

**ORDINANCE NO.: 23-30**

**BOROUGH OF POMPTON LAKES**

**ORDINANCE AMENDING SECTION 5-23.4B.8 OF THE BOROUGH CODE ENTITLED  
“TOWERS AND TOWING” TO THE BOROUGH’S MUNICIPAL CODE**

**WHEREAS**, the Governing Body of the Borough of Pompton Lakes has found and continues to believe that it is in the best interest of the Borough to regulate the Borough’s usage of tow truck services and their operations within the Borough; and

**WHEREAS**, the Borough previously passed Section 5-23, et seq. of the Borough Code entitled Towers and Towing; and

**WHEREAS**, in the interest of adequate response time Section 5-23.4B.8 limited eligible companies to those within a three-mile radius of the center of the Borough Pompton Lakes; and

**WHEREAS**, this limitation has been found to be too restrictive to achieve an adequate number of candidates and further has concluded that a larger radii of 5 miles from the border of the Borough would provide adequate pool of candidates and still provide an adequate response time, the Borough wishes to expand the radius;

**NOW, THEREFORE BE IT ORDAINED** by the Mayor and Council of the Borough of Pompton Lakes, County of Passaic, State of New Jersey, that Section 5-23.4B.8 of the Borough Municipal Code be amended to read as follows:

**SECTION 1. RECITALS.** The foregoing whereas clause is incorporated herein by reference and made a part hereof.

**SECTION 2.** Section 5-23.4B.8 of the borough code is hereby created in its entirety and replaced with the following language:

Proof that the applicant has a principal location within five-mile radii of the border of the Borough of Pompton Lakes.

**SECTION 3.** Should any section, paragraph, sentence, clause, or phrase of this ordinance be declared unconstitutional or invalid for any reason, the remaining portions of this ordinance shall not be affected thereby and shall remain in full force an effect, and to that end the provisions of this ordinance are hereby declared to be severable.

**SECTION 4.** All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of their inconsistencies only.

**SECTION 5.** This ordinance shall take effect twenty (20) days after passage and publication, as required by law.

**NOTICE**

**NOTICE IS HEREBY GIVEN**, that the above Ordinance was introduced and passed on first meeting at the regular meeting of the Mayor and Borough Council of the Borough of Pompton Lakes, County of Passaic, State of New Jersey, held in the Municipal Building on the 11th day of October 2023, and the same came up for final passage at the regular meeting of the Mayor and Borough Council held on the 25th day of October, 2023, at which time, after persons interested were given the opportunity to be heard concerning said Ordinance, the same was passed and will be in full force and effect in the Borough of Pompton Lakes after approval by the Mayor or in accordance with law.

APPROVED:

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MICHAEL SERRA, MAYOR

ATTEST:

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ELIZABETH BRANDSNESS, RMC  
MUNICIPAL CLERK