

ORDINANCE A-12-2023

Title: AN ORDINANCE OF THE MAYOR AND MEMBERS OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF PENNSVILLE AMENDING CHAPTER 14, ARTICLE 3, SECTION 14.3-5 OF THE REVISED ORDINANCES OF THE TOWNSHIP OF PENNSVILLE WHICH SECTION IS ENTITLED REGULATION OF INOPERATIVE JUNK MOTOR VEHICLES AND WHICH AMENDMENT WILL PROVIDE FOR THE REMOVAL BY TOWING OF SUCH VEHICLES IN THE EVENT THE OWNER AND/OR PERSON IN POSSESSION OF THE PROPERTY REFUSES TO MEDIATE THE CONDITION

**WHEREAS**, the Mayor and members of the Township Committee of the Township of Pennsville have determined for a number of reasons including the recent COVID pandemic and the resulting impact that it had on the New Jersey court system, and for other reasons demonstrated, the Township's regulation of inoperative junk motor vehicles is not being aggressively enforced by the Judicial System thus causing a deterioration of the quality of various neighborhoods within this Township; and

**WHEREAS**, the Committee, in light of the above, has determined that it is both necessary and proper that they authorize the Township's Housing Officer to tow such motor vehicles when appropriate.

**NOW, THEREFORE, BE IT ORDAINED**, by the Township Committee of the Township of Pennsville, in the County of Salem, State of New Jersey, as follows:

1. Delete Section 14.3-5 of the Revised Ordinances of the Township of Pennsville entitled Enforcement; Notice.  
Add back Section 14.3-5 entitled Enforcement; Notice to read as follows:

Sec. 14.3-5. ENFORCEMENT; NOTICE

*"The Zoning Official of the Township shall be deemed to be the administrative officer for the enforcement of this Article. Whenever it shall appear that the provisions of this Article are being violated, such enforcing officer shall notify the owner and/or the person in possession of the property on which the violation exists, in writing, that the violation must be abated within thirty (30) days of the service of the notice.*

*Such notice shall be served personally, if such person(s) are residents of the Township. If such person(s) are not residents of the Township, such notice may be given by regular and registered mail with proof of delivery. In accordance with the Rules of Court of the State of New Jersey and this ordinance. Notice by regular mail shall be deemed received if not returned to sender within 14 days of mailing.*

*The Zoning Official, in determining the existence of a violation, shall give due regard to the standards set forth in Sec. 14.3-1.*

*In the event such owner and/or person(s) in possession of the property which is in violation of this section shall refuse or neglect to abate the condition complained of and which constitutes a violation hereof, then after the time permitted for such abatement, the enforcing officer, without further notice, shall either cause a complaint to be made*

*for such violation; or two, have the vehicle towed to the Township's Police Impound Lot. In the event towing becomes necessary, the Townships Zoning Official shall be accompanied, for safety reasons, by Township of Pennsville Police officer.*

*In the event a vehicle is towed, as set forth hereinabove, notice, in the form mentioned earlier in this chapter, along with a copy of this ordinance, shall be given to the owner or person in possession, who shall then be advised that if the vehicle is not redeemed within 30 days, with all appropriate towing and storage fees paid in full, then, in such event, the vehicle shall be deemed forfeited, the Township shall acquire a junk motor vehicle title for that vehicle, and then dispose of it thereafter, in accordance with law.*

*This ordinance specifically empowers the Township's Zoning Official or his designated representative to enter onto private property under the Township's Constitutional and Statutory police power in order to effectuate the provisions of this ordinance.*

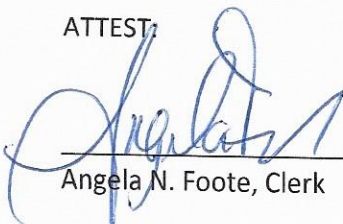
*In the event towing as aforesaid becomes necessary, the Township's Zoning Official shall hand the owner and/or the person in possession of the property with a copy of the original notice and a copy of this ordinance, as set forth above, and advise such individual that all further inquiries shall be directed to the Office of the Township Solicitor.*

*In the event the owner or the person in possession of the property resists the Zoning Official's efforts to tow the subject vehicle, then in such an event, said individual shall be notified that the Zoning Official will immediately sign Disorderly Persons Complaints against the individual charging both disorderly conduct under New Jersey statutes and also a violation of this ordinance."*

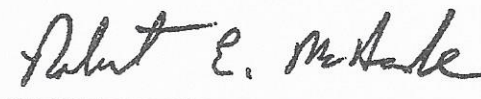
2. If any section or provision of this Ordinance shall be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of this ordinance as a whole or any part thereof.
3. All Ordinances or parts of Ordinances heretofore adopted and that are inconsistent with the terms and provisions of this Ordinance are hereby repealed to the extent of such inconsistency.
4. This ordinance shall be effective after the final passage and publication in accordance with the law.

ADOPTED: May 18, 2023

ATTEST:

  
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Angela N. Foote, Clerk

Approved by the Township Committee  
Township of Pennsville – May 04, 2023

  
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Robert E. McDade, Mayor

First reading – May 04, 2023

Roll call vote:

	Yes	No	Abstaining	Absent
Marc Chastain	X	—	—	—
Pete Halter	X	—	—	—
Scott Hourigan	X	—	—	—
Robert McDade	X	—	—	—
Daniel Neu	X	—	—	—

Adoption – May 18, 2023

Roll call vote:

	Yes	No	Abstaining	Absent
Marc Chastain	X	—	—	—
Pete Halter	X	—	—	—
Scott Hourigan	X	—	—	—
Robert McDade	X	—	—	—
Daniel Neu	X	—	—	—