CITY OF SEA ISLE CITY
NEW JERSEY

ORDINANCE NO. 1519 (2012)

AN ORDINANCE TO AMEND THE REVISED GENERAL ORDINANCES OF THE CITY OF SEA ISLE CITY, CHAPTER 4 ENTITLED "GENERAL LICENSING" TO FURTHER REGULATE JITNEYS, TAXICABS AND LIMOSINE SERVICES WITHIN THE CITY

WHEREAS, the City of Sea Isle City, from time to time, receives an inquiry concerning the operation of a taxicab business, limousine business, trolley, jitney service; and

WHEREAS, the New Jersey State Legislature has granted local municipalities the exclusive authority to regulate taxicabs under N.J.S.A. 40:52-1; and

WHEREAS, the City of Sea Isle City has found it is in the public interest and in order to ensure the safety and quality of life for all residents of and visitors to the City of Sea Isle City to revise licensing requirement and regulate the business and operations of owners and drivers of taxicabs, auto cabs, limousines, autobus, jitney, and other vehicles engaged in the business of carrying passengers for hire with the City; and

WHEREAS, the City will require Compressed Natural Gas (CNG) vehicles or Zero-emissions vehicles (ZEV) to be used as jitneys. Reducing vehicle emissions will strengthen the City jitney program which will result in improving air quality, promote energy independence and provide the City with the flexible framework and foundation for the industry to grow with all the benefits for the residents and visitors of Sea Isle City while not standing in the way of technology; and

WHEREAS, the City has been evaluating methods of moving people efficiently throughout the City and determines it is in the best interest of its citizens to foster a viable jitney program within the City. No licensing fee shall be charged to license jitneys for the first year;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Sea Isle City, County of Cape May and State of New Jersey as follows:

SECTION I. Chapter 4, Section 8.1 of the Revised General Ordinances of the City of Sea Isle City, entitled "Definitions" is hereby amended to delete the existing in its entirety and replace same as follows:

DELETED SECTION:

4-8.1 Definitions.

As used in this section:

Jitney shall mean an autobus for hire and shall include any motor vehicle for hire engaged in carrying individual passengers, which is operated over and upon the streets of the City. A jitney shall have the capacity to carry a minimum of ten passengers. Any route selected for operation of the jitney shall be approved by the New Jersey Department of Transportation.

Person shall mean and include person, firm or corporation.

Street shall mean and include any street, avenue, land or public place in the City utilized for vehicular jitney traffic.

REPLACEMENT SECTION

4-8.1 Definitions.

As used in this section:

***Compressed Natural Gas Vehicles (CNG*)** any motor vehicle fueled with clean-burning compressed natural gas, gasoline permitted only as a back up fuel source.

Jitney shall mean an autobus for hire and shall include any motor vehicle for hire engaged in carrying individual passengers, which is operated over and upon the streets of the City. A jitney shall be constructed and intended to accommodate thirteen (13) passengers. Any route selected for operation of the jitney if necessary shall be approved by the New Jersey Department of Transportation.

Person shall mean and include person, firm or corporation.

Street shall mean and include any street, avenue, land or public place in the City utilized for vehicular jitney traffic.

Zero-emissions Vehicles (ZEV) any motor vehicle that produces zero exhaust emissions of all criteria pollutants under any and all possible operational modes and conditions.

SECTION II. Chapter 4, Section 8.2 of the Revised General Ordinances of the City of Sea Isle City, entitled "Licensing; Fee; Renewal" is hereby amended to delete the existing in its entirety and replace same as follows:

DELETED SECTION

4-8.2 Licensing; Fee; Renewal.

a. Before operating any jitney along, through, over or upon any street of the City, the owner shall obtain consent, in the form of a license, from the City Clerk. All routes shall be subject to the approval of the New Jersey Department of Transportation. Written proof of this approval shall be supplied to the City Clerk.

b. Licenses shall be renewed every year and an annual fee of two hundred ($200.00) dollars shall accompany all applications for renewal. No jitney shall be operated if the renewal fee is not paid by the first day of the new operating year.

c. All applications for license renewal shall be made in writing and filed with the City Clerk. Applications will not be accepted unless they are accompanied by the appropriate fee and contain the following information:

1. Type of motor vehicle, name of the manufacturer, and the date when the jitney will be in operation (See subsection 4-8.8, Performance Bond), such time not to exceed sixty (60) days from the application approval date unless written consent is received from the Administrator.

2. The name, age, residence and business address of the applicant.

3. The New Jersey vehicle registration number, vehicle insurance policy particulars, and a valid New Jersey driver's license of the owner-operator of the jitney.

4. A complete description of the vehicle, both inside and out, including whether the vehicle has been converted for jitney use and, if so, the name and place of business of the individual doing the conversion.

d. The signature of the person making application shall be verified before a notary public or some other person fully authorized to administer oaths.

e. No license to own or operate any jitney shall be granted to any person under the age of twenty-one (21) years, without having had a New Jersey or Pennsylvania driver's license for a period of three (3) years.

f. It shall be unlawful for any person to drive a jitney within the City without first having obtained a jitney license and an identification card, or being an employee of a licensed owner. All applicants shall provide such information, as the Administrator requires.

REPLACEMENT SECTION

4-8.2 Licensing; Fee; Renewal.

There shall be issued by the City of Sea Isle City no more than one hundred eighty nine (189) jitney licenses. The jitney license shall be prominently displayed in the jitney at all times during operation in Sea Isle City.

a. Before operating any jitney along, through, over or upon any street of the City, the owner shall obtain consent, in the form of a license, from the City Clerk. All routes shall be subject to the approval of the New Jersey Department of Transportation. Written proof of this approval shall be supplied to the City Clerk.

b. All applications shall have no fee for the year 2012. Beginning in the year 2013 there shall be a annual licensing fee of fifty ($50.00) dollars per jitney. A license

shall be valid for a period of one (1) year from the date of issue and shall be renewed prior to expiration. No jitney shall be operated if the renewal license is not granted by the expiration of the existing license. All applications for license renewal shall be made in writing and filed with the City Clerk.

c. All applications for a license or license renewal shall be made in writing and filed with the City Clerk. No application will be approved by the City Clerk unless it is accompanied by appropriate forms and contains the information required in the application and the following:

1. Type of motor vehicle, name of the manufacturer, and the date when the jitney will be in operation.

2. Proof that the seating capacity of the motor vehicle, according to its trade factory rating, is intended to accommodate 13 passengers.

3. The name, age, residence and business address of the applicant.

4. The New Jersey vehicle registration number, vehicle insurance policy particulars, and a valid New Jersey driver's license of the owner-operator of the jitney.

5. The vehicle must meet all requirements to make it a CNG or ZEV vehicle, as defined herein. Proof that the vehicle is a CNG or ZEV vehicle must be provided.

6. A complete description of the vehicle, both inside and out, including whether the vehicle has been converted for jitney use and, if so, the name and place of business of the individual doing the conversion.

7. If an individual, the applicant shall submit two identical 2" X 2" photographs with an image size of between one and 1 3/8" from chin to the top of the head, including hair. Photographs must be clear, front view; full face printed with a plain light (white or off white) background and should be taken by a professional photographer. The photos shall be given to the City Clerk or his/her designee for the purpose of preparation of an identification card to be executed by and showing the identity of the actual owner of the license. A valid jitney identification card that has been issued by another municipality in the State of New Jersey to the individual meeting all of the requirements herein shall be accepted by the City Clerk or his/her designee in lieu of the above.

8. If a corporation, partnership or limited liability company, the applicant shall have its corporate officer, partner or member, as applicable, submit two identical 2" X 2" photographs with an image size of between one and 1 3/8" from chin to the top of the head, including hair. Photographs must be clear, front view; full face printed with a plain light (white or off white) background and should be taken by a professional photographer. The photos shall be given to the City Clerk or his/her designee for the purpose of preparation of an identification card to be executed by and showing the identity of the actual owner of the license. A valid jitney identification card that has been issued by another municipality in the State of New Jersey to the individual meeting all of the requirements herein shall be accepted by the City Clerk or his/her designee in lieu of the above.

9. The license applicant shall affirm that the jitney business and/or license shall not be used and operated for unlawful purposes and shall comply with applicable laws.

d. The signature of the person making application shall be verified before a notary public or some other person fully authorized to administer oaths.

e. No license to own or operate any jitney shall be granted to any person under the age of twenty-one (21) years, without having had a New Jersey or Pennsylvania driver's license for a period of three (3) years.

f. It shall be unlawful for any person to drive a jitney within the City of Sea Isle City 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 City Clerk of the City of Sea Isle City or may be an acceptable identification card issued from another municipality in the State of new Jersey. All applicants shall provide such information, as the City Clerk requires, including but not limited to fingerprinting and a criminal record check. 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.

SECTION III. Chapter 4, Section 8.3 of the Revised General Ordinances of the City of Sea Isle City, entitled "Commissioner's Authority" is hereby amended to delete the existing in its entirety and replace same as follows:

DELETED SECTION:

4-8.3 Commissioner's Authority.

a. No jitney license shall be recommended or awarded to an applicant by the Administrator if it appears:

1. That the insurance policy required by law has not been furnished and approved, or the same is insufficient in form or substance to properly safeguard the public interest and safety, or that the policy of insurance is not operative for at least one (1) year; or

2. That the vehicle which the license is applied for is inadequate or unsafe for the purpose intended or is insufficiently equipped in any manner whatsoever, as determined by a personal inspection of the vehicle carried out by a qualified agent of the City, which deficiencies are set down in writing and delivered to the Administrator; or

3. That the applicant has not complied with all the terms and conditions of this section and of the State of New Jersey relevant to such cases, or the applicant is not a person entitled to be licensed hereunder.

b. The license to own and operate a jitney may be revoked by the Administrator for a violation of any of the provisions of this section or any ordinance of the City relating to traffic, use of streets or for the violation of any State law relating to traffic or use of streets, or for failure to pay any judgment for personal damages arising from the unlawful or negligent operation of a jitney for which the license was issued, or for failure to pay any franchise taxes provided by law and, thereupon, all rights and privileges under the license shall terminate.

c. Before any license shall be revoked, the holder thereof shall have been notified in writing of the reasons for revocation, and shall be given a public hearing, at which the licensee may be represented by counsel. In addition, the licensee shall be given ten (10) days notice of the time and place of such hearing. The notice provided hereby shall be served personally or by certified mail, to the address last filed by the person licensed as shown in the office of the Municipal Clerk. It will also be within the discretion of the Administrator to levy a fine and/or suspension should he/she deem revocation too severe a penalty.

d. It shall further be the duty of the Administrator to take all reasonable and prudent steps to assure that the terms and conditions of this section are fulfilled.

REPLACEMENT SECTION:

4-8.3 City Clerk's Authority.

a. No jitney license shall be recommended or awarded to an applicant by the City Clerk if it appears:

1. That the insurance policy required by law has not been furnished and approved, or the same is insufficient in form or substance to properly safeguard the public interest and safety, or that the policy of insurance is not operative for at least one (1) year; or

2. That the applicant has not complied with all the terms and conditions of this section and of the State of New Jersey relevant to such cases, or the applicant is not a person entitled to be licensed hereunder.

b. The license to own and operate a jitney may be revoked by the City Clerk for a violation of any of the provisions of this section or any ordinance of the City relating to

traffic, use of streets or for the violation of any State law relating to traffic or use of streets, or for failure to pay any judgment for personal damages arising from the unlawful or negligent operation of a jitney for which the license was issued, or for failure to pay any franchise taxes provided by law and, thereupon, all rights and privileges under the license shall terminate.

c. Before any license shall be revoked, the holder thereof shall have been notified in writing of the reasons for revocation, and shall be given a public hearing, at which the licensee may be represented by counsel. In addition, the licensee shall be given ten (10) days notice of the time and place of such hearing. The notice provided hereby shall be served personally or by certified mail, to the address last filed by the person licensed as shown in the office of the Municipal Clerk. It will also be within the discretion of the City Clerk to levy a fine and/or suspension should he/she deem revocation too severe a penalty.

d. It shall further be the duty of the City Clerk to take all reasonable and prudent steps to assure that the terms and conditions of this section are fulfilled.

e. Where a licensee has been convicted of a crime in any city, county, state or federal court, upon conviction, the City Clerk may revoke the license of the jitney owner upon notice and hearing.

f. The City Clerk and Chief of Police or their designee shall take official cognizance of any and all misconduct, deceit, fraud, subterfuge or actions of any jitney licensee which are against the best interest of the public or the jitney industry itself, regardless of whether or not such actions are specifically covered in this ordinance. It shall also be the direct responsibility of all departments to bring such actions to the notice of the City Clerk.

SECTION IV. Chapter 4, Section 8.7 of the Revised General Ordinances of the City of Sea Isle City, entitled "Passengers" is hereby amended to delete the existing in its entirety and replace same as follows:

DELETED SECTION

4-8.7 Passengers.

Each passenger must be seated while the jitney is in motion. Passengers must be treated with courtesy and respect; repeated complaints against drivers will be grounds for disciplinary action initiated by the Administrator. For the purpose of this section, children in arms shall not be considered as persons.

REPLACEMENT SECTION

4-8.7 Passengers.

It shall be unlawful to drive or operate any jitney while that jitney is carrying more than thirteen (13) passengers. Each passenger must be seated while the jitney is in motion. Passengers must be treated with courtesy and respect; repeated complaints against drivers will be grounds for disciplinary action initiated by the Administrator. For the purpose of this section, children in arms shall not be considered as persons.

b. It shall be unlawful for the operator of any jitney to bypass any prospective customer when there is space available on his jitney. Any complaints concerning the bypassing of a prospective customer by a jitney operator shall be processed and handled by the community services director .

SECTION V. Chapter 4, Section 8.8 of the Revised General Ordinances of the City of Sea Isle City, entitled "Performance Bond Required" is hereby amended to delete the existing in its entirety and replace same as follows:

DELETED SECTION:

4-8.8 Performance Bond Required.

Each applicant shall be required to submit with his/her application a certified check, cashier's check or bond drawn upon a reliable bank or trust company in the amount of five thousand ($5,000.00) dollars to the order of the City of Sea Isle City as a guarantee to the performance of his/her duties as required by this section. This five thousand ($5,000.00) dollars shall be placed by the City Clerk in an interest-bearing account. Upon performance of the requirements in subsections 4-8.2, 4-8.4, 4-8.6, 4-8.7, and 4-8.9 for a period of sixty (60) days, the funds deposited hereunder with the City Clerk shall be returned with interest.

REPLACEMENT SECTION:

4-8.8 Liability Insurance.

As a condition for the issuance of a license hereunder, the owner of a jitney shall file with the City Clerk an insurance policy attesting that the jitney is insured under a policy of comprehensive, general liability insurance with limits of not less than $500,000.00 per occurrence. The insurance policy, or an accompanying document, shall obligate the liability insurer to notify the City Clerk of the City of Sea Isle City if any change occurs in the policy or if the policy is terminated or canceled for any reason.

SECTION VI. Chapter 4, Section 8.9 of the Revised General Ordinances of the City of Sea Isle City, is hereby amended to delete/add to this section entitled " General Rules" letter "e" shall be deleted in its entirety and replaced with a new letter "e" and a new letter "o" shall be added in alphabetical order as follows:

DELETED SECTION:

e. Only one (1) fare can be charged for each seat in the vehicle.

REPLACEMENT SECTION:

e. On all authorized jitney routes there shall be charged a cash fare of two ($2.00) dollars or one universal ticket per ride per person. The universal jitney ticket shall be accepted on all jitneys. Only one (1) fare can be charged for each seat in the vehicle.

ADDED SECTION:

o. It shall be lawful for the Chamber of Commerce of the City of Sea Isle City to be permitted to purchase jitney tickets at the price of two dollars ($2.00) each for the purpose of creating a universal jitney ticket. The Chamber shall sell the tickets for the same price as a fare on a jitney and shall create a system to reimburse a jitney operator for accepting the universal ticket. This section is intended to foster easy access for residents and visitors alike to the jitney system.

SECTION VII. Chapter 4, Section 9.1 of the Revised General Ordinances of the City of Sea Isle City, entitled "Definitions" is hereby amended to delete the existing in its entirety and replace same as follows:

DELETED SECTION

4-9.1 Definitions.

As used in this section:

City shall mean the City of Sea Isle City, Cape May County, New Jersey.

Driver shall mean any person who drives a **taxicab** within this City.

Operation *(of a* ***taxicab****)* shall mean transporting in such **taxicab** one (1) to a maximum of five (5) persons along any of the streets in the City, accepting a passenger to be transported for hire within the City or from a point within the City to a point outside the City limits. The "operation of a **taxicab"** as herein described by one other than the owner shall be deemed "operation" by the owner thereof as well as by the person actually driving the same. The transportation of any person other than the owner or driver in any motor vehicle bearing the sign therein or thereon using the words "taxi," "**taxicab"** or "cab," or a similar name shall be prima facie evidence of "operation."

Owner shall mean any person in whose name title to any **taxicab** is registered with the New Jersey Division of Motor Vehicles or who appears in such record to be the conditional vendee or licensee thereof.

Person shall mean any individual, partnership, limited partnership, association, corporation or joint-stock company, their lessees, trustees or receivers.

Street shall mean and include any street, avenue, park, parkway, highway or other public roadway, whether or not the same is approved.

Taxicab shall mean any automobile or motorcar, capable of carrying five (5) passengers or under, commonly called a "taxi," or "cab," duly licensed by the City and 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 within the City and which accepts passengers for transportation from points or places within the City to points or places within or without the City; provided, however, that nothing herein contained shall include automobiles or buses on designated routes, public deliveries or jitneys or such public conveyances as are by law exclusively subject to State and/or Federal regulation.

REPLACEMENT SECTION

4-9.1 Definitions.

As used in this section, the following words shall have the following meanings:

City shall mean the City of Sea Isle City, Cape May County, New Jersey.

Driver shall mean any person who drives a **taxicab** within this City.

Limousine or livery service shall be defined as any automobile or motor car with a carrying capacity of not more than nine (9) passengers, not including the driver, 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 state and which is hired by charter or for a particular contract, or by the day or hour or other fixed period, or 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. Any vehicle picking up or discharging passengers within the City not licensed as a taxicab or jitney is a limousine. Nothing in this ordinance contained shall be construed to include taxicabs, hotel buses or buses employed solely in transporting school children or teachers or autobuses which are subject to the jurisdiction of the Board of Public Utilities, or interstate autobuses required by federal or state law or rules of the Board of Public Utilities to carry insurance against loss from liability imposed by law on account of bodily injury or death.

Owner shall mean any person in whose name title to any taxicab is registered with the New Jersey Department of Motor Vehicles, or who appears in the department's records as a conditional vendee or lessee or has any other proprietary interest in a taxicab and/or limousine.

Operation consists of transferring one or more persons for hire. Accepting a passenger to be transported for hire from a point of departure within the city to a destination within or without the city shall be considered operation within the city. The operation by one other than the owner shall be deemed operation by the owner as well as by the person actually driving the taxicab or limousine. The transportation of any person other than the owner or driver in any motor vehicle bearing the sign therein or thereon using the words "taxi," "**taxicab"** or "cab," “limousine” or a similar name shall be prima facie evidence of "operation."

Person shall mean any individual, partnership, limited partnership, association, corporation or joint-stock company, their lessees, trustees or receivers.

Street shall mean and include any street, avenue, park, parkway, highway or other public roadway, whether or not the same is approved.

Taxicab, Taxi or Cab is a motor vehicle used to transport passengers for hire which does not operate over a fixed route and is not hired by the day or hour, and has a maximum passenger capacity of no more than seven passengers as follows:

1. No more than three passengers to occupy each rear seat of the vehicle.

2. No more than one passenger, other than the driver, in the front seat of the vehicle.

3. No taxicab license should be issued to a vehicle other than a standard passenger sedan and a standard passenger station wagon.

SECTION VIII. Chapter 4, Section 9.7 of the Revised General Ordinances of the City of Sea Isle City, entitled "Display of Fares" is hereby amended to delete the existing in its entirety and replace same as follows:

DELETED SECTION

4-9.7 Display of Fares.

No taxicab shall be operated in the City unless and until there is predominantly displayed in the interior thereof, with full view and access of any passengers therein, and on the exterior of the vehicle a complete list of fares, charges or tariff rates, and the rates so displayed shall be those to be charged to any passengers so transported, and no other fares, charges or tariff rates will be applied. A schedule of the fares, rates and tariffs shall be first filed in an acceptable form with the City Clerk and Police Department. All increases and decreases shall be submitted to the City Clerk and Police Department prior to the rates going into effect.

REPLACEMENT SECTION

4-9.7 Rates.

7-10.11 ***Rates.***

a. The maximum rates to be charged by any licensed taxicab shall be those set forth in a "Taxicab Rate Schedule" to be adopted and amended from time to time by resolution of the Council of the City of Sea Isle City and filed with the City Clerk.

b. The initial "Taxicab Rate Schedule" shall be as follows:

1. Six ($6.00) dollars for one city block (or any portion thereof) through 24 city blocks (or any portion thereof) for one person.
2. Seven ($7.00) dollars for any trip more than 24 city blocks through 30 city blocks (or any portion thereof) for one person.
3. For any trip more than 30 city blocks seven ($7.00) dollars; plus an additional one ($1.00) dollar for each additional five city blocks (or any portion thereof).
4. For the purpose of calculating fares under the proceeding subsections wherein the fare is based on the number of city blocks traveled, only city blocks that run in generally north to south direction shall be counted and city blocks that run in a general east to west direction shall not be counted in the fare calculation, unless the trip is an entirely east to west trip in which event the fare shall be the minimum fare set forth above.
5. For each additional person the maximum fare to be charged may be increased by one ($1.00) dollar per person.

c. Every taxicab licensed hereunder shall have displayed prominently and plainly visible for its passengers a schedule of rates for the hire of the taxicab. This schedule shall be displayed inside the cab as to be visible to the passengers and on the outside of at least two of the doors, at least one schedule shall be on the right side of the cab and at least one schedule shall be on the left side of the cab.

d. The operator of each taxicab shall at all times have available a suitable cash receipt book to write out, sign, and give to any passenger requesting a written receipt in the amount of the fare paid.

e. For the purpose of regulation and for the purpose of clearly distinguishing a limousine from a taxicab, it shall be unlawful for any person owning, operating or driving a limousine automobile as herein defined to make a charge for transportation of one or more persons and to pick up or discharge any person inconsistent with the definition of a limousine herein. Further, it shall be unlawful for any such owner, operator or driver of a limousine to authorize any pick up or to pick up and/or cruise or solicit for passengers other than by appointment. No rebates, participating coupons or other inducements calculated to reduce rates shall be permitted. It shall be a presumption that a limousine is performing cab services if the limousine picks up or discharges passengers on a street or about a street corner. It shall further be a presumption that a limousine is

performing cab services if the limousine passenger or passengers called for the limousine pick up less than thirty (30) minutes prior to pick up.

SECTION IX. Chapter 4, Section 9.9 of the Revised General Ordinances of the City of Sea Isle City, entitled "Prepayment; additional Passengers" is hereby amended to delete the existing in its entirety and replace same as follows:

DELETED SECTION:

4-9.9 Prepayment; Additional Passengers.

a. Every driver of a taxicab shall have the right to demand payment of legal fare in advance and may refuse employment unless so prepaid; but no driver of the vehicle shall otherwise refuse or neglect to convey any orderly person or person upon request anywhere in the City unless previously engaged or unable to do so.

b. No driver of any taxicab shall carry any other person than the first passenger employing him/her without the consent of the first passenger.

REPLACEMENT SECTION

4-9.9 Prepayment; Additional Passengers.

.a. No driver of the vehicle shall refuse or neglect to convey any orderly person or persons upon request anywhere in the City unless previously engaged or unable to do so. No fare shall be required to be prepaid for trips commencing and ending within the City.

b. If a fare is picked up within the City limits of Sea Isle City and will travel outside of the City limits as a final destination, this fare will be decided on before departure by both parties. Every driver of a taxicab shall have the right to demand payment of legal fare in advance and may refuse employment unless so prepaid

c. No driver of any **taxicab** shall carry any other person than the first passenger employing him/her without the consent of the first passenger.

SECTION X. Severability. If for any reason any section of this Ordinance shall be declared illegal by any Court of competent jurisdiction, the remaining section of the Ordinance shall remaining full force and effect notwithstanding.

SECTION XI. Repealer. Any Ordinance or provision thereof inconsistent with this Ordinance is hereby repealed to the extent of such inconsistency.

SECTION XII. Publication. This Ordinance shall take effect immediately upon the adoption and publication in accordance with the law.

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John J. Divney, Council President

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Leonard C. Desiderio, Mayor

I HEREBY CERTIFY THAT the foregoing ordinance was duly passed by the City Council of the City of Sea Isle City, New Jersey, on first reading at the regular meeting of said Council held on the 27th day of March, 2012 and was taken up for second reading, public hearing and final passage at the regular meeting of said Council held on the 24th day of April, 2012 in the Public Safety Building, 233 John F. Kennedy Blvd., Sea Isle City, New Jersey at 10:00 a.m.

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Cindy L. Griffith, Municipal Clerk