

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
O R D I N A N C E**

**ORDINANCE NO. 004-2018**

**RE: AN ORDINANCE AMENDING SECTION 4-3.2 OF CHAPTER IV OF THE  
REVISED GENERAL ORDINANCE OF THE CODE OF UPPER TOWNSHIP  
WITH RESPECT TO JITNEY LICENSING REQUIREMENTS**

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**BE IT ORDAINED** by the Township Committee of the Township, in the County of Cape May, New Jersey as follows:

**SECTION 1.** Chapter 4 of the Revised General Ordinances of the Township of Upper, also known as the Code of Upper Township, is hereby amended to replace the following Section 4-3.2.e as follows:

- e. It shall be unlawful for any person to drive a jitney within the Township of Upper without first having obtained a jitney license and an identification card, the latter to contain the photograph and signature of the licensee. This identification card shall be produced by the Township Clerk. This identification card shall be carried at all times and prominently displayed while driving or operating a jitney. It shall be unlawful for any jitney operator or licensee to permit anyone else to wear his or her identification card or to refuse to show the same to lawful authorities upon request. A fee of Fifteen Dollars (\$15.00) shall be charged for a replacement identification card. All applicants shall provide such information as the Township Clerk requires, including but not limited to fingerprinting and a Criminal History Record Background Check pursuant to the provisions and requirements of N.J.S.A 40:48-1.4 and N.J.A.C. 13:59-1.1 et seq. Fees and costs in any manner associated with the Criminal History Record Background Check shall be charged to the applicant and collected by the Township Clerk. Written confirmation to the Township Clerk that the applicant successfully completed a Criminal History Record Background Check within the last nine (9) months from another New Jersey municipality will be acceptable if the other municipality conducts the check pursuant to N.J.S.A.

40:48-1.4 and N.J.A.C. 13:59-1.1 et seq. The Review Committee shall determine whether or not the applicant is disqualified based upon the results of the Criminal History Record Background Check.

If the applicant is a corporation, limited liability company or partnership, then the following individuals shall be subject to a Criminal History Record Background Check:

1. In the event that the applicant is a corporation, the background investigation shall include all officers of the corporation and, if practical, the shareholders.
2. In the event that the applicant is a limited liability company, such investigation shall include all officers of the limited liability company and, if practical, the members.
3. In the event that the applicant is a partnership, such investigation shall be required of each partner, whether full or limited partners.

**SECTION 2: EFFECTIVE DATE:** This ordinance shall take effect immediately upon adoption and publication as required by law.

**SECTION 3: REPEALER:** All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency only.

**SECTION 4: SEVERABILITY:** If any section, paragraph, subdivision, subsection, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, subsection, clause or provision declared invalid and the remainder of this Ordinance shall remain in full force and effect and shall be enforceable.

**SECTION 5: CODIFICATION:** This Ordinance shall be codified as indicated in Chapter 4 of the Upper Township Code.

ATTEST:

  
BARBARA L. YOUNG, Township Clerk

  
RICHARD PALOMBO, Mayor

NOTICE IS HEREBY GIVEN THAT THE FOREGOING ORDINANCE WAS INTRODUCED FOR FIRST READING AT A MEETING OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UPPER HELD ON THE **12<sup>TH</sup> DAY OF MARCH, 2018** AND WILL BE TAKEN UP FOR CONSIDERATION AS TO FINAL ADOPTION AT A PUBLIC HEARING OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UPPER TO BE HELD ON THE **26<sup>TH</sup> DAY OF MARCH, 2018** AT 7:30 P.M. AT THE TOWNSHIP HALL, TUCKAHOE, NEW JERSEY.

BY ORDER OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UPPER.

BARBARA L. YOUNG, TOWNSHIP CLERK  
TOWNSHIP OF UPPER

**Legislative History:**

Introduced: March 12, 2018

Publication: March 15, 2018

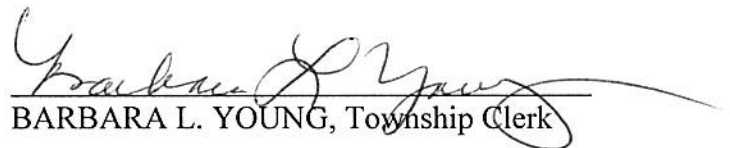
Newspaper(s): The Press of Atlantic City

Second Reading and Public Hearing: March 26, 2018

Final Adoption: March 26, 2018

Final Publication Date: March 29, 2018

I certify that the foregoing Ordinance was finally adopted by the Township Committee of the Township of Upper on March 26, 2018 and notice of adoption was thereafter published pursuant to law in the Press of Atlantic City on March 29, 2018.

  
BARBARA L. YOUNG, Township Clerk