly marked" if it bears the official logo, insignia, or livery of the delivery service in a prominent and visible manner. This provision does not exempt such vehicles from lawfully towing or booting when left unattended for extended periods or when improperly parked in violation of fire lane restrictions or accessible parking regulations.

e. The provisions of this section shall not apply to a motor vehicle parked on a lot or parcel on which is situated a single-family unit, or an owner-occupied multiunit structure of not more than six (6) units.

A booting company must release the vehicle to its owner who returns to the vehicle while the booting company is still present at the location of the immobilized vehicle. In such instances;

1. If owner arrives prior to the booting company fully securing the boot, the vehicle shall be released at no charge;
2. If the owner arrives after the boot is fully secured to vehicle, the booting company shall only charge the minimum boot removal fee, and not require payment of the full boot removal fee.

f. The phone number referenced in subsection (b.)(c). above must be operable and answered in person during the hours a boot is affixed to a vehicle within the city.

g. No person shall boot a motor vehicle at any location within the City unless:

1. A booting operator is available to remove a boot from a motor vehicle during the hours of 8:00 a.m. and 6:00 p.m. at least five days a week, excluding holidays;
2. Can respond to a request to unboot a vehicle within one hour during the hours and days set forth in Subsection (g.)(1.) above;
3. Can provide reasonable accommodations for after-hours unbooting of booted vehicles and shall not charge any additional fee for releasing vehicles to their owners in excess of the minimum or full boot removal fee.

- a. The minimum or full boot removal fee applied after-hours shall be applied in accordance with Subsection (e.) above.
- h. The minimum boot removal fee shall be \$25 and the full boot removal fee shall be \$200.
- i. A booting company must accept all forms of payment, such as a debit card, charge card or credit card, PayPal, Venmo, Cash App, and Zelle, for payment in lieu of cash for boot removal.
- j. Any person found in violation of this section is subject to penalties as set forth in Section 8:19-9.

SECTION 2. Any existing ordinance, or part thereof, inconsistent with this Ordinance is hereby repealed to the extent of such inconsistency.

SECTION 3. If any Section, paragraph, subparagraph, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the specific Section, paragraph, subparagraph, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

SECTION 4. This Ordinance shall take effect upon final passage and publications in accordance with the laws of the State of New Jersey.

SECTION 5. 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.

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 update Boot/Immobilization Regulations and add Boot removal fees.

Approval History


| Version | Seq # | Action Date | Approver | Action | Due Date |
|---------|-------|-------------|--------------------|-----------|-----------|
| 1 | 2 | 6/20/2025 | Kecia Daniels | Approved | 6/24/2025 |
| 1 | 3 | 6/26/2025 | Jeannet Pavez | Delegated | |
| 1 | 4 | 6/26/2025 | Jennifer Baawuah | Delegated | |
| 1 | 5 | 6/26/2025 | Kecia Daniels | Approved | 6/30/2025 |
| 1 | 6 | 6/27/2025 | Eric S. Pennington | Delegated | |
| 1 | 7 | 6/27/2025 | Kecia Daniels | Approved | 7/1/2025 |
| 1 | 8 | 6/27/2025 | Leslie Peters | Approved | 7/4/2025 |
| 1 | 9 | 6/27/2025 | Michelle Nelson | Delegated | |
| 1 | 10 | 6/27/2025 | Kecia Daniels | Approved | 7/1/2025 |
| 1 | 11 | 6/27/2025 | Kenyatta Stewart | Delegated | |
| 1 | 12 | 6/27/2025 | Kecia Daniels | Approved | 7/1/2025 |

History of Legislative File

| Version: | Acting Body: | Date: | Action: | Sent To: | Due Date: | Return Date: | Result: | |
|----------|---------------------|--|---|----------|-----------|--------------|---------|-----|
| 1 | Municipal Council | 07/02/2025 | Advance and Adopt on First Reading as 6F- | | | | Pass | |
| | Action Text: | A motion was made by Ramos, Jr., seconded by Quintana to Advance and Adopt on First Reading as 6F-b. The motion was adopted by the following votes: | | | | | | |
| Mover: | Anibal Ramos, Jr. | Yes: 7 - Patrick Council, Carlos Gonzalez, Dupre' Kelly, Luis Quintana, Anibal Ramos Jr., Louise Scott-Rountree and C. Lawrence Crump Absent: 1 - Michael Silva | | | | | | 7-1 |
| 1 | Municipal Council | 08/06/2025 | Close on Public Hearing and Adopt | | | | Pass | |
| | Action Text: | A motion was made by Ramos, Jr., seconded by Quintana to Close on Public Hearing and Adopt. The motion was adopted by the following votes: | | | | | | |
| Mover: | Anibal Ramos, Jr. | Yes: 8 - Patrick Council, Carlos Gonzalez, Dupre' Kelly, Luis Quintana, Anibal Ramos Jr., Louise Scott-Rountree, Michael Silva and C. Lawrence Crump | | | | | | 8 |

Approved By 
Ras J. Baraka, Mayor

Date 8/7/25

Certified By 
Kecia Daniels, City Clerk

CERTIFIED TO BY ME THIS
Date AUG 15 2025

