

## December 12, 2017 – REGULAR SESSION

President Steward called the meeting to order at 9:05 p.m.

The Clerk read the Invocation: Almighty God who holds the fate of Man and Nation, we most humbly beseech thee to bless these deliberations, and these thy servants, that they may act with wisdom and understanding for the good of our community and thy greater glory. Amen.

Flag Salute

Council President Steward read the Open Public Meetings Statement:

The notice requirements provided for in the “Open Public Meetings Act” have been satisfied. Notice of this meeting was properly given in a notice which was transmitted to the Times of Trenton and the Trentonian, filed with the Clerk of the Township of Ewing and posted in the Ewing Township Municipal Complex, all on the 4th day of January 2017.

**THE PUBLIC WILL HAVE AN OPPORTUNITY TO ADDRESS THE COUNCIL DURING THE “STATEMENTS AND COMMENTS FROM MEMBERS OF THE PUBLIC” SEGMENT OF THE MEETING. MEMBERS OF THE PUBLIC ARE REQUESTED TO SIGN IN ON SHEET PROVIDED IN THE FRONT OF THE ROOM. ALL QUESTIONS AND COMMENTS FROM THE PUBLIC WILL BE DIRECTED TO THE COUNCIL PRESIDENT. WHEN ADDRESSING THE COUNCIL, PLEASE GIVE YOUR NAME AND YOUR ADDRESS.**

**THE COUNCIL INVITES AND ENCOURAGES PARTICIPATION BY THE PUBLIC IN ITS MEETINGS, HOWEVER A MEMBER OF THE PUBLIC MAY UTILIZE FIVE MINUTES OF TIME FOR REMARKS AND QUESTIONS, UNLESS OTHERWISE ENGAGED IN A DIALOGUE WITH A MEMBER OF THE COUNCIL, ANY FURTHER REMARKS OR QUESTIONS BEYOND THE TIME LIMIT MUST BE AUTHORIZED BY THE PRESIDENT OF THE COUNCIL.**

### ROLL CALL

- |                               |                                |
|-------------------------------|--------------------------------|
| ▪ Mr. Baxter – Present        | Bert Steinmann, Mayor          |
| ▪ Ms. Keyes-Maloney – Present | Jim McManimon, Administrator   |
| ▪ Mr. Schroth – Present       | Maeve Cannon, Attorney         |
| ▪ Ms. Wollert – Present       | Kim Macellaro, Municipal Clerk |
| ▪ President Steward – Present |                                |

### STATEMENTS AND COMMENTS FROM MEMBERS OF THE PUBLIC FOR ITEMS NOT ON THE AGENDA

Robert Britton (98 West Upper Ferry Road) asked Council for clarification as he just heard that the New Jersey Department of Transportation and Mercer County want to put two roundabouts on Parkway Avenue: one, near Parkway and Scotch Road and the other at the intersection of Parkway and Olden Avenue. Mr. Britton said that he is concerned about this in terms of traffic flow and the possible loss of ratables such as the Wawa and the NJ Credit Union.

President Steward explained that at the last meeting, Council adopted a Resolution supporting the Department of Transportation in its effort to study Parkway Avenue from Scotch Road to Pennington Road. The study will look at many alternatives, including roundabouts. Safety, cost and residents’ concerns will be weighed. A public meeting was held last night; there will be others throughout this process. Council will have a chance to weigh-in on their recommendations.

Councilwoman Keyes-Maloney said that folks can take a survey and weigh-in on the type of improvements they would like to see.

The Council President gave the website: [parkwayavenuesafety.com](http://parkwayavenuesafety.com).

The Mayor clarified that there is no intention to put a roundabout where the Wawa is.

Mr. Britton asked Council to make a recommendation to the County – a left-hand turn signal on Lower Ferry at Parkway.

The Mayor said that that is part of this study.

Councilwoman Keyes-Maloney cautioned that sometimes there is confusion with definitions - there is a difference between a circle and a roundabout.

There were no additional statements or comments from members of the Public.

### **BILLS LIST**

1. The Clerk read (**Resolution #17R-234**) A Resolution Authorizing the Chief Financial Officer to Pay Bills in the Amount of \$235,997.69 and to Pay Supplemental Bills per Resolution #17R-14 in the Amount of \$143,080.35

There were no questions or comments from Council or the Public. Ms. Wollert then moved the Resolution, seconded by Mr. Baxter. President Steward asked for a roll call.

#### **ROLL CALL**

Mr. Baxter	YES
Ms. Wollert	YES
Ms. Keyes-Maloney	YES
Mr. Schroth	YES
President Steward	YES

The above referenced Bills List Resolution and the Bills List are available in the Clerk's Office in the 2017 Resolution Book Number Two.

*All items listed under Consent Agenda are considered routine by the Township Council and will be enacted by one motion in the form listed below. There will not be separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and considered separately. There will be one motion for all items listed.*

### **CONSENT AGENDA**

The Clerk read the Consent Agenda: (**Resolution #17R-235/**)

1. A Resolution Authorizing a Refund, as Recommended by the Director of EMS for Overpayment in the amount of \$70.25 for overpayment of transport service on November 14, 2016 for patient Sheree Fleming to Horizon NJ Health, P.O. Box 24077, Newark, New Jersey 07101-0406.
2. A Resolution Authorizing a Refund, as Recommended by the Director of EMS for Overpayment in the amount of \$65.00 for overpayment of transport service on February 25, 2016 for patient Ernest Jackson to Horizon NJ Health, P.O. Box 24077, Newark, New Jersey 07101-0406.
3. A Resolution Authorizing a Refund, as Recommended by the Director of EMS for Overpayment in the amount of \$84.68 for overpayment of transport service on July 21, 2017 for patient Calvin Leish to WPS Tricare for Life, P.O. Box 7928, Madison, Wisconsin 53707-7928.

There were no questions or comments from Council or the Public. Mr. Schroth then moved the Resolution, seconded by Mr. Baxter. The Council President asked for a roll call.

#### **ROLL CALL**

Mr. Baxter	YES
Mr. Schroth	YES
Ms. Keyes-Maloney	YES
Ms. Wollert	YES
President Steward	YES

The above referenced Consent Agenda Resolutions are available in the Clerk's Office in the 2017 Resolution Book Number Two.

**ORDINANCE(S) FOR FIRST READING AND INTRODUCTION**

**(None for this Meeting)**

**ORDINANCE(S) FOR SECOND READING, PUBLIC HEARING AND FINAL ADOPTION**

1. The Clerk read (Ordinance #17-30) AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EWING IN THE COUNTY OF MERCER, AMENDING AND REVISING § 225-64, SCHEDULE XVII: BUS STOPS, PURSUANT TO N.J.S.A. 39:4-8(e)

BE IT ORDAINED by the Township Council of the Township of Ewing that **Chapter 225, VEHICLES AND TRAFFIC, § 225-64. Schedule XVII: Bus Stops** of the Code of the Township of Ewing is hereby amended as follows:

Section 1: **Chapter 225, VEHICLES AND TRAFFIC, § 225-64. Schedule XVII: Bus Stops** of the Code of the Township of Ewing is hereby amended that, pursuant to N.J.S.A. 39:4-8(e), the following described locations are designated as bus stops:

**§ 225-64. Schedule XVII: Bus Stops**

**Along Municipal or Private Roadways**

Along Charles Ewing Boulevard, eastbound, on the southerly side thereof at:

- A. Between Lower Ferry Road and Princeton South Corporate Center — West Loop— (mid-block)  
Beginning 450 feet east of the easterly curblines of Lower Ferry Road and extending 135 feet easterly therefrom (Location 32314).
- B. Princeton South Corporate Center - West Loop (far side) (prolongation)  
Beginning at the easterly curblines of Princeton South Corporate Center — West Loop and extending 100 feet easterly therefrom (location (32315).
- C. Princeton South Corporate Center - East Loop (far side) (prolongation)  
Beginning at the easterly curblines of Princeton South Corporate Center — East Loop and extending 100 feet easterly therefrom (location (32316).

Along Charles Ewing Boulevard, westbound, on the westerly side thereof at:

- A. Princeton South Corporate Center - East Loop (near side)  
Beginning at the easterly curblines of Princeton South Corporate Center — East Loop and extending 105 feet easterly therefrom (location (32317).
- B. Princeton South Corporate Center - West Loop (near side)  
Beginning at the easterly curblines of Princeton South Corporate Center — West Loop and extending 105 feet easterly therefrom (location (32318).
- C. Between Lower Ferry Road and Princeton South Corporate Center — West Loop— (mid-block )  
Beginning 450 feet east of the prolongation of easterly curblines of Lower Ferry Road and extending 135 feet easterly therefrom (Location 3219).

Along Charles Ewing Boulevard, eastbound, on the southerly side thereof at:

- A. Between NJ Route 31 and Mark Lane – Mid-block)  
Beginning 420 feet west of the westerly curblines NJ Route 31 and extending 135 feet westerly therefrom.

Along Charles Ewing Boulevard, westbound, on the northernly side thereof at:

- A. Between NJ Route 31 and Mark Lane – Mid-block)  
Beginning 526 feet west of the westerly curblines NJ Route 31 and extending 135 feet westerly therefrom.

Along Green Lane, eastbound, on the southerly side thereof at:

- A. Between Running Brook Drive West and Hollowbrook Drive — (mid-block)

Beginning 352 feet west of the westerly curbline of Running Brook Drive West and extending 135 feet westerly therefrom (Location 21977).

Along Green Lane, westbound, on the northerly side thereof at:

- A. Spring Valley Drive — (near side )  
Beginning at the easterly curbline of Spring Valley Drive and extending 105 feet easterly therefrom (location (21979)).
- B. Running Brook Drive West — (far side) (prolongation)  
Beginning at the prolongation of the westerly curbline of Running Brook Drive West and extending 100 feet westerly therefrom (location (21980)).
- C. Hollowbrook Drive — (near side )  
Beginning at the easterly curbline of Hollowbrook Drive and extending 105 feet easterly therefrom (location (21981)).

Along Scenic Drive, eastbound, on the southerly side thereof at:

- A. Between the Entrance to Tammar Commons and Bear Tavern Road — mid-block  
Beginning 500 feet east of the easterly curbline of the Entrance to Tammar Commons and extending 135 feet easterly therefrom (Location 30099).
- B. Between the Bear Tavern Road and the Entrance to Tammar Commons — mid-block  
Beginning 263 feet west of the westerly curbline of Bear Tavern Road and extending 135 feet westerly therefrom (Location 20083).

Along Scenic Drive, westbound, on the northerly side thereof at:

- A. Between the Bear Tavern Road and the Entrance to Tammar Commons — mid-block  
Beginning 237 feet west of the westerly curbline of Bear Tavern Road and extending 135 feet westerly therefrom (Location 20084).
- B. The Second Entrance To South Fork — near side  
Beginning at the easterly curbline of the Second Entrance to South Folk and extending 105 feet easterly therefrom (location (30100)).
- C. Coventry Square — far side  
Beginning at the westerly curbline of Coventry Square and extending 100 feet westerly therefrom (location 22085).

#### **Along State Roadways:**

Pennington Road, northbound, on the easterly side thereof at:

- A. Clover Avenue (near side)  
Beginning at the southerly curbline of Clover Avenue and extending 105 feet southerly therefrom
- B. Homecrest Avenue (near side)  
Beginning at the southerly curbline of Homecrest Avenue and extending 105 feet southerly therefrom
- C. New Hillcrest Avenue (near side)  
Beginning at the southerly curbline of New Hillcrest Avenue and extending 105 feet southerly therefrom
- D. Bruce Lane (near side)  
Beginning at the southerly curbline of Bruce Lane and extending 105 feet southerly therefrom
- ~~E. Pennroad Avenue (far side)  
Beginning at the northerly curbline of Pennroad Avenue and extending 100 feet northerly therefrom~~
- F. Ewington Avenue (far side)  
Beginning at the northerly curbline of Ewington Avenue and extending 100 feet northerly therefrom (location 32748)
- G. Woodland Avenue (far side)  
Beginning at the northerly curbline of Woodland Avenue and extending 100 feet northerly therefrom
- H. Atlantic Street (near side)  
Beginning at the southerly curbline of Atlantic Street and extending 100 feet southerly therefrom

- I. Sussex Street (near side)  
Beginning at the southerly curblineline of Sussex Street and extending 105 feet southerly therefrom
- J. Green Lane (far side)  
Beginning at the northerly curblineline of Green Lane and extending 100 feet northerly therefrom
- K. Lanning Street (near side)  
Beginning at the prolongation of the southerly curblineline of Lanning Street and extending 105 feet southerly therefrom
- L. Between Carlton Avenue and Main Boulevard (mid-block)  
Beginning 538 feet south of the prolongation of the southerly curblineline of Carlton Avenue and extending 135 feet southerly therefrom
- M. Carlton Avenue (near side)  
Beginning at the prolongation of the southerly curblineline of Carlton Avenue and extending 105 feet southerly therefrom
- N. Ewingville Road (far side)  
Beginning at the northerly curblineline of Ewing Road and extending 100 feet northerly therefrom
- O. Brighton Road (near side)  
Beginning at the southerly curblineline of Brighton Road and extending 105 feet southerly therefrom
- P. Sommers Road (near side)  
Beginning at the southerly curblineline of Sommers Road and extending 105 feet southerly therefrom
- Q. Rockleigh Drive (near side)  
Beginning at the southerly curblineline of Rockleigh Drive and extending 105 feet southerly therefrom
- R. Bull Run Road (near side)  
Beginning at the southerly curblineline of Bull Run Road and extending 105 feet southerly feet therefrom

Pennington Road, southbound, on the westerly side thereof at:

- A. Bull Run Road (far side)  
Beginning at the southerly curblineline of Bull Run Road and extending 100 feet southerly therefrom
- B. Rockleigh Drive (far side)  
Beginning at the southerly curblineline of Rockleigh Drive and extending 100 feet southerly therefrom
- C. Fran Avenue (far side)  
Beginning at the southerly curblineline of Fran Avenue and extending 100 feet southerly therefrom
- D. Hilltop Road (near side)  
Beginning at the northerly curblineline of Hilltop Road and extending 105 feet northerly therefrom
- E. Upper Ferry Road (far side)  
Beginning at the southerly curblineline of Upper Ferry Road and extending 100 feet southerly therefrom
- F. Carlton Avenue (near side)  
Beginning at the northerly curblineline of Carlton Avenue and extending 105 feet northerly therefrom
- G. Carlton Avenue and Main Boulevard (mid-block)  
Beginning 438 feet south of the southerly curblineline of Carlton Avenue and extending 135 feet southerly therefrom
- H. Lanning Avenue (near side)  
Beginning at the northerly curblineline of Lanning Avenue and extending 105 feet northerly therefrom.
- I. Theresa Street (far side)  
Beginning at the southerly curblineline of Theresa Street and extending 100 feet southerly therefrom
- J. Brenwal Avenue (near side)  
Beginning at the northerly curblineline of Brenwal Avenue and extending 105 feet northerly therefrom
- K. Central Avenue (near side)  
Beginning at the northerly curblineline of Central Avenue and extending 105 feet northerly therefrom

~~L. Harrop Place (near side)~~

~~[Amended 5-17-2005 by Ord. No. 05-17]~~

~~Beginning at the northerly curbline of Harrop Place and extending 105 feet northerly therefrom~~

~~M. Pennroad Avenue (far side)~~

~~Beginning at the prolongation of the southerly curbline of Pennroad Avenue and extending 100 feet southerly therefrom~~

N. Ewington Avenue – (near side) (prolongation)

Beginning at the prolongation of the northerly curbline of Ewington Avenue and extending 105 feet northerly therefrom (location 32749)

O. Bradway Avenue (near side)

Beginning at the northerly curbline of Bradway Avenue and extending 105 feet northerly therefrom

P. Parkside Avenue (near side)

Beginning at the northerly curbline of Parkside Avenue and extending 105 feet northerly therefrom

Q. Clermont Avenue (near side)

Beginning at the northerly curbline of Clermont Avenue and extending 105 feet northerly therefrom

R. Clover Avenue (far side)

Beginning at the prolongation of the southerly curbline of Clover Avenue and extending 100 feet southerly therefrom

Along River Road (NJ Route 175), northbound on the easterly side thereof at:

[Added 6-9-2015 by Ord. No. 15-15]

A. Country Lane (near side)

Beginning at the southerly curbline of Country Lane and extending 105 feet northerly therefrom

Along River Road (NJ Route 175), southbound on the westerly side thereof at:

[Added 6-9-2015 by Ord. No. 15-15]

A. Country Lane (near side)

Beginning at the prolongation of the northerly curbline of Country Lane and extending 105 northerly therefrom

### **Along County Roadways:**

Along Bear Tavern Road (CR 579), northbound, on the easterly side thereof at:

A. Between West Upper Ferry Road and Cardinal Drive — mid-block

Beginning 200 feet north of the northerly curbline of West Upper Ferry Road and extending 135 feet northerly therefrom (Location 21952).

B. Cardinal Drive - (far side)

Beginning at the northerly curbline of Cardinal Drive and extending 100 feet northerly therefrom (location 21953).

Along Bear Tavern Road (CR 579), southbound, on the westerly side thereof at:

A. Cardinal Drive - (far side) (prolongation)

Beginning at the prolongation of southerly curbline of Cardinal Drive and extending 100 feet southerly therefrom (location 21955).

Along Calhoun Street (CR 653), westbound, on the northerly side thereof at:

A. Rosell Avenue - (near side)

Beginning at the easterly curbline of Rosell Avenue and extending 105 feet easterly therefrom (location 21957).

B. Southard Street - (near side)

Beginning at the easterly curbline of Southard Street and extending 105 feet easterly therefrom (location 21958).

C. Ingham Avenue - (near side)

Beginning at the easterly curbline of Ingham Avenue and extending 105 feet easterly therefrom (location 21959).

Along Ewingville Road (CR 636), northbound, on the easterly side thereof at:

- A. Heath Street - (near side) (prolongation)  
Beginning at the prolongation of the northerly curblines of Heath Street and extending 105 feet northerly therefrom (location 21962).
- B. Sherbrooke Road - (far side)  
Beginning at the northerly curblines of Sherbrooke Road and extending 100 feet northerly therefrom (location 21963).
- C. White Road Extension - (near side)  
Beginning at the southerly curblines of White Road Extension and extending 105 feet southerly therefrom (location 21964).
- D. Eggerts Crossing Road - (far side)  
Beginning at the northerly curblines of Eggerts Crossing Road and extending 100 feet northerly therefrom (location 21965).

Along Ewingville Road (CR 636), southbound, on the westerly side thereof at:

- A. Eggerts Crossing Road - (far side)  
Beginning at the southerly curblines of Eggerts Crossing Road and extending 100 feet south therefrom (location 21967).
- B. White Road Extension - (far side) (prolongation)  
Beginning at the prolongation of the southerly curblines of White Road Extension and extending 100 feet southerly therefrom (location 21968).
- C. Sherbrooke Road - (far side) (prolongation)  
Beginning at the prolongation of the southerly curblines of Sherbrooke Road and extending 100 feet south therefrom (location 21969).
- D. Heath Street - (near side)  
Beginning at the northerly curblines of Heath Street and extending 105 feet north therefrom (location 21970).

Along Grand Avenue (CR 579), northbound, on the easterly side thereof at:

- A. Railroad Avenue - (far side) (prolongation)  
Beginning at the northerly curblines of Railroad Avenue and extending 100 feet northerly therefrom (location 21971).
- B. Central Avenue - (near side)  
Beginning at the southerly curblines of Central Avenue and extending 105 feet southerly therefrom (location 21972).

Along Grand Avenue (CR 579), southbound, on the westerly side thereof at:

- A. West Upper Ferry Road - (far side) (prolongation)  
Beginning at the southerly curblines of West Upper Ferry Road and extending 100 feet southerly therefrom (location 21973).
- B. Central Avenue - (near side)  
Beginning at the northerly curblines of Central Avenue and extending 105 feet northerly therefrom (location 21974).
- C. Railroad Avenue - (near side)  
Beginning at the northerly curblines of Railroad Avenue and extending 105 feet northerly therefrom (location 21975).

Along Lower Ferry Road (CR 643), northbound, on the easterly side thereof at:

- A. Between Ashley Avenue and Langford Lane - (mid-block) (prolongation)  
Beginning 250 feet north of the northerly curblines of Ashley Avenue and extending 135 feet northerly therefrom (Location 21988).
- B. Langford Lane - (near side) (prolongation)  
Beginning at the prolongation of the southerly curblines of Langford Lane and extending 105 feet southerly therefrom (location 21989).
- C. Southerly Phillips Drive - (far side)  
Beginning at the northerly curblines of Southerly Phillips Drive and extending 100

feet northerly therefrom (location 21982).

D. Between Southerly Phillips Drive and Northerly Phillips Drive –(mid-block)  
Beginning 400 feet north of the northerly curblineline of Southerly Phillips Drive and extending 135 feet northerly therefrom (Location 21983).

E. Northerly Phillips Drive - (near side)  
Beginning at the southerly curblineline of Northerly Phillips Drive and extending 105 feet southerly therefrom (location 21985).

Along Lower Ferry Road (CR 643), southbound, on the westerly side thereof at:

A. Northerly Phillips Drive - (far side)(prolongation)  
Beginning at the southerly curblineline of Northerly Phillips Drive and extending 100 feet southerly therefrom (location 21986).

B. Between Southerly Phillips Drive and Northerly Phillips Drive –(mid-block)  
(prolongation)  
Beginning 500 feet north of prolongation of the northerly curblineline of Southerly Phillips Drive and extending 135 feet northerly therefrom (Location 21987).

C. Southerly Phillips Drive - (near side)(prolongation)  
Beginning at the prolongation of the northerly curblineline of Southerly Phillips Drive and extending 105 feet northerly therefrom (location 21984).

D. Langford Lane - (far side)  
Beginning at the southerly curblineline of Langford Lane and extending 100 feet southerly therefrom (location 21990).

E. Between Ashley Avenue and Langford Lane - (mid-block) (prolongation)  
Beginning 200 feet north of the northerly curblineline of Ashley Avenue and extending 135 feet northerly therefrom (location 2198).

F. Between Stuyvesant Avenue and Ashley Avenue - (mid-block) (prolongation)  
Beginning 353 feet north of the prolongation of the northerly curblineline of Stuyvesant Avenue and extending 135 feet northerly therefrom (location 30506).

Along North Olden Avenue (CR 622), eastbound, on the southerly side thereof at:

A. Between Parkside Avenue and Prospect Street - (mid-block) (prolongation)  
Beginning 500 feet east of the easterly curblineline of Parkside Avenue and extending 135 feet easterly therefrom (location 21993).

Along North Olden Avenue (CR 622), westbound, on the northerly side thereof at:

A. Between Parkside Avenue and Prospect Street - (mid-block)  
Beginning 500 feet east of the easterly curblineline of Parkside Avenue and extending 135 feet easterly therefrom (location 21994).

Along Parkside Avenue (CR 636), northbound, on the easterly side thereof at:

A. Ives Avenue - (far side) (prolongation)  
Beginning at the prolongation of the northerly curblineline of Ives Avenue and extending 100 feet northerly therefrom (location 21995).

B. Between Buttonwood Drive and Ives Avenue - (mid-block)  
Beginning 900 feet south of the southerly curblineline of Buttonwood Drive and extending 135 feet southerly therefrom (location 21997).

C. Buttonwood Avenue - (far side)  
Beginning at the northerly curblineline of Buttonwood Avenue and extending 100 feet northerly therefrom (location 21996).

D. Between Spruce Street and Heath Street - (mid-block)  
Beginning 300 feet north of the northerly curblineline of Spruce Street and extending 135 feet northerly therefrom (location 21998).

Along Parkside Avenue (CR 636), southbound, on the westerly side thereof at:

A. Between Poland Street and Buttonwood Drive - (mid-block)  
Beginning 300 feet south of the southerly curblineline of Poland Street and extending

135 feet southerly therefrom (location 21999).

- B. Buttonwood Avenue - (far side)  
Beginning at the southerly curblines of Buttonwood Avenue and extending 100 feet southerly therefrom (location 32266).
- C. Between Buttonwood Drive and Ives Avenue - (mid-block)  
Beginning 900 feet south of the southerly curblines of Buttonwood Drive and extending 135 feet southerly therefrom (location 22000).
- D. Ives Avenue - (far side)  
Beginning at the southerly curblines of Ives Avenue and extending 100 feet southerly therefrom (location 21001).

Along Parkway Avenue (CR 634), northbound, on the easterly side thereof at:

- A. Maple Avenue - (near side)  
Beginning at the southerly curblines of Maple Avenue and extending 105 feet southerly therefrom (location 22002).
- B. Hillcrest Avenue - (far side) (prolongation)  
Beginning at the prolongation of the northerly curblines of Hillcrest Avenue and extending 100 feet northerly therefrom (location 22003).
- C. Beechwood Avenue - (far side) (prolongation)  
Beginning at the prolongation of the northerly curblines of Beechwood Avenue and extending 100 feet northerly therefrom (location 22004).
- D. Sutherland Road - (near side)  
Beginning at the southerly curblines of Sutherland Road and extending 105 feet southerly therefrom (location 22005).
- E. Between Ranchwood Drive and North Olden Avenue - (mid-block)  
Beginning 400 feet north of the northerly curblines of Ranchwood Drive and extending 135 feet northerly therefrom (location 21006).
- F. North Olden Avenue - (far side)  
Beginning at the northerly curblines of North Olden Avenue and extending 100 feet northerly therefrom (location 22007).
- G. Saratoga Avenue - (near side) (prolongation)  
Beginning at the prolongation of the southerly curblines of Saratoga Avenue and extending 105 feet southerly therefrom (location 22008).
- H. Farrell Avenue - (far side)  
Beginning at the northerly curblines of Farrell Avenue extending 100 feet northerly therefrom (location 22009).
- I. Lower Ferry Road - (far side)  
Beginning at the northerly curblines of Lower Ferry Road and extending 100 feet northerly therefrom (location 22010).
- J. Walter Street - (far side)  
Beginning at the northerly curblines of Walter Street and extending 100 feet northerly therefrom (location 22011).
- K. Scotch Road - (far side)  
Beginning at the northerly curblines of Scotch Road and extending 100 feet northerly therefrom (location 22012).

Along Parkway Avenue (CR 634), southbound, on the westerly side thereof at:

- A. Silvia Street - (near side)  
Beginning at the northerly curblines of Silvia Street and extending 105 feet northerly therefrom (location 22014).
- B. Walter Street - (far side)  
Beginning at the southerly curblines of Walter Street and extending 100 feet

southerly therefrom (location 22015).

- C. Stratford Avenue - (near side) (prolongation)  
Beginning at the prolongation of the northerly curblines of Stratford Avenue and extending 105 feet northerly therefrom (location 22016).
- D. West Farrell Avenue - (near side)  
Beginning at the northerly curblines of West Farrell Avenue and extending 105 feet northerly therefrom (location 22017).
- E. Saratoga Avenue - (far side)  
Beginning at the southerly curblines of Saratoga Avenue and extending 100 feet southerly therefrom (location 22018).
- F. Lexington Avenue - (near side)  
Beginning at the northerly curblines of Lexington Avenue and extending 105 feet northerly therefrom (location 22019).
- G. Between Lexington Drive and Ranchwood Drive - (mid-block)  
Beginning 470 feet south of the southerly curblines of Lexington Drive and extending 135 feet southerly therefrom (location 21020).
- H. Sutherland Road - (near side) (prolongation)  
Beginning at the prolongation of the northerly curblines of Sutherland Road and extending 105 feet northerly therefrom (location 22021).
- I. Beechwood Drive - (near side)  
Beginning at the northerly curblines of Beechwood Drive and extending 105 feet northerly therefrom (location 22022).
- J. Hillcrest Avenue - (near side)  
Beginning at the northerly curblines of Hillcrest Avenue and extending 105 feet northerly therefrom (location 22023).
- K. Maple Avenue - (far side)  
Beginning at the southerly curblines of Maple Avenue and extending 100 feet southerly therefrom (location 22024).

Along Prospect Street (CR 627), northbound, on the easterly side thereof at:

- A. Parkway Avenue - (far side)  
Beginning at the northerly curblines of Parkway Avenue and extending 100 feet northerly therefrom (location 22061).
- B. Dover Avenue - (near side)  
Beginning at the southerly curblines of Dover Avenue and extending 105 feet southerly therefrom (location 22062).
- C. Weber Avenue - (near side)  
Beginning at the southerly curblines of Weber Avenue and extending 105 feet southerly therefrom (location 22063).
- D. Troy Avenue - (near side)  
Beginning at the southerly curblines of Troy Avenue and extending 105 feet southerly therefrom (location 22064).
- E. Between North Olden Avenue and Troy Avenue - (mid-block)  
Beginning 500 feet south of the southerly curblines of North Olden Avenue and extending 135 feet southerly therefrom (location 21066).

Along Prospect Street (CR 627), southbound, on the westerly

- A. Between North Olden Avenue and Rosedale Avenue - (mid-block)  
Beginning 460 feet south of the southerly curblines of North Olden Avenue and extending 135 feet southerly therefrom (location 21069).
- B. Rosedale Avenue - (near side)

Beginning at the northerly curbline of Rosedale Avenue and extending 105 feet northerly therefrom (location 22070).

C. Weber Avenue - (near side)

Beginning at the northerly curbline of Weber Avenue and extending 105 feet northerly therefrom (location 22071).

D. Greenland Avenue - (near side)

Beginning at the northerly curbline of Greenland Avenue and extending 105 feet northerly therefrom (location 22072).

E. Parkway Avenue - (near side)

Beginning at the northerly curbline of Parkway Avenue and extending 105 feet northerly therefrom (location 22073).

Along Sullivan Way (CR 579), northbound, on the easterly side thereof at:

A. Between Palmer Lane and Stratton Drive — (mid-block)

Beginning 60 feet south of the southerly curbline of Palmer Lane and extending 135 feet southerly therefrom (location 22091).

B. Lower Ferry Road - (far side)

Beginning at the northerly curbline of Lower Ferry Road and extending 100 feet northerly therefrom (location 22092).

C. NJ Manufacturers Entrance - (far side) (prolongation)

Beginning at the prolongation of the northerly curbline of NJ Manufactures Entrance and extending 100 feet northerly therefrom (location 22093).

D. Silvia Street - (far side)

Beginning at the northerly curbline of Silvia Street and extending 100 feet northerly therefrom (location 22094).

Along Sullivan Way (CR 579), southbound, on the westerly side thereof at:

A. Silvia Street - (far side) (prolongation)

Beginning at the prolongation of southerly curbline of Silvia Street and extending 100 feet southerly therefrom (location 22096).

B. NJ Manufactures Entrance - (near side)

Beginning at the northerly curbline of NJ Manufactures Entrance and extending 105 feet northerly therefrom (location 22097).

C. Lower Ferry Road - (near side)

Beginning at the northerly curbline of Lower Ferry Road and extending 105 feet northerly therefrom (location 22098).

D. Palmer Lane - (far side) (prolongation)

Beginning at the prolongation of the southerly curbline of Palmer Lane and extending 100 feet southerly therefrom (location 22099).

Along Upper Ferry Road (CR 636), eastbound, on the southerly side thereof at:

A. Rayburn Drive- (near side)

Beginning at the westerly curbline of Rayburn Drive and extending 105 feet westerly therefrom (location 32034).

B. Hilltop Road- (near side)

Beginning at the westerly curbline of Hilltop Road and extending 105 feet westerly therefrom (location 32037).

Along Upper Ferry Road (CR 636), westbound, on the southerly side thereof at:

A. Hilltop Road - (near side)

Beginning at the easterly curbline of Hilltop Road and extending 105 feet easterly therefrom (location 32036).

B. Rayburn Drive - (near side)

Beginning at the easterly curbline of Rayburn Drive and extending 105 feet easterly therefrom (location 32035).

Along West Upper Ferry Road (CR 636), eastbound, on the southerly side thereof at:

- A. Riverview Drive- (near side)  
Beginning at the westerly curblineline of Riverview Drive and extending 105 feet westerly therefrom (location 22103).
- B. Diane Drive- (near side)  
Beginning at the westerly curblineline of Diane Drive and extending 105 feet westerly therefrom (location 22104).
- C. Manor Drive- (far side)  
Beginning at the easterly curblineline of Manor Drive and extending 100 feet easterly therefrom (location 22105).
- D. Wilburtha Road- (far side)  
Beginning at the easterly curblineline of Wilburtha Road and extending 100 feet easterly therefrom (location 22106).
- E. Washington Avenue - (far side)  
Beginning at the easterly curblineline of Washington Avenue and extending 100 feet easterly therefrom (location 22107).
- F. Decou Avenue - (far side)  
Beginning at the easterly curblineline of Decou Avenue and extending 100 feet easterly therefrom (location 22108).

Along West Upper Ferry Road (CR 636), westbound, on the northerly side thereof at:

- A. Between Decou Avenue and Scotch Road - (mid-block) (prolongation)  
Beginning 525 feet east of the prolongation of the easterly curblineline of Decou Avenue and extending 135 feet easterly therefrom (location 22109).
- B. Bear Tavern Road - (far side)  
Beginning at the westerly curblineline of Bear Tavern Road and extending 100 feet westerly therefrom (location 22110).
- C. Washington Avenue - (near side)  
Beginning at the easterly curblineline of Washington Avenue and extending 105 feet easterly therefrom (location 22111).
- D. Bridge Avenue - (near side)  
Beginning at the easterly curblineline of Bridge Avenue and extending 105 feet easterly therefrom (location 22112).
- E. Manor Drive - (far side) (prolongation)  
Beginning at the prolongation of the westerly curblineline of Manor Drive and extending 100 feet westerly therefrom (location 22113).
- F. Diane Drive - (far side)  
Beginning at the westerly curblineline of Diane Drive and extending 100 feet westerly therefrom (location 22114).

Section 2. The Mayor and Council of the Township of Ewing will enforce the needed traffic regulations governing the aforementioned bus stop locations and provide the necessary police security to ensure the safety of the traveling public.

Section 3. The Municipal Clerk is hereby instructed to forward a certified adopted copy of this Ordinance to NJ TRANSIT, One Penn Plaza East, Newark, New Jersey 07105-2246; Attn: Joe De Mauro.

Section 4. This Ordinance shall take effect upon approval of the Commissioner of Transportation as provided by law.

**STATEMENT**

This Ordinance amends the Revised General Municipal Ordinances of the Township of Ewing to amend the bus stops along municipal roadways pursuant to N.J.S.A. 39:4-8(e).

**President Steward stated that this adds two bus stops on Charles Ewing Boulevard and moves the location of another closer to the Incarnation School on Pennington Road.**

**There were no questions or comments from Council. Ms. Keyes-Maloney made a motion to open the Public Hearing, seconded by Mr. Baxter. It was agreed by unanimous voice vote. There were no questions or comments from the Public. Mr. Schroth made a motion to close the Public Hearing, seconded by Mr. Baxter. It was agreed by unanimous voice vote. Ms. Wollert then moved the Ordinance, seconded by Mr. Schroth. President Steward asked for a roll call.**

**ROLL CALL**

<b>Mr. Schroth</b>	<b>YES</b>
<b>Ms. Wollert</b>	<b>YES</b>
<b>Mr. Baxter</b>	<b>YES</b>
<b>Ms. Keyes-Maloney</b>	<b>YES</b>
<b>President Steward</b>	<b>YES</b>

- 2. The Clerk read (Ordinance #17-31) AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EWING IN THE COUNTY OF MERCER, TO AMEND CHAPTER 342. TAXICABS AND LIMOUSINES, ARTICLE I. TAXICABS**

**WHEREAS**, the authority to license and regulate taxicabs is set forth in N.J.S.A. 40:52-1 and N.J.S.A. 48-16-1 et. seq.; and

**WHEREAS**, pursuant to Township Code, the Township of Ewing will recognize the validity of all licenses issued in accordance with Chapter 342. Taxicabs and Limousines [Adopted 04-02-2003 by Ord. No. 03-10]; and

**WHEREAS**, the Township will recognize the validity of duly authorized taxicab licenses issued by the participating municipalities for purposes of the pickup and discharge of passengers within the Township of Ewing, upon the adoption of reciprocal ordinances in those participating municipalities [Amended 08-13-2013 by Ord. No. 13-30].

**BE IT ORDAINED** by the Council of the Township of Ewing, County of Mercer that the Code of the Township of Ewing be amended as follows:

Chapter 342. Taxicabs and Limousines

Article I: Taxicabs

§ 342-1. Authority and scope.  
[Amended 3-10-2009 by Ord. No. 09-04]

- A. Authority. The authority to license and regulate taxicabs as set forth in N.J.S.A. 40:52-1 and N.J.S.A. 48:16-1 et seq.
- B. Scope. This article shall apply to all businesses commonly known as taxicabs which are located in the participating municipal areas. Nothing in this article shall be construed to regulate limousines, livery services, hotel buses, buses employed solely in transporting schoolchildren or teachers, autobuses which are subject to the jurisdiction of the New Jersey Department of Transportation, or interstate autobuses required by federal or state law to carry insurance against loss from liability imposed by law on account of bodily injury or death.  
[Amended 8-13-2013 by Ord. No. 13-30]

- C. In addition to licenses issued in accordance with this article, the Township of Ewing will recognize the validity of duly authorized taxicab licenses issued by the participating municipalities for purposes of the pickup and discharge of passengers within the Township of Ewing, upon the adoption of reciprocal ordinances in those participating municipalities, as provided hereunder.  
[Amended 8-13-2013 by Ord. No. 13-30]

#### § 342-2 Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

#### CRUISING

The driving of an empty taxicab along a public street at a slow rate of speed for the obvious purpose of soliciting passengers.

#### MUNICIPAL CLERK

The Municipal Clerk of the Township of Ewing.

#### OPERATION OF A TAXICAB

Transporting in a taxicab one or more persons for hire. Accepting a passenger to be transported for hire from a point of departure within the municipality to a destination within or outside the municipality shall be considered operation of a taxicab within the municipality. The operation of a taxicab by one other than the owner shall be deemed operation by the owner as well as by the person actually driving the taxi. The transportation of any person other than the owner or operator in any motor vehicle bearing a sign using the word "taxi," "taxicab," "cab" or "hack" shall be prima facie evidence of operation.

#### OWNER

Any person in whose name title to any taxicab is registered with the New Jersey Division of Motor Vehicles or who appears in the Division's records to be a conditional vendee or lessee or has any other proprietary interest in a taxicab or limousine.

#### PERSON

Any individual, copartnership, association, corporation or joint stock company, their lessees, trustees or receivers appointed by any court whatsoever (as defined in N.J.S.A. 48:16-1).

[Added 8-13-2013 by Ord. No. 13-30]

#### PUBLIC TAXICAB STANDS

A section of a public street or of a public place set apart for the exclusive use of a taxicab or a limited number of taxicabs, when such section is distinctly marked as such by an appropriate sign attached to a stanchion on the curb or other conspicuous place or by clearly visible marks upon the surface of a street or public place.

#### STREET

Any street, avenue, park, highway or other public place. (as defined in N.J.S.A. 48:16-1).

[Added 8-13-2013 by Ord. No. 13-30]

#### TAXICAB or TAXI

Any automobile, sport utility vehicle, crossover vehicle, minivan, or motor car, commonly called taxi, engaged in the business of carrying passengers for hire which is held out, announced or advertised to operate or run or which is operated or run over any of the streets or public highways of this state, and particularly accepts and discharges such persons as may offer themselves for transportation from points or places to points or places within or without the state. The capacity of any taxicab under this definition shall not exceed seven passengers.

[Amended 8-13-2013 by Ord. No. 13-30]

#### TAXIMETER

A mechanical instrument or device by which the charge for hire of a taxicab is mechanically calculated, either for the distance traveled or for waiting time, or for both, and upon which such charge shall be plainly indicated by means of figures, and which

shall be inspected and calibrated by the New Jersey Office of the Attorney General, Division of Consumer Affairs, Office of Weights and Measures, at least annually.  
[Amended 8-13-2013 by Ord. No. 13-30]

§ 342-3 License required.

- A. Taxicab operator's license. No person shall operate a taxicab in the municipality unless that person holds a valid taxicab operator's license issued by the Municipal Clerk. Any and all violators would be subject to the penalties provided in Chapter 1, Art. III, General Penalty, of the Code of the Township of Ewing.
- B. Taxicab owner's license. No person owning or leasing a vehicle shall use that vehicle or permit that vehicle to be used as a taxicab unless there is a current taxicab owner's license in effect for such vehicle.
- C. The owner of a taxicab shall display on the front quarter panels on the driver and passenger sides and the rear center line of the trunk the medallion number and the name of the municipality issuing the license. ~~the body of the vehicle the taxi license number issued to the vehicle. The number shall be three inches in height and located in the center rear quarter panels on the driver and passenger sides and the rear center line of the trunk of the vehicle. Each taxicab shall display on each rear door of the taxicab the name of the municipality or municipalities which has issued the taxicab a taxi license in letters three inches in height.~~  
[Added 8-13-2013 by Ord. No. 13-30]

§ 342-4 Owner's license requirements.

[Amended 8-13-2013 by Ord. No. 13-30; 6-24-2014 by Ord. No. 14-13]

- A. General provisions. No taxicab owner's license shall be granted unless the applicant meets the requirements set forth in this section.
  - (1) Citizenship or visa. The applicant must be a citizen of the United States or a legal resident alien. If the applicant is a partnership or corporation then each partner or officer must be a citizen of the United States or a legal resident alien.
  - (2) Authorization to do business. If the applicant is a corporation, the corporation must either be incorporated in the State of New Jersey or authorized to do business in this state.
  - (3) Convictions. The applicant shall not have been convicted of any crime and/or disorderly persons offense involving moral turpitude, including, but not limited to, conviction for possession and/or distribution of pornography, conviction for possession and/or distribution of controlled dangerous substances, all elements included under the New Jersey statute prohibiting prostitution, sexual offenses of physical violence against persons or property within 10 years next preceding the date of application for license, unless the police, for good cause shown, shall waive any disqualification based on such conviction. If the applicant is a partnership, then no partner may have such record. If the applicant is a corporation, then neither the corporation nor any officer or director may have such record.
  - (4) Prior license revocations. The applicant must have no record of prior revocation by any jurisdiction of a license related to the taxicab business. If the applicant is a partnership, then no partner may have such record. If the applicant is a corporation, then neither the corporation nor any officer or director may have such record.
  - (5) Insurance. The applicant must have complied with the provisions of N.J.S.A. 48:16-21 et seq., and the acts amendatory thereof or supplemental thereto, relating to insurance.
    - (a) The owner of the taxicab shall have filed with the Clerk of the municipality in which such operation is permitted, an insurance policy which shall be issued by an admitted insurance company duly licensed to transact business under the insurance laws of this state or a company registered to do business in the state, the policy providing for not less than

\$35,000 of motor vehicle liability insurance coverage or the amount of motor vehicle liability insurance coverage required pursuant to section 1 of P.L. 1972, c. 197 (N.J.S.A. 39:6B-1), whichever is greater, to satisfy all claims for damages, by reason of bodily injury to, or the death of, any person or persons, resulting from, or on account of, an accident, by reason of the ownership, operation, maintenance, or use of such taxicab upon any public street; and to satisfy any claim for damages to property of any person or persons, resulting from, or on account of, an accident, by reason of the ownership, operation, maintenance, or use of such taxicab upon any public street.

- (b) Nothing contained in this subsection shall prohibit the owner of a taxicab from obtaining any additional amount of motor vehicle liability insurance coverage from a company licensed outside the State of New Jersey.
- (c) The consent shall be effective and operation thereunder shall be permitted only so long as the insurance policy shall remain in force to the full and collectible amounts as aforesaid.
- (d) The insurance policy shall provide for the payment of any final judgment recovered by any person on account of the ownership, maintenance, or use of the taxicab or any fault in respect thereto, and shall be for the benefit of every person suffering loss, damage or injury as aforesaid.
- (e) If a licensed owner operates more than one taxicab, he may file with the Municipal Clerk, in lieu of the policy required by Subsection A(5)(a) above, a bond or insurance policy of a company duly licensed to transact business under the insurance laws of this state, in the sum of \$50,000, which shall be a blanket insurance covering all cabs operated by such owner which shall provide for the payment of any final judgment recovered by any person on account of the ownership, maintenance and use of any such taxicabs or any fault in respect thereto, and shall be for the benefit of every person suffering loss, damage or injury as aforesaid.

- B. An owner's license granted under this chapter and pursuant to N.J.S.A. 48:16-2 may be revoked by the Ewing Township Council, after notice and hearing, whenever it shall appear that the person to whom the consent was granted has failed to furnish or keep in force the insurance policy or bond and power of attorney required by this chapter, or to comply with any terms or conditions imposed by the board or body granting the consent, or any law of this state.

#### § 342-5 Applications for owner's license.

- A. Forms. Applications for an owner's license under this chapter shall be made by the owner or lessee thereof upon blank forms to be furnished by the Municipal Clerk. The application shall require the applicant to provide all of the information necessary to determine whether the applicant is entitled to an owner's license. Each individual applicant, copartner or officer of a corporation shall have his fingerprints taken and filed with the police of the municipality.
- B. Insurance. The applicant for a taxicab license shall file an insurance policy conforming with the requirements of N.J.S.A. 48:16-3 or a bond referred to in N.J.S.A. 48:16-4 and file concurrently a power of attorney, wherein and whereby the owner shall appoint the chief fiscal officer of the municipality 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 or bond filed.

[Amended 8-13-2013 by Ord. No. 13-30]

- (1) The Municipal Clerk, upon the filing of the required insurance policy or bond, shall issue a certificate in duplicate showing that the owner of the taxicab has complied with the terms and provisions of this article. The certificate shall recite the name of the insurance company, the number and date of expiration of the policy or bond, a description of the taxicab insured thereunder, and the registration number of the same. The duplicate certificate shall be filed with the

Department of Motor Vehicles before any such car is licensed as a taxicab. The original certificate shall be posted in a conspicuous place within the taxicab.

- C. False statement. Any person who shall make a false statement in any license application or in any record or certificate that he/she is required to file or maintain shall be subject to rejection of the application submitted and/or to appropriate disciplinary sanctions, including license suspension or revocation, in addition to any penalty provided under the New Jersey Criminal Code.
- D. Fees. All fees must be paid with the application. If the application is withdrawn or denied, then the fees shall be refunded, with the exception of the amount provided for in Chapter 172, Fees.

§ 342-6 Requirements, qualifications for operator's license.

[Amended 8-13-2013 by Ord. No. 13-30; 6-24-2014 by Ord. No. 14-13]

- A. Required. No person shall drive a taxicab for the purpose of accepting therein or discharging therefrom any person without first having obtained a license to do so.
- B. Qualifications of applicants. Generally, each applicant for a license to drive a taxicab must:
  - (1) Have a valid New Jersey driver's license with no suspensions or revocations of license in any jurisdiction for the preceding two years, except for suspensions and revocations purely administrative in nature.
  - (2) Motor vehicle infractions. The applicant may not have been convicted of reckless driving, driving while intoxicated or under the influence of drugs, or leaving the scene of an accident within three years of the application.
  - (3) State the name of the licensee of the taxicab by whom or which he/she will be employed.
  - (4) Be at least 21 years of age and a citizen of the United States or a legal resident alien.
  - (5) Be able to speak, read and write the English language.
  - (6) At the time of making the initial application, have his/her fingerprints taken and filed with the police of the municipality.
  - (7) The applicant must file with the Municipal Clerk a certificate from a licensed physician, setting forth that he/she has been examined by a physician within 30 days prior to the date of the application. The applicant must have no disability or illness of any type which poses a significant risk of substantial harm to the applicant or others if he/she is granted a license to drive a taxicab.
  - (8) Each operator or driver of the taxicab for which the owner thereof is seeking the consent to operate in a municipality has submitted to the performance of a criminal history record background check and will submit to the performance of a criminal history record background check every two years thereafter. The cost for the criminal history record background checks, including all costs of administering and processing them, shall be borne by the operator or driver of the taxicab.
    - (a) A person shall be disqualified from operating or driving a taxicab if a criminal history record background check required pursuant to this subsection reveals a record of conviction of any of the following crimes:

[1] In New Jersey or elsewhere any crime as follows: aggravated assault, arson, burglary, escape, extortion, homicide, kidnapping, robbery, aggravated sexual assault, sexual assault or endangering the welfare of a child pursuant to N.J.S.A. 2C:24-4, whether or not armed with or having in his possession any weapon enumerated in Subsection r of N.J.S.A. 2C:39-1, a crime pursuant to the provisions of N.J.S.A. 2C:39-3, 2C:39-4, or 2C:39-9, or other than

a disorderly persons or petty disorderly persons offense for the unlawful use, possession or sale of a controlled dangerous substance as defined in N.J.S.A. 2C:35-2.

[2] In any other state, territory, commonwealth, or other jurisdiction of the United States, or any country in the world, as a result of a conviction in a court of competent jurisdiction, a crime which in that other jurisdiction or country is comparable to one of the crimes enumerated in Subsection B(7)(a)[1] of this section.

(b) If a person who has been convicted of one of the crimes enumerated in Subsection B(7)(a)[1] and [2] of this section can produce a certificate of rehabilitation issued pursuant to N.J.S.A. 2A:168A-8 or, if the criminal offense occurred outside New Jersey, an equivalent certificate from the jurisdiction where the criminal offense occurred, the criminal offense shall not disqualify the applicant from operating or driving a taxicab.

(c) The provisions of this subsection shall not apply to an operator or driver of a taxicab who has received the consent to operate in a municipality prior to the effective date of P.L. 2011, c. 135 (N.J.S.A. 48:16-2.1 et al.).

§ 342-7 Applications for taxicab operator's license.

[Amended 8-13-2013 by Ord. No. 13-30; 6-24-2014 by Ord. No. 14-13]

- A. Forms. Applications for taxicab operator's licenses under this chapter shall be made by the applicant upon forms furnished by the Municipal Clerk. The form shall require the applicant to provide all of the information necessary to determine whether the applicant is entitled to an operator's license.
- B. Proof of driver's license. The applicant must provide the Municipal Clerk with proof that he/she holds a valid driver's license issued by the New Jersey Division of Motor Vehicles.
- C. Convictions. At the time of the initial application and every two years thereafter, the applicant shall provide the police with authorization to review any records of criminal convictions for that individual or the individual partners. Any costs associated with providing the police with the authorizations to review any records of criminal convictions will be borne by the applicant.
- D. Driving violations. At the time of application and at all times thereafter, the applicant shall provide the Chief of Police or his designee with authorization to review any records regarding motor vehicle infractions for that individual or the individual partners. Any costs associated with providing the police with authorization to review records of motor vehicle infractions shall be borne by the applicant.
- E. Affidavit. All applications shall be duly verified by the affidavit of the applicant seeking the license.
- F. False statement. Any person who shall make a false statement in any license application or in any record or certificate that he/she is required to file or maintain shall be subject to rejection of the application submitted and/or to appropriate disciplinary sanctions, including the license suspension or revocation, in addition to any penalty provided under the New Jersey Criminal Court.
- G. Fees. A nonrefundable fee (cash or money order) as provided in Chapter 172, Fees, shall be submitted with all license applications which, if approved, will be applied to the licensing fee.
- H. Photographs. Each applicant for an operator's license shall file with his/her application three unmounted, unretouched passport-quality photographs of himself/herself. The photographs shall have been taken within 30 days preceding the filing of the application. One of the photographs shall be attached to the operator's license. The remaining photographs shall be filed with the application by the Municipal Clerk and with the police. Each licensed operator shall exhibit his/her license with the photograph attached for inspection. In case an application for an operator's license is denied, two of the photographs shall be returned to the applicant.

§ 342-8 Review of applications.  
[Amended 6-24-2014 by Ord. No. 14-13]

- A. Review by Municipal Clerk. Each application shall be reviewed by the Municipal Clerk for completeness. If the application is not complete, the Municipal Clerk shall advise the applicant and no further action shall be taken until the application is complete. If the application is complete, the Municipal Clerk shall refer the application to the Chief of Police for further action.
- B. Inspection of vehicle.
- (1) ~~Vehicles must be inspected at a state operated inspection station only.~~ Prior to the use and operation of any vehicle under the provisions of the chapter of these Revised General Ordinances, the vehicle must pass State inspection first, and then the vehicle shall be thoroughly examined and inspected by the Department of Public Works, Road Division, and must be found to comply fully with such reasonable rules and regulations as may be prescribed by the Department. New vehicles may use dealer inspection stickers if the vehicle was purchased in New Jersey.
- (2) Every vehicle operating under the provisions of this chapter shall be inspected not less than every six (6) months by the Department of Public Works, Road Division to insure the continued maintenance of safe operating conditions and full compliance by the vehicle, with the requirements of this section and the rules and regulations, and shall have Municipal inspection stickers affixed to the vehicle by the Department of Public Works, Road Division.
- ~~(2)(3)~~ (3) No vehicle shall be licensed under this article until it has been thoroughly and carefully inspected by the ~~police~~ Department of Public Works, Road Division and found to be in a thoroughly safe, clean and fit condition for transportation of passengers. If required, a taximeter shall be attached to the vehicle. The taximeter shall be inspected and approved by the ~~police~~ New Jersey Office of the Attorney General, Division of Consumer Affairs, Office of Weights and Measures. ~~Municipal inspection stickers will be affixed to the vehicle by the police.~~
- C. Examination and certification of applicant as to knowledge of laws. As part of his/her review, each applicant may be examined as to the applicant's knowledge of the provisions of this chapter, the Motor Vehicle Act, the Traffic Act and other ordinances and regulations having to do with traffic and the geography of the municipality, and if the result of the examination is unsatisfactory, he/she shall be refused a license.
- D. Police review of applicant's driving record. Upon receiving a completed application from the Municipal Clerk, the Chief of Police shall review an applicant's driving record. Upon inspection, the Chief of Police may reject an application upon determining that an applicant's violations of traffic and/or motor vehicle laws renders the applicant unfit for a taxicab operator's license. If the Chief of Police rejects an application hereunder, applicant shall receive a written response explaining said rejection.

§ 342-9 Issuance of owner's license.

- A. If upon inspection a taxicab is found to be in a safe condition for transportation of passengers and conforms to the rules and regulations established under this chapter, the police shall authorize the issuance of the license and the Municipal Clerk shall issue a license to the applicant. The license shall set forth the name of the owner of the vehicle, the trade name, and the official license number thereof. The license shall be signed by the Municipal Clerk and shall be conspicuously displayed within the taxicab. If upon inspection the taxicab is found to be in a safe condition for the transportation of passengers and conforms to the rules and regulations established under this chapter, and the applicant pays an annual inspection fee as provided in Chapter 172, Fees, to the authority so designated to certify inspections, the police shall authorize the issuance of the license and the Municipal Clerk shall issue a license to the applicant.

- B. The Municipal Clerk shall also furnish a small card, not exceeding six inches and not less than four inches in length or width, indicating the rates and fares. The card shall be conspicuously displayed within the vehicle.

§ 342-10 Badges.

- A. General. A badge shall be issued to each licensee under this article bearing the license number of the operator and the word "operator" thereon. The badge must be conspicuously displayed on the left breast of the operator's outer garment when he is engaged in his employment. If any badge becomes lost or destroyed, a new badge shall be furnished by the Municipal Clerk upon payment of the sum as provided in Chapter 172, Fees.
- B. Sale or loan of badge prohibited. No person shall sell, loan or otherwise dispose of any license issued under the provisions of this chapter or of any badge delivered by the Municipal Clerk with any license.

§ 342-11 License fees.

- A. General. The license fees are fixed for the purpose of regulation and control and shall be paid annually, in the manner and amounts set forth below, to the Township, for conducting or engaging in the business aforementioned. The term of each license issued shall expire on the last day of May of the year following issue.
  - (1) Taxicab owner's license: See Chapter 172, Fees.
  - (2) Taxicab operator's license: See Chapter 172, Fees.
  - (3) Replacement fee: See Chapter 172, Fees.
- B. Exemptions. Each person honorably discharged from the United States Armed Services, upon furnishing satisfactory proof of service and discharge and complying with the terms and conditions of this chapter, shall be exempt from payment of fee for an operator's license. However, no fee shall be waived for the purchase of a badge.

§ 342-12 Renewal of owners' and operators' licenses.

- A. General. Taxicab owners' licenses may be renewed from year to year by the Municipal Clerk after vehicle inspection by the police or other designee, as determined by the municipality. Taxicab operators' licenses may be renewed from year to year by the Municipal Clerk.
- B. Form. An application for renewal of a taxicab owner's or operator's license shall be made upon a form to be furnished by the Municipal Clerk.
- C. Time for filing. The renewal application shall be filed no later than ~~May~~ December 1 of the year of issue, which requirement may be waived or the period extended for good cause by the Municipal Clerk.
- D. Failure to file. Failure of an owner or operator to renew a license will result in the termination of the license upon the expiration date. The license may be extended, upon written request made to the Municipal Clerk prior to the expiration date, if good cause is shown for the failure to make timely renewal application.
- E. Late fees. In the event any holder of an owner's license seeks to renew a license that shall have expired, there shall be an additional fee as provided in Chapter 172, Fees.
- F. Extension of license. In the event it is determined that an inspection of the vehicle will not be completed for the timely renewal of an owner's license, the Police Inspector or other designee of the municipality who may perform inspections may authorize the extension of a license for a fourteen-day period.

§ 342-13 Regulations for taxicabs.

[Amended 3-10-2009 by Ord. No. 09-04]

- A. General. In addition to carrying out the provisions of this chapter, all licensees hereunder shall abide by the following regulations applicable to the license or licenses held.
- B. Posting of license identification.
- (1) There shall be posted in a conspicuous place on the inside of each taxicab the name and address of the owner and the name, address and photograph of the operator, together with the license number of the vehicle and the number of the operator's license. Such identification shall be provided by the owner in a manner to be approved by the Municipal Clerk.
- (2) ~~In addition to all other working knowledge of geography, a street map of Mercer County, which shall be purchased in the Clerk's office, is required to be kept in all cabs at all times.~~
- C. Change of address; loss of records. Any change of address of any owner or operator licensed under the provisions of this chapter must be reported, in writing, to the Municipal Clerk's office within 72 hours of such change. The loss of the license badge or any other book or document required to be kept by any licensed owner or operator must be reported to the Municipal Clerk's office, in writing, within 72 hours of such loss. The Municipal Clerk shall charge any licensee a fee as provided in Chapter 172, Fees, to replace any lost badge, book or document.
- D. Record of trips. Each and every licensed operator shall legibly record on a trip form, kept solely for the purpose of recording the departure from the garage or stand, the name and address of the operator thereof, his/her license number and the license number of the vehicle and the time of the return to the garage or stand of each such vehicle, locations of pickup, time of pickup, destination, time destination is reached, the number of passengers conveyed and the fee charged. All owners and operators shall keep open for inspection by any police officer his/her record of trips. Records shall be maintained for a period of six months. Failure of an operator or owner to produce a record of trips for the six-month period preceding a police officer's demand shall constitute a violation of this chapter. This form shall record the acceptance and discharge of passengers.
- E. Identification of taxicabs. Each taxicab shall have a dome displaying the trade name of the company or the word "taxi" affixed to its roof and shall have the trade name of the taxicab lettered on its exterior. Each taxicab shall also conspicuously display the medallion certifying that an annual inspection has been completed next to the painted numbers assigned by the Municipal Clerk on the front panels, on the front quarter panels on the driver and passenger sides and on the left rear section and the rear center line of the trunk of the taxicab.
- F. Imitation of insignia used by other taxicab. No licensee of any taxicab shall use thereon or thereabout any imitation of any color scheme, monogram or insignia previously adopted or used by any other licensee of a taxicab licensed under the provisions of this chapter.
- G. Giving false or misleading information to passengers; operators to use most direct route. No operator of a taxicab shall induce any person to employ him/her by knowingly misinforming or misleading such person either as to the time or place of the arrival or departure of any train, omnibus, boat, aircraft or other means of public transportation or as to the location of any hotel, airfield, airdome, public place or private residence or place, nor shall any operator deceive any person or make any false representation to him/her in respect to the transportation or prospective transportation of any passenger, or convey any passenger to any other place or over any other route than that to which or over which such passenger may have instructed the operator to go. Unless otherwise ordered, operators shall convey passengers by the most practical direct routes to their destinations.
- H. Taxicabs; additional passengers. No taxicab operator shall delay an immediate departure or otherwise accommodate additional passengers without the express permission of the first passenger to hire the taxicab.

- I. Riding in operator's compartment. No person other than the licensed operator of the taxicab, excepting a fare occupying the auxiliary seat, shall ride or sit in the compartment of a taxicab reserved for the operator.
- J. Lost or misplaced items; disposition of property left in taxicab. Every operator of a taxicab shall, immediately after termination of employment, carefully search the taxicab for any property lost or left therein and shall, immediately after finding any property, deliver the property to Police Headquarters.
- K. Response of taxicab service. All taxicab licensees or their representatives shall answer all calls received for taxi service inside the municipality limits without unreasonable delay. If such service cannot be rendered within a reasonable time, they shall notify the prospective passenger as to how long it will be before the call can be answered and give the reason.
- L. Insurance identification card. The insurance identification card shall be posted in a conspicuous place within the vehicle.
- M. Cooperation with law enforcement officers. All licensees under this chapter shall cooperate with law enforcement officers in the performance of their duty. No licensee shall conceal evidence of a crime or voluntarily aid violators to escape arrest. A licensee shall report immediately to the police any attempt to use his/her vehicle to commit a crime or escape from the scene of a crime.
- N. Conduct of operators.
  - (1) Licensed operators, while engaged in the operation of a taxicab, shall behave in a civil and orderly manner and shall not use any indecent, profane or abusive language.
  - (2) Operators shall be clean and neat and shall wear the following items of dress:
    - (a) A long- or short-sleeved shirt or blouse with a collar.
    - (b) A pair of zippered trousers or skirt.
    - (c) Other items of clothing, e.g., headgear, jackets, sweaters or shoes, as well as jewelry, shall be appropriate and tasteful. Operators shall not wear excessive cologne, perfume or aftershave.
  - (3) Operators shall not be under the influence of or impaired by any intoxicant.
- O. Storage and parking of vehicles. No taxicab shall be stored or parked on any street of the municipality, other than when the vehicle or operator is on duty. All off-duty vehicles shall be stored and maintained in strict accordance with the applicable land use codes of the Land Development Regulations of the Township of Ewing.  
[Amended 8-13-2013 by Ord. No. 13-30]
- P. Operation of vehicles. No operator of a taxicab shall operate his/her vehicle in a manner to endanger a passenger or any other person.
- Q. Maintenance of vehicles. The owner and operator of a taxicab shall maintain such vehicle in a safe and clean condition and shall maintain such vehicle in a good appearance, including proper painting and the prompt repair of dents.
- R. Accidents; reporting and repair. Every owner of a licensed taxicab which is involved in an automobile accident shall provide the police with a copy of the accident report within five working days after the accident. Any taxicab which has sustained damage to the vehicle, such as dents, or is in need of painting shall be repaired within eight weeks after the date of the accident. The police shall inform the taxicab owner of any and all repairs that are necessary. Any taxicab owner who fails to comply with the terms of this section shall be in violation of this chapter and subject to suspension of his/her taxicab license.
- S. Inspection of vehicles. The owner and operator of a taxicab shall permit the police or any law enforcement officer to inspect such vehicle at any and all times.

- T. Obstruction of vision. No licensee under this chapter shall display any advertising on his/her vehicle which obstructs the vision of the operator, including the operator's vision to the rear.
- U. Taxicab overcharges. No person shall charge or attempt to charge any taxicab passenger a greater rate of fare than that to which the operator is entitled under the provisions of this chapter.
- V. Refusal of service. No taxicab operator licensed by the municipality, and who is on duty, shall unreasonably refuse to carry any orderly person applying for a taxicab who agrees and, upon reasonable request, demonstrates ability to pay the proper rate of fare. A refusal to carry an orderly passenger shall be presumptively unreasonable where the refusal is based on the amount of money the operator expects to receive or is based upon the race, sex, religion or ethnic background of the passenger.
- W. Age of vehicle. When a taxicab owner or operator first becomes licensed in the municipality, his/her taxicab shall not be more than 84 months (seven years). A vehicle owned by a currently licensed operator which is in excess of 84 months as of the effective date of this chapter or a new license with a vehicle in excess of 84 months of age may obtain a waiver of the eighty-four-month requirement if it otherwise satisfies all inspection criteria required of vehicles less than 84 months, and thereafter such vehicle in excess of 84 months can receive a waiver of this requirement based upon the inspection of the vehicle by the Police Inspector or other authorized inspection designee of the municipality who shall find that the vehicle is able to satisfy all safety, repair, operational and passenger requirements provided hereunder and otherwise satisfies all requirements provided for vehicles of less than 84 months.  
[Amended 8-13-2013 by Ord. No. 13-30]
- X. Receipts. The operator of any taxicab shall, upon demand by any passenger, render to such passenger a receipt for the amount charged, on which shall contain the name of the owner of the taxicab, the name of the operator, the date and time of the transaction and the amount of the fare. All negotiated fares shall be recorded and a receipt issued to the customer.  
[Amended 8-13-2013 by Ord. No. 13-30]
- Y. Safety equipment. Every taxicab is required to have approved child safety seats appropriate to the age of the child prior to transporting the child and is required to have all children secured as defined in Title 39 before transporting them from point of pickup.

#### § 342-14 Enforcement.

- A. General. The enforcement of the provisions of this chapter shall be under the control of the Municipal Clerk and the Municipal Police. All licenses for vehicles and operators shall be issued by the Municipal Clerk.
- B. License registry. The Municipal Clerk shall keep a register of the name of each person owning or operating a vehicle or vehicles licensed under this chapter, together with the license number and the description, make and dimensions of such vehicles, with the date and complete record of inspections made of them. All applications for licenses shall be filed by the Municipal Clerk and carefully preserved for reference. All such records shall be opened to the inspection of the public at all reasonable times and shall be deemed the official records of the office of the Municipal Clerk of the municipality.

#### § 342-15 Designated taxicab stands.

The governing body of the municipality may designate taxicab stands within its jurisdiction if and when it shall deem such action necessary for the convenience of the public, but no designation shall become effective until the designation has been approved and adopted by ordinance by the governing body. When a taxicab stand has been designated, fixed or established, the following regulations shall apply:

- A. All designated taxicab stands shall be open to all taxicabs for which an owner's license has been issued under this chapter.  
[Amended 8-13-2013 by Ord. No. 13-30]

- B. Only taxicabs in such numbers as shall be set forth on the sign designating any taxicab stand shall remain at any such stand while waiting for employment, and taxicabs shall remain in single file.
- C. No operator of a taxicab standing at the head of any line shall refuse to transport any orderly person applying for a taxicab who agrees to pay the proper rate of fare; provided, however, that this provision shall not prevent any prospective passenger from selecting a taxicab at any stand, whether or not it shall be at the head of the line. As a taxicab shall leave the line or move forward, the taxicab behind it shall be moved forward, and the operator of a taxicab seeking a space at the stand shall approach from the rear of the stand and shall stop as near as possible to the last taxicab then in line. No taxicab shall stand at any place in or upon any of the streets or highways or any other public place within the municipality awaiting employment for hire excepting at designated taxicab stands.
- D. No taxicab shall stand within 25 feet of the nearest crosswalk or sideline of a street or intersecting highway except at alleys, or within 50 feet of a stop sign, or within 50 feet of the near right-hand corner of any street upon which any autobus route is established and approved by the Board of Public Utility Commissioners, or within 20 feet of the driveway entrance to any fire station, or within 10 feet of any fire hydrant.
- E. No taxicab operator shall stand in front of the entrance to any building within any prohibited space after his passengers desiring to alight have done so or stand in the prohibited space waiting for passengers.
- F. No taxicab operator shall, while engaged in employment, engage in conversation with persons upon any street, highway or public place except in the course of his/her business, or suffer or permit any person to loiter in or about the taxicab of which he is the operator.
- G. No vehicle other than a licensed taxicab shall stop at any public taxicab stand except while loading or unloading goods, wares or merchandise or receiving or discharging passengers.
- H. Each taxicab stand shall be marked with a suitable stanchion, which shall bear the statement that the stand is a stand reserved for licensees only and shall designate the number of taxicabs which may occupy the stand.
- I. All duly licensed taxicabs of the participating municipal areas may stand at any designated taxi stand in the participating municipalities. Each participating municipality will designate its own taxi stands for its own municipality, which shall then be distributed to the respective clerks of the other participating municipalities for distribution to its licensees.

§ 342-16 Disciplinary action.

- A. General. Any licensee who violates a provision of this chapter or is in violation of any rule or regulation governing the operation or conduct of any activity licensed hereunder shall be subject to reasonable license disciplinary action, including the imposition of monetary sanctions as per Chapter 1, Article III, General Penalty, of the Code of the Township of Ewing and license suspension and revocation in addition to such civil or criminal prosecution as may be appropriate. Penalty for a first offense shall be a monetary fine up to \$500; penalty for a second offense shall be a monetary fine up to \$1,000; and penalty for third and subsequent violations is a monetary fine up to \$2,000. [Amended 8-13-2013 by Ord. No. 13-30]
- B. Notice of revocation hearing. Notice of a hearing for the revocation of a license or permit shall be given in writing by the Municipal Clerk. The notice shall specifically set forth the grounds upon which the proposed revocation is based and the time and place of the hearing. It shall be served by mailing a copy to the licensee at his/her last known address by regular mail and certified mail, return receipt requested, at least five days prior to the date set for the hearing.
- C. Procedure for revocation hearing. Hearings for the revocation of a license or permit shall be conducted before the panel of municipal clerks of the participating municipalities or designees thereof. At the hearing, the licensee shall have the right to appear and be heard, to be represented by an attorney, to present witnesses in his/her own behalf, to cross-examine opposing witnesses, and to have a permanent record made of the proceedings at

his/her own expense. The panel of municipal clerks or designees thereof shall revoke or suspend the license if it is satisfied by a preponderance of the evidence that the licensee is guilty of the acts charged. If the license is suspended or revoked, the licensee may appeal to the governing body of the municipality in which the offense occurred.

- D. Other powers. Nothing herein contained shall limit the power of the Municipal Clerk and/or the police to immediately suspend such license for a period not exceeding 14 days, pending the giving of notice and holding of hearing, whenever, in the opinion and discretion of the Municipal Clerk and/or the police, it is necessary. In the event of temporary suspension, if notice and hearing of alleged violations or charges is not given and held prior to the expiration of the five-day period unless extended by the owner, or operator, the proposed charges and violations shall be deemed dismissed.
- E. Suspension or revocation of license. Owners' licenses and operators' licenses issued under this chapter may be suspended or revoked at any time. Any suspension shall be noted upon the license suspended, together with the reason thereof. No operator whose license has been revoked shall again be licensed as an operator of a taxicab. The Municipal Clerk shall notify the Chief of Police whenever a license shall be deemed suspended or revoked.

#### § 342-17 Appeal process.

Any person who shall be aggrieved by any decision shall be entitled to appeal to the governing body of the municipality in which the offense occurred within 30 days of the receipt of the decision by filing a written request for review by the governing body with the Municipal Clerk within the thirty-day period.

#### § 342-18 Taximeters.

Each participating municipality will require the metering of its taxicabs in accordance with the standards hereafter upon the enforcement date of this chapter on May 1, 2003.

- A. Each taxicab shall have affixed thereto a taximeter of a size and design approved by the panel of municipal clerks of the participating municipal areas. Each taximeter shall be so placed that the dial thereof shall at all times be within the plain view of all passengers in the vehicle.
- B. No license for a taxicab shall be issued until the taximeter attached thereto shall have been inspected and found to be accurate.
- C. No person shall use or permit to be used upon any taxicab a taximeter which shall be in such a condition as to be more than 5% incorrect to the prejudice of any passenger.
- D. The face or dial of every taximeter shall be illuminated by a suitable light, which shall be so arranged as to throw a continuous steady light thereon from one hour after sunset until one hour before sunrise.
- E. No person shall use or drive for hire or permit to be so used or driven any taxicab equipped with a taximeter the case of which is unsealed or the cover or gear of which shall not be intact.
- F. No operator of any taxicab equipped with a taximeter shall, while carrying any passenger or under employment, display the signal affixed to the taximeter in such a position as to indicate that he is then employed at a rate of fare different from that to which he is entitled under the provisions of this chapter.
- G. No person shall drive or permit to be driven any taxicab to which is attached a taximeter which shall not have been duly inspected and approved.
- H. ~~It shall be the duty of the police to cause all taximeters used in the municipality to be examined, inspected and sealed at least once in every period of 12 months; provided, however, that if any complaint that any taximeter registers improperly or inaccurately shall be made to the police it shall be the duty of the police to cause the taximeter complained of to be immediately inspected and examined. If the taximeter shall be found to be in such condition that it does not properly and accurately register, indicate or~~

~~display the time consumed by the taxicab while in waiting, the distance traveled and the amount of the fare to be determined and charged therefor, then it shall be unlawful for the taxicab to be used for the transportation of any passenger for hire until the taxicab shall be equipped with a taximeter approved by the police.~~

- ~~I. Every taximeter shall be tested by running the taxicab to which it is attached either over a course of a standard mile in length or by a mechanical test to prove the accuracy of the register thereof. Both of such tests may be made in the discretion of the police. In order to determine whether any taximeter correctly registers waiting time, the taximeter shall be tested by comparing the time recorded thereon with the actual elapsed time.~~
- ~~J. It shall be the duty of any person owning, controlling or operating any taxicab to deliver either the taxicab with the taximeter or the taximeter detached therefrom to any inspector designated by the police for the purpose of making any test upon demand.~~

§ 342-19 Rates and charges.  
[Amended 8-13-2013 by Ord. No. 13-30]

The maximum charges that may be made or requested by owners and operators of taxicabs who are subject to licensing under this chapter, for transportation of passengers and other services incidental thereto either entirely within the municipality or originating or terminating entirely within the participating municipal areas, are hereby fixed as provided in Chapter 172, Fees.

- A. The rates and the contact information for the cab company shall be displayed and posted conspicuously in each taxicab on a placard that shall be permanently affixed to the front passenger dashboard and either the rear passenger windows or the back of the front passenger seat.
- B. Any fare originating and terminating inside the participating municipal area shall be metered. Fares terminating or originating outside the participating municipal area shall be based on the negotiation of the parties, which shall be set and agreed to prior to the commencement of the fare. A receipt shall be issued to the customer for all negotiated rates.

§ 342-20 Taxi stands.

The following described locations are hereby designated as taxi stands:

Stand Number	Location	Number of Cabs
1	West Trenton Railroad Station, subject to the approval of the Reading Railroad Company	1
2	Mercer County Airport, Scotch Road, subject to the approval of Mercer County	6
3	Hamilton Train Station subject to approval by New Jersey Transit	1

Article II: Limousines

§ 342-21 Authority and scope.

- A. Authority. The authority to license and regulate limousines is set forth in N.J.S.A. 40:52-1 and N.J.S.A. 48:16-1 et seq.
- B. Scope. This chapter shall apply to all businesses commonly known as "limousine services" which are located in the municipality. Nothing in this chapter shall be construed to regulate hotel buses, buses employed solely in transporting schoolchildren or teachers, autobuses which are subject to the jurisdiction of the Department of Transportation or interstate autobuses required by federal or state law to carry insurance against loss from liability imposed by law on account of bodily injury or death.

§ 342-22 Definitions.

For the purpose of this chapter, the following words and terms shall have the meanings given herein:

#### LIMOUSINE

Any automobile or motor car, commonly called a limousine, used in the business of carrying passengers for hire, which is held out, announced or advertised to operate or run, or which is operated or run, over any of the streets or public highways of this Township, and which is hired by charter; for a particular contract; by the day, hour or other fixed period; to transport passengers to a specified place or places; or which charges a fare or price agreed upon in advance between the operator and the passenger.

[Amended 8-13-2013 by Ord. No. 13-30]

#### LIMOUSINE SERVICE

Includes the business of carrying passengers for hire by limousines.

#### § 342-23 Licenses required.

- A. Limousine operator's license. No person shall operate a limousine in the municipality unless that person holds a valid limousine operator's license issued by the Municipal Clerk.
- B. Limousine owner's license. No person owning or leasing a vehicle shall use or permit that vehicle to be used as a limousine unless there is a current limousine owner's license in effect for such vehicle.
- C. Violations. Any person who violates this section shall be subject to the penalties set forth in Chapter 1, Article III, General Penalty, of the Code of the Township of Ewing.

#### § 342-24 Requirements for limousine owners' licenses.

General. No limousine owner's license shall be granted unless the applicant meets the requirements set forth in this section.

- A. Citizenship or visa. The applicant must be a citizen of the United States or a legal resident alien. If the applicant is a partnership, then each partner must be a citizen of the United States or a legal resident alien.
- B. Authorization to do business. If the applicant is a corporation, the corporation must either be incorporated in the State of New Jersey or authorized to do business in this state.
- C. Each operator or driver of the limousine for which the owner thereof is seeking the consent to operate in a municipality must submit to the performance of a criminal history record background check and will submit to the performance of a criminal history record background check every two years thereafter. The cost for the criminal history record background checks, including all costs of administering and processing them, shall be borne by the operator or driver of the limousine.
- D. Convictions. The applicant shall not have been convicted of any crime and/or disorderly persons offense involving moral turpitude, including, but not limited to, conviction for possession and/or distribution of pornography, conviction for possession and/or distribution of controlled dangerous substances, all elements included under the New Jersey statute prohibiting prostitution, sexual offenses or physical violence against persons or property within 10 years next preceding the date of application for license, unless the police, for good cause shown, shall waive any disqualification based on such conviction. If the applicant is a partnership, then no partner may have such record. If the applicant is a corporation, then neither the corporation nor any officer or director may have such record.
- E. Prior license revocations. The applicant must have no record or prior revocation by any jurisdiction of a license related to the limousine business. If the applicant is a partnership, then no partner may have such record. If the applicant is a corporation, then neither the corporation nor any officer or director may have such record.
- F. Insurance.

- (1) The applicant must have complied with the provision of N.J.S.A. 48:16-1 et seq., and the acts amendatory thereof or supplemental thereto, relating to insurance.
- (2) In the event of the cancellation of a licensee's insurance, the license shall terminate upon the effective date of the cancellation, unless prior thereto the insurance has been reinstated by withdrawal of the cancellation or a new policy of insurance is delivered to the Municipal Clerk for the remainder of the license year.

§ 342-25 Requirements for limousine operator's license.

General. No limousine operator's license shall be granted unless the applicant meets the requirements set forth in this section.

- A. Age. The applicant must be of the age of 21 years or over and a citizen of the United States or a legal resident alien.
- B. New Jersey driver's license. The applicant must have a valid driver's license issued by the State of New Jersey with no suspensions or revocations of license in any jurisdiction for the preceding two years, except for suspensions and revocations purely administrative in nature.
- C. Motor vehicle infractions. The applicant may not have been convicted of reckless driving, driving while intoxicated or under the influence of drugs, or leaving the scene of an accident within three years of the application.
- D. Disability or illness. The applicant must have no disability or illness of any type which poses a significant risk of substantial harm to the applicant or others if he/she is granted a license to drive a limousine.
- E. English language. The applicant must be able to speak, read and write the English language.
- F. Fingerprints. The applicant, at the time of making the initial application, must have his/her fingerprints taken and filed with the police of the municipality.
- G. Knowledge of law, regulations and geography of the Township. The applicant must have a thorough knowledge of the provisions of this chapter, the Motor Vehicle Act, the Traffic Act and other ordinances and regulations having to do with traffic and the geography of the Township.

§ 342-26 Applications for limousine owner's license.

- A. Forms. Applications for a limousine owner's license under this chapter shall be made by the owner or lessee thereof upon blank forms to be furnished by the Municipal Clerk. The application shall require the applicant to provide all of the information necessary to determine whether the applicant is entitled to an owner's license.
- B. Authorization to do business. If the applicant is a corporation, that applicant shall provide the Municipal Clerk with proof that the corporation is either incorporated in the State of New Jersey or authorized to do business in this state.
- C. Vehicles. Every application shall contain a statement as to whether the applicant is the owner or lessee of the vehicle sought to be licensed, the state license plate number of the vehicle, the year, make, model and manufacturer's (VIN) number and the number of persons it is capable of carrying.
- D. Affidavit. All applications shall be duly verified by the affidavit of the individual, partner of the copartnership or an officer of the corporation seeking the license, as the case may be.
- E. False statement. Any person who shall make a false statement in any license application or in any record or certificate that he/she is required to file or maintain shall be subject to rejection of the application submitted and/or to appropriate disciplinary sanctions, including license suspension or revocation, in addition to any penalty provided under the New Jersey Criminal Code.

- F. Fees. All fees must be paid with the application. If the application is withdrawn or denied, then the fees shall be refunded, with the exception of the amount provided for in Chapter 172, Fees.

§ 342-27 Applications for limousine operators' licenses.

- A. Forms. Applications for limousine operators' licenses under this chapter shall be made by the applicant upon blank forms to be furnished by the Municipal Clerk. The form shall require the applicant to provide all of the information necessary to determine whether the applicant is entitled to an operator's license.
- B. Proof of driver's license. The applicant must provide the Municipal Clerk with proof that he/she holds a valid driver's license issued by the State of New Jersey.
- C. Photographs. Each applicant for an operator's license shall file with his/her application three unmounted, unretouched passport-quality photographs of himself/herself. The photographs shall have been taken within 30 days preceding the filing of the application. One of the photographs shall be attached to the operator's license. The remaining photographs shall be filed with the application by the Municipal Clerk and with the police. Each licensed operator shall exhibit his/her license with the photograph attached for inspection. In case an application for an operator's license is denied, two of the photographs shall be returned to the applicant.
- D. Convictions. The applicant shall provide the Municipal Clerk with authorization to review any records of criminal convictions for that individual or the individual partners.
- E. Affidavit. All applications shall be duly verified by the affidavit of the applicant seeking the license.
- F. False statement. Any person who shall make a false statement in any license application or in any record or certificate that he/she is required to file or maintain shall be subject to rejection of the application submitted and/or to appropriate disciplinary sanctions, including the license suspension or revocation, in addition to any penalty provided under the New Jersey Criminal Code.
- G. Fees. A nonrefundable fee (cash or money order) as provided in Chapter 172, Fees, shall be submitted with all license applications which, if approved, will be applied to the licensing fee.

§ 342-28 License fees.

- A. Limousine owner's license: See Chapter 172, Fees.
- B. Limousine operator's license: See Chapter 172, Fees.
- C. Replacement fee: See Ch. 172, Fees.
- D. Exemptions. Each person honorably discharged from the United States Armed Services, upon furnishing satisfactory proof of service and discharge and complying with the terms and conditions of this chapter, shall be exempt from payment of the fee for an operator's license. ~~However, no fee shall be waived for the purchase of a badge.~~

§ 342-29 Maintenance of vehicles.

- A. Maintenance of vehicles. The owner and operator of a limousine shall maintain such vehicle in a safe and clean condition and shall maintain such vehicle in a good appearance, including proper painting and the prompt repair of dents. Every owner of a licensed limousine which is involved in an automobile accident shall provide the Municipal Police with a copy of the accident report within five working days after the accident. Any limousine which has sustained damage to the vehicle, such as dents, or is in need of painting, shall be repaired within eight weeks after the date of the accident. The Municipal Police shall inform the limousine owner of any and all repairs that are necessary. Any limousine owner who fails to comply with the terms of this section shall be in violation of this chapter and subject to suspension of the limousine license.

- B. Inspection of vehicles. The owner and operator of a limousine shall permit the Municipal Police or any other law enforcement officer to inspect such vehicle at any and all times.
- C. Inspection of records. The owner and operator of a limousine shall permit the Municipal Police or any other law enforcement officer to inspect any records required to be kept by this chapter at any and all times.
- D. Limousine fares. No limousine operator or owner shall carry or permit the carrying of any passenger unless the fare or price has been agreed upon in advance.
- E. Operation of limousines. Neither the owner or operator of a limousine shall:
  - (1) Operate the limousine as a taxicab.
  - (2) Park or stop the vehicle on any street for the purpose of soliciting or accepting passengers for hire.
  - (3) Drive the vehicle on any street in search of prospective passengers for hire or for the purpose of soliciting or accepting passengers for hire.
  - (4) Display any sign on or near the vehicle for the purpose of soliciting passengers for hire.
  - (5) Utilize any on-street parking area as a taxi stand or place to solicit passengers for hire.

§ 342-30 Renewal of owners' and operators' licenses.

- A. General. Limousine owners' licenses may be renewed from year to year by the Municipal Clerk after vehicle inspection by the police or other designee, as determined by the municipality. Limousine operators' license may be renewed from year to year by the Municipal Clerk.
- B. Form. An application for renewal of a limousine owner's or operator's license shall be made upon a form to be furnished by the Municipal Clerk.
- C. Time for filing. The renewal application shall be filed no later than May 1 of the year of issue, which requirement may be waived or the period extended for good cause by the Municipal Clerk.  
[Amended 8-13-2013 by Ord. No. 13-30]
- D. Failure to file. Failure of an owner or operator to renew a license will result in the termination of the license upon the expiration date. The license may be extended, upon written request made to the Municipal Clerk prior to the expiration date, if good cause is shown for the failure to make timely renewal application.
- E. Late fees. In the event any holder of an owner's license seeks to renew a license that shall have expired, there shall be an additional fee as provided in Chapter 172, Fees.
- F. Extension of license. In the event it is determined that an inspection of the vehicle will not be completed for the timely renewal of an owner's license, the Police Inspector or other designee of the municipality who may perform inspections may authorize the extension of a license for a fourteen-day period.

§ 342-31 Regulations for limousines.

[Amended 3-10-2009 by Ord. No. 09-04]

- A. General. In addition to carrying out the provisions of this chapter, all licensees hereunder shall abide by the following regulations applicable to the license or licenses held.
- B. Posting of license identification. There shall be posted in a conspicuous place on the inside of each limousine the name and address of the owner and the name, address and photograph of the operator, together with the license number of the vehicle and the number of the operator's license. Such identification shall be provided by the owner in a manner to be approved by the Municipal Clerk.

- C. Change of address; loss of records. Any change of address of any owner or operator licensed under the provisions of this chapter must be reported, in writing, to the Municipal Clerk's office within 72 hours of such change. The loss of the license badge or any other book or document required to be kept by any licensed owner or operator must be reported to the Municipal Clerk's office, in writing, within 72 hours of such loss. The Municipal Clerk shall charge any licensee a fee as provided in Chapter 172, Fees, to replace any lost badge, book or document.
- D. Record of trips. Each and every licensed operator shall legibly record on a trip form, kept solely for the purpose of recording the departure from the garage or stand, the name and address of the operator thereof, his/her license number and the license number of the vehicle and the time of the return to the garage or stand of each such vehicle, locations of pickup, time of pickup, destination, time destination is reached, the number of passengers conveyed and the fee charged. All owners and operators shall keep open for inspection by any police officer his/her record of trips. Records shall be maintained for a period of six months. Failure of an operator or owner to produce a record of trips for the six-month period preceding a police officer's demand shall constitute a violation of this chapter. This form shall record the acceptance and discharge of passengers.
- E. Lost or misplaced items; disposition of property left in limousine. Every operator of a limousine shall, immediately after termination of employment, carefully search the limousine for any property lost or left therein and shall, immediately after finding any property, deliver the property to Police Headquarters.
- F. Insurance identification card. The insurance identification card shall be posted in a conspicuous place within the vehicle.
- G. Cooperation with law enforcement officers. All licensees under this chapter shall cooperate with law enforcement officers in the performance of their duty. No licensee shall conceal evidence of a crime or voluntarily aid violators to escape arrest. A licensee shall report immediately to the police any attempt to use his/her vehicle to commit a crime or escape from the scene of a crime.
- H. Conduct of operators.
- (1) Licensed operators, while engaged in the operation of a limousine, shall behave in a civil and orderly manner and shall not use any indecent, profane or abusive language.
  - (2) Operators shall be clean and neat and shall wear the following items of dress:
    - (a) A long- or short-sleeved shirt or blouse with a collar.
    - (b) A pair of zippered trousers or skirt.
    - (c) Other items of clothing, e.g., headgear, jackets, sweaters or shoes, as well as jewelry, shall be appropriate and tasteful. Operators shall not be under the influence of or impaired by any intoxicant.
- I. Storage and parking of vehicles. No limousine shall be stored or parked on any street of the municipality, other than when the vehicle or operator is on duty. All off-duty vehicles shall be stored and maintained in strict accordance with the applicable land use codes of the Land Development Regulations of the Township of Ewing.[1]  
[Amended 8-13-2013 by Ord. No. 13-30]  
[1] Editor's Note: See Ch. 215, Land Development.
- J. Operation of vehicles. No operator of a limousine shall operate his/her vehicle in a manner to endanger a passenger or any other person.
- K. Obstruction of vision. No licensee under this chapter shall display any advertising on his/her vehicle which obstructs the vision of the operator, including the operator's vision to the rear.
- L. Age of vehicle. When a limousine owner or operator first becomes licensed in the municipality, his/her limousine shall not be more than 84 months (seven years). A vehicle owned by a currently licensed operator which is in excess of 84 months as of the effective

date of this chapter, shall be licensed hereunder if it otherwise satisfies all inspection criteria required of vehicles less than 84 months, and thereafter such vehicle in excess of 84 months can receive a waiver of this requirement based upon the inspection of the vehicle by the Police Inspector or other authorized inspection designee of the municipality who shall find that the vehicle is able to satisfy all safety, repair, operational and passenger requirements provided hereunder and otherwise satisfies all requirements provided for vehicles of less than 84 months.

- M. Receipts. The operator of any limousine shall, upon demand by any passenger, render to such passenger a receipt of the amount charged, on which shall contain the name of the owner of the limousine, the name of the operator, the date and time of the transaction and the amount of the fare.
- N. Safety equipment. Every limousine is required to have approved child safety seats appropriate to the age of the child prior to transporting the child and is required to have all children secured as defined in Title 39 of the New Jersey Statutes before transporting them from point of pickup.

#### § 342-32 Enforcement.

- A. General. The enforcement of the provisions of this chapter shall be under the control of the Municipal Clerk and the Municipal Police. All licenses for vehicles and operators shall be issued by the Municipal Clerk.
- B. License registry. The Municipal Clerk shall keep a register of the name of each person owning or operating a vehicle or vehicles licensed under this chapter, together with the license number and the description, make and dimensions of such vehicles, with the date and complete record of inspections made of them. All applications for a license shall be filed by the Municipal Clerk and carefully preserved for reference. All such records shall be opened to the inspection of the public at all reasonable times and shall be deemed the official records of the office of the Municipal Clerk of the municipality.

#### § 342-33 Disciplinary action.

- A. General. Any licensee who violates a provision of this chapter or is in violation of any rule or regulation governing the operation or conduct of any activity licensed hereunder shall be subject to reasonable license disciplinary action, including the imposition of monetary sanctions as per Chapter 1, Article III, General Penalty, of the Code of the Township of Ewing and license suspension and revocation, in addition to such civil or criminal prosecution as may be appropriate.
- B. Notice of revocation hearing. Notice of a hearing for the revocation of a license or permit shall be given in writing by the Municipal Clerk. The notice shall specifically set forth the grounds upon which the proposed revocation is based and the time and place of the hearing. It shall be served by mailing a copy to the licensee at his/her last known address by regular mail and certified mail, return receipt requested, at least five days prior to the date set for the hearing.
- C. Procedure for revocation hearing. Hearings for the revocation of a license or permit shall be conducted before the panel of municipal clerks of the participating municipalities or designees thereof. At the hearing, the licensee shall have the right to appear and be heard, to be represented by an attorney, to present witnesses in his/her own behalf, to cross-examine opposing witnesses, and to have a permanent record made of the proceedings at his/her own expense. The panel of municipal clerks or designees thereof shall revoke or suspend the license if it is satisfied by a preponderance of the evidence that the licensee is guilty of the acts charged. If the license is suspended or revoked, the licensee may appeal to the governing body of the municipality in which the offense occurred.
- D. Other powers. Nothing herein contained shall limit the power of the Municipal Clerk and/or the police to immediately suspend such license for a period not exceeding 14 days, pending the giving of notice and holding of hearing, whenever, in the opinion and discretion of the Municipal Clerk and/or the police, it is necessary. In the event of temporary suspension, if notice and hearing of alleged violations or charges is not given and held prior to the expiration of the five-day period unless extended by the owner or operator, the proposed charges and violations shall be deemed dismissed.

- E. Suspension or revocation of license. Owners' licenses and operators' licenses issued under this chapter may be suspended or revoked at any time. Any suspension shall be noted upon the license suspended, together with the reason thereof. No operator whose license has been revoked shall again be licensed as an operator of a limousine. The Municipal Clerk shall notify the Chief of Police whenever a license shall be deemed suspended or revoked.

§ 342-34 Appeal process.

Any person who shall be aggrieved by any decision shall be entitled to appeal to the governing body of the municipality in which the offense occurred within 30 days of the receipt of the decision by filing a written request for review by the governing body with the Municipal Clerk within the thirty-day period.

Section 2 Severability. Should any section, clause, sentence, phrase or provision of this article be declared unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the remaining portions of this article.

Section 3 Repealer. All prior ordinances or parts of same inconsistent with any provisions of this article are hereby repealed to the extent of such inconsistency.

Section 4 Effective Date. This ordinance shall take effect upon final adoption and publication in accordance with law.

Adopted:

**President Steward said that this makes a few technical corrections after a review. Also, limousine drivers will be subject to the same background check as taxi drivers.**

**There were no questions or comments from Council. Ms. Wollert made a motion to open the Public Hearing, seconded by Mr. Baxter. It was agreed by unanimous voice vote. There were no questions or comments from the Public. Mr. Schroth made a motion to close the Public Hearing, seconded by Mr. Baxter. It was agreed by unanimous voice vote. Mr. Schroth then moved the Ordinance, seconded by Ms. Wollert. The Council President asked for a roll call.**

**ROLL CALL**

<b>Ms. Wollert</b>	<b>YES</b>
<b>Mr. Schroth</b>	<b>YES</b>
<b>Mr. Baxter</b>	<b>YES</b>
<b>Ms. Keyes-Maloney</b>	<b>YES</b>
<b>President Steward</b>	<b>YES</b>

- 3. The Clerk read (Ordinance #17-32) AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EWING TO AMEND FIRE INSPECTION PERMIT FEES; SPECIFICALLY, CHAPTER 172-11, OFFICE OF FIRE PREVENTION, AS SET FORTH ON THE STATE OF NEW JERSEY SCHEDULE, N.J.A.C. 5:70-2.9**

**WHEREAS, it is necessary to amend the Ewing Township Code to reflect the fire inspection permit fees as set forth in accordance with the New Jersey Administrative Code by the New Jersey Office of Administrative Law; Title 5: Community Affairs; Chapter 70; Uniform Fire Code; Subchapter 2; Administrative and Enforcement; and**

**NOW THEREFORE BE IT ORDAINED by the Township Council of the Township of Ewing that Chapter 172, FEES, Section 11, OFFICE OF FIRE INSPECTION, of the Code of the Township of Ewing is hereby amended as follows:**

**Section 1. Chapter 172, FEES, Section 11, OFFICE OF FIRE INSPECTION, of the Code of the Township of Ewing is hereby amended as follows:**

**§ 172-11 Office of Fire Prevention.  
[Amended 2-8-2000 by Ord. No. 00-03]**

A. Fire inspection permits. The charge for fire inspection permits shall be as set forth on the State of New Jersey Schedule, N.J.A.C. 5:70-2.9, as amended from time to time. **[Amended 5-31-2005 by Ord. No. 05-21]**

(1) Permit application fee. The application fee for a permit shall be as follows:

(a) Type 1: ~~\$42.~~ \$54.00

(b) Type 2: ~~\$166.~~ \$214.00

(c) Type 3: ~~\$331.~~ \$427.00

(d) Type 4: ~~\$497.~~ \$641.00 Exception: There shall be no fee for Type 4 permits for storage or activity at a premises registered as a life-hazard use.

(e) Type 5: (Reserved).

(2) Penalties for failure to obtain permits pursuant to N.J.A.C. 5:70-2.12.

(a) Failure to obtain a required permit prior to commencing the operation, process or activity for which a permit was required: a maximum of double the amount of the applicable permit fee.

(b) Failure to obtain a required permit after being ordered to do so while continuing the operation, process or activity: a maximum of \$5,000 per day during which the operation, process or activity continues.

(3) Exemptions from Uniform Fire Code local permit fees. The following users shall be exempt from the local permit fees only; each must still properly apply for such permits and comply with all other code requirements:

(a) Volunteer fire companies.

(b) Nonprofit civic groups when applying for a use of an occasional nature (limited to twice per year).

(c) Township of Ewing.

(d) Township of Ewing Boards of Education.

B. Uniform Fire Safety Act (N.J.S.A. 52:27D-192 et seq.) inspections.

(1) Structures of up to 50,000 feet: \$25.

(2) Structures of 50,001 to 200,000 square feet: \$50.

(3) Structures of more than 200,000 square feet: \$25 for each 100,000 square feet over 200,000 square feet to a maximum fee of \$250.

C. Smoke-sensitive alarm device inspection. Each inspection or reinspection for smoke-sensitive alarm device pursuant to N.J.S.A. 52:27D-192 et seq.: \$35. **[Amended 2-8-2000 by Ord. No. 00-03]**

D. Application fee for certificate of smoke detector and carbon monoxide alarm compliance (CSDCMAC), as required by N.J.A.C. 5:70-2.3. The application fee shall be based upon the amount of time remaining before the change of occupant is expected, as follows: **[Amended 5-31-2005 by Ord. No. 05-21]**

(1) Request for a CSDCMAC received more than 10 business days prior to change of occupant: ~~\$35.~~ \$45.

(2) Request for a CSDCMAC received four to 10 business days prior to the change of occupant: ~~\$70.~~ \$90.

(3) Request for a CSDCMAC received fewer than four business days prior to the change of occupant: ~~\$125.~~ \$161.

- E. Basic inspection fees for non-life-hazard uses. All buildings and occupants subject to the Uniform Fire Code and not considered life-hazard uses will be subject to the following inspection fees based on the square footage of the premises: **[Amended 5-31-2005 by Ord. No. 05-21]**

0 to 1,000 square feet	\$50
1,001 to 5,000 square feet	\$100
5,001 to 15,000 square feet	\$135
15,001 to 30,000 square feet	\$250
Over 30,001 square feet	\$500

- (1) Each individual leased space and building of a complex shall be billed separately.
- (2) Billing dates; penalties. Billing for the basic inspection fees will take place in January of each year. Fees are due to the Township by January 31 of the same year. Failure to remit the required fee by January 31 will result in a penalty equal in amount to the basic fee. **[Amended 2-13-2007 by Ord. No. 07-02; 2-22-2011 by Ord. No. 11-02; 12-17-2013 by Ord. No. 13-46]**

**Section 2.** If any section or part of this Ordinance shall be declared invalid by the judgment of any court or competent jurisdiction, such section or part shall be deemed to be severable from the remainder of this Ordinance.

**Section 3.** This Ordinance shall take effect upon final passage and publication according to law.

#### **STATEMENT**

**An Ordinance to amend Fire Inspection Permit Fees.**

The Council President said this brings the Township's fire prevention fees into accordance with State fees.

There were no questions or comments from Council. Ms. Wollert made a motion to open the Public Hearing, seconded by Mr. Baxter. It was agreed by unanimous voice vote. There were no questions or comments from the Public. Mr. Schroth made a motion to close the Public Hearing, seconded by Mr. Baxter. It was agreed by unanimous voice vote. Ms. Wollert then moved the Ordinance, seconded by Ms. Keyes-Maloney. The Council President asked for a roll call.

#### **ROLL CALL**

Ms. Keyes-Maloney	YES
Ms. Wollert	YES
Mr. Baxter	YES
Mr. Schroth	YES
President Steward	YES

#### **NEW BUSINESS**

1. The Clerk read (**Resolution #17R-236**) A RESOLUTION AUTHORIZING CY2017 BUDGET TRANSFERS

President Steward stated that the CFO prepared this list of budget transfers.

There were no questions or comments from Council or the Public. Mr. Schroth then moved the Resolution, seconded by Mr. Baxter. President Steward asked for a roll call.

**ROLL CALL**

Mr. Baxter YES  
Mr. Schroth YES  
Ms. Keyes-Maloney YES  
Ms. Wollert YES  
President Steward YES

2. The Clerk read (Resolution #17R-237) A RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION NJS 40A:4-87

The Council President said that this is a grant for “Drive Sober or Get Pulled Over.”

There were no questions or comments from Council or the Public. Ms. Wollert then moved the Resolution, seconded by Mr. Baxter. The Council President called for a roll call.

**ROLL CALL**

Mr. Baxter YES  
Ms. Wollert YES  
Ms. Keyes-Maloney YES  
Mr. Schroth YES  
President Steward YES

3. The Clerk read (Resolution #17R-238) A RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT BETWEEN THE TOWNSHIP OF EWING AND THE TOWNSHIP OF HAMILTON FOR COORDINATION AND OVERSIGHT OF TAXI AND LIMOUSINE LICENSEES OPERATING WITHIN THE JURISDICTIONAL LIMITS OF HAMILTON AND EWING

There were no questions or comments from Council or the Public. Mr. Schroth then moved the Resolution, seconded by Ms. Keyes-Maloney. President Steward asked for a roll call.

**ROLL CALL**

Ms. Keyes-Maloney YES  
Mr. Schroth YES  
Mr. Baxter YES  
Ms. Wollert YES  
President Steward YES

4. The Clerk read (Resolution #17R-239) A RESOLUTION AUTHORIZING THE TOWNSHIP OF EWING TO ENTER A NEW COLLECTIVE BARGAINING AGREEMENT AS MODIFIED BY THE ATTACHED AGREEMENT WITH THE NEW JERSEY STATE FIREMEN’S BENEVOLENT ASSOCIATION, INC., LOCAL 93 BEGINNING JANUARY 1, 2017 AND ENDING DECEMBER 31, 2021

President Steward said that this is a time of change for the fire services in Ewing. The Administration has had this contract under negotiation for some time.

There were no questions or comments from Council or the Public. Mr. Schroth then moved the Resolution, seconded by Ms. Wollert. The Council President asked for a roll call.

**ROLL CALL**

Ms. Wollert YES  
Mr. Schroth YES  
Mr. Baxter ABSTAIN  
Ms. Keyes-Maloney YES  
President Steward YES

The above referenced New Business Resolutions are available in the Clerk’s Office in the 2017 Resolution Book Number Two.

**CLOSED SESSION**

**(None for this Meeting)**

**ADJOURNMENT**

**There being no further business President Steward called for a motion to adjourn. Ms. Wollert so moved seconded by Mr. Baxter. It was agreed by unanimous voice vote. The meeting was adjourned 9:20 p.m.**

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**Kathleen Wollert, President**

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**Kim J. Macellaro, Municipal Clerk**