

CITY OF VINELAND

ORDINANCE NO. 2014-6

AN ORDINANCE AMENDING ORDINANCE 2007-79, AS AMENDED, CHAPTER 651 OF THE CODE OF THE CITY OF VINELAND ENTITLED TAXICABS.

WHEREAS, City Council of the City of Vineland has adopted Ordinance 2007-79, as amended, Chapter 651 of the Code of the City of Vineland entitled Taxicabs; and

WHEREAS, Chapter 651 confers certain powers, duties and obligations upon the Director of Public Safety for the proper operation and enforcement of this Chapter; and

WHEREAS, as the position of Public Safety Director is a part-time position and, therefore, the Director may not always be available to carry out the duties set forth in Chapter 651 which may hinder the effective and efficient function of this Chapter and, therefore, an alternative to the Director of Public Safety should be made available.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Vineland that Chapter 651 of the Code of the City of Vineland shall be amended as follows:

§651-1 Definitions shall add the following:

Public Safety Director. The appointed individual by the Mayor with the advice and consent of City Council in accordance with §123-11 of the Code of the City of Vineland.

§651-3A(1)(d) shall be amended as follows:

§651-3A(1)(d) Other information deemed appropriate by the Director of Public Safety and/or the Chief of Police.

§651-3(A)(3) Shall be amended as follows:

§651-3(A)(3) Each applicant shall be fingerprinted by the Vineland Police Department or such other agency that regularly performs background checks for the City of Vineland.

§651-3(B)(3) Shall be amended as follows:

§651-3(B)(3) Upon receipt of the compiled application by the City Clerk, and provided an owner's license is available for distribution by the City of Vineland, the application shall be forwarded to the Director of Public Safety or his designee and Chief of Police, who shall cause an investigation to be made in accordance herewith, and thereafter he/she shall provide his/her findings and recommendations to the City Clerk. In the event an owner's license is not available for distribution by the City of Vineland, the application shall be placed on file with the City Clerk with the date and time recorded thereon in accordance herewith. As owners' licenses become available they shall be offered to those applicants in the order of the date and times upon which each completed application was received and filed, the earliest having the first option to acquire said license in accordance herewith. Notice of availability shall be sent by certified mail and regular mail simultaneously requiring the applicant to respond in 20 days of mailing by notifying the City Clerk in writing of his interest to acquire the available license. Should there be no response within said time, or should notice to the address given in the application be undeliverable or returned, notice shall then go the next applicant based upon the date and time of receipt of the completed application. It shall be the applicant's obligation to notify the City Clerk of any change of address. A nonrefundable police/public safety investigation fee shall be paid prior to submission to the Director of Public Safety for fingerprinting, if applicable, and investigation.

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§651-18(B) shall be amended as follows:

§651-18(B) The Director of Public Safety, his/her designee or the Chief of Police may, with the approval of City Council, make reasonable regulations not inconsistent herewith for the conduct of owners and operators hereunder.

§651-19 Denial, suspension or revocation; hearing shall be amended as follows:

§651-19 Denial, Suspension or Revocation; Hearing.

Any owner’s or operator’s license may be denied, revoked or suspended at any time for cause for the violation of any provision hereunder or any other City Ordinance. The licensee may make a written request for a hearing within 10 days from date of denial, revocation or suspension. The hearing shall be held before the Director of Public Safety, his designee or any Director duly appointed by the Mayor with the advice and consent of City Council. Such denial, suspension or revocation may be in addition to or instead of penalties prescribed by §651-20 hereunder. A suspended or revoked license shall not be reissued except for good and sufficient reasons shown.

BE IT FURTHER ORDAINED that any and all portions of Ordinance 2007-79, Chapter 651, not so amended hereby shall remain in full force and effect.

BE IT FURTHER ORDAINED if any section, subsection, sentence, clause, phrase or portion of Ordinance 2007-79, Chapter 651, is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

Passed first reading:

Passed final reading:

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President of Council

Approved by the Mayor:

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Mayor

ATTEST:

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City Clerk