

ORDINANCE NO. 3591

AN ORDINANCE ADOPTING A CODIFICATION AND REVISION OF THE ORDINANCES OF THE TOWNSHIP OF FRANKLIN, COUNTY OF SOMERSET, STATE OF NEW JERSEY; PROVIDING FOR THE MAINTENANCE OF SAID CODE; REPEALING AND SAVING FROM REPEAL CERTAIN ORDINANCES NOT INCLUDED THEREIN; ESTABLISHING A PENALTY FOR ALTERING OR TAMPERING WITH THE CODE; AND MAKING CERTAIN CHANGES IN PREVIOUSLY ADOPTED ORDINANCES

SUMMARY

An ordinance adopting a codification and revision of the ordinances of the Township of Franklin; providing for the maintenance of said code; repealing and saving from repeal certain ordinances not included therein; establishing a penalty for altering or tampering with the code and making certain changes in previously adopted ordinances.

BE IT ORDAINED AND ENACTED by the Township Council of the Township of Franklin, County of Somerset, State of New Jersey, as follows:

§ 1-6. Adoption of Code.

Pursuant to N.J.S.A. 40:49-4, the ordinances of the Township of Franklin of a general and permanent nature adopted by the Township Council of the Township of Franklin, as revised, codified and consolidated into chapters and sections by General Code Publishers Corp., and consisting of Chapters 1 through 390, together with an Appendix, are hereby approved, adopted, ordained and enacted as the "Code of the Township of Franklin," hereinafter known and referred to as the "Code."

§ 1-7. Code supersedes prior ordinances.

This ordinance and the Code shall supersede the 1990 Code and all general and permanent ordinances enacted prior to the enactment of this Code, except such ordinances as are hereinafter expressly saved from repeal or continued in force.

§ 1-8. When effective.

This ordinance shall take effect immediately upon passage and publication according to law.

§ 1-9. Copy of Code on file.

A copy of the Code in loose-leaf form has been filed in the office of the Township Clerk and shall remain there for use and examination by the public until final action is taken on this ordinance; and, if this ordinance shall be adopted, such copy shall be certified to by the Clerk of the Township of Franklin by impressing thereon the Seal of the Township, as provided by law, and such certified copy shall remain on file in the office of the Clerk of the Township, to be made available to persons desiring to examine the same during all times while said Code is in effect.

§ 1-10. Amendments to Code.

Any and all additions, amendments or supplements to the Code, when passed and adopted in such form as to indicate the intent of the governing body to make them a part thereof, shall be deemed to be incorporated into such Code so that reference to the "Code of the Township of Franklin" shall be understood and intended to include such additions and amendments. Whenever such additions, amendments or supplements to the Code shall be adopted, they shall thereafter be printed and, as provided hereunder, inserted in the loose-leaf book containing said Code, as amendments and supplements thereto.

§ 1-11. Publication; filing.

The Clerk of the Township of Franklin, pursuant to law, shall this Adopting Ordinance to be published, in the manner required, in a newspaper of general circulation in the Township. Sufficient copies of the Code shall be maintained in the office of the Clerk for inspection by the public at all times during regular office hours. The enactment and publication of this Adopting Ordinance, coupled with availability of copies of the Code for inspection by the public, shall be deemed, held and considered to be due and legal publication of all provisions of the Code for all purposes.

§ 1-12. Code book to be kept up-to-date.

It shall be the duty of the Clerk or someone authorized and directed by the Clerk to keep up-to-date the certified copy of the book containing the Code required to be filed in his or her office for the use of the public. All changes in said Code and all ordinances adopted subsequent to the effective date of this codification which shall be adopted specifically as part of the Code shall, when finally adopted, be included therein by reference until such changes or new ordinances are printed as supplements to said Code book, at which time such supplements shall be inserted therein.

§ 1-13. Sale of Code book.

Copies of the Code, or any chapter or portion of it, may be purchased from the Clerk, or an authorized agent of the Clerk, upon the payment of a fee to be set by the Township Council. The Clerk may also arrange for procedures for the periodic supplementation of the Code.

§ 1-14. Altering or tampering with Code; penalties for violation.

It shall be unlawful for anyone to improperly change or amend, by additions or deletions, any part or portion of the Code or to alter or tamper with such Code in any manner whatsoever which will cause the law of the Township of Franklin to be misrepresented thereby. Anyone violating this section or any part of this ordinance shall be subject, upon conviction, to one or more of the following: a fine of not more than \$1,250 or imprisonment for not more than 90 days or a period of community service not exceeding 90 days, in the discretion of the Judge imposing the same.

§ 1-15. Severability of Code provisions.

Each section of the Code and every part of each section is an independent section or part of a section, and the holding of any section or a part thereof to be unconstitutional, void or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other sections or parts thereof.

§ 1-16. Severability of ordinance provisions.

Each section of this ordinance is an independent section, and the holding of any section or part thereof to be unconstitutional, void or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other sections or parts thereof.

§ 1-17. Repeal of ordinances.

All ordinances or parts of ordinances of a general and permanent nature adopted and in force on the date of the adoption of this ordinance which are inconsistent with the any provision in the Code are hereby repealed to the extent of such inconsistency as of the effective date of this Adopting Ordinance.

§ 1-18. Ordinances saved from repeal.

The adoption of this Code and the repeal of ordinances provided for in § 1-17 of this ordinance shall not affect the following ordinances, rights and obligations, which are hereby expressly saved from repeal:

- A. Any ordinance adopted subsequent to 12-13-2005.
- B. Any right or liability established, accrued or incurred under any legislative provision prior to the effective date of this ordinance or any action or proceeding brought for the enforcement of such right or liability.
- C. Any offense or act committed or done before the effective date of this ordinance in violation of any legislative provision or any penalty, punishment or forfeiture which may result therefrom.
- D. Any prosecution, indictment, action, suit or other proceeding pending or any judgment rendered, prior to the effective date of this ordinance brought pursuant to any legislative provision.
- E. Any franchise, license, right, easement or privilege heretofore granted or conferred.
- F. Any ordinance providing for the laying out, opening, altering, widening, relocating, straightening, establishing of grade, changing of name, improvement, acceptance or vacation of any right-of-way, easement, street, road, highway, park or other public place or any portion thereof.
- G. Any ordinance appropriating money or transferring funds, promising or guaranteeing the payment of money or authorizing the issuance and delivery of any bond or other instruments or evidence of the Township's indebtedness.
- H. Ordinances authorizing the purchase, sale, lease or transfer of property or any lawful contract, agreement or obligation.
- I. The levy or imposition of taxes, assessments or charges or the approval of the municipal budget.
- J. The dedication of property or approval of preliminary or final subdivision plats.
- K. All currently effective ordinances pertaining to the rate and manner of payment of salaries and compensation of officers and employees.
- L. Any ordinance adopting or amending the Zoning Map.
- M. Any legislation relating to or establishing a pension plan or pension fund for municipal employees.

§ 1-19. Changes in previously adopted ordinances.

- A. In compiling and preparing the ordinances for adoption and revision as part of the Code pursuant to N.J.S.A. 40:49-4, certain grammatical changes and other minor changes were made in one or more of said ordinances. It is the intention of the Township Council that all such changes be adopted as part of the Code as if the ordinances so changed had been previously formally amended to read as such.
- B. Throughout the Code, statutory references have been updated or revised to the current citation. Consolidated (N.J.S.A.) references have been added to unconsolidated (P.L.) where appropriate.

- C. The following penalty sections have been revised (or added) so that they refer to Chapter 1, General Provisions, Article II, §§ 20-8, 85-12, 88-4, 93-7, 93-13, 93-16, 99-11, 112-325A(1), 115-23.2, 115-30, 115-35, 115-43, 121-9, 125-4A, 132-40, 134-2, 138-7, 142-32, 151-15, 156-15, 161-6A, 169-15, 183-4D, 183-9, 187-3, 192-8, 201-3, 201-13, 201-21, 201-28, 206-15, 206-53, 210-5B, 222-13A, 222-23, 230-14, 241-7, 248-5A, 253-13, 260-10, 260-18, 265-10, 271-15, 278-10, 284-20, 290-3, 298-4, 303-8, 303-17, 303-23, 308-4, 325-18, 333-18A, 333-42A, 340-3, 345-10E, 350-2, 354-15, 359-8A, 374-5, 378-4, 378-6, 384-63, 390-15A.

- D. In addition, the changes, amendments or revisions as set forth in Schedule A attached hereto and made a part hereof are made herewith, to become effective upon the effective date of this ordinance. (Chapter and section number references are to the ordinances as they have been renumbered and appear in the Code.)

ORDINANCE NO. 3591

THIS IS A TRUE COPY OF AN ORDINANCE ADOPTED BY THE
TOWNSHIP COUNCIL, TOWNSHIP OF FRANKLIN, SOMERSET, NJ

Introduced: January 10, 2006
Public Hearing: February 14, 2006
Adoption:
Notice of Adoption:
Effective Date:

Ann Marie McCarthy, Township Clerk

Schedule A
Township of Franklin, NJ

Chapter 1, General Provisions**Article II, General Penalty**

Section 1-3 is amended as follows:

Subsection A is amended, in part, as follows:

“...the violation of any such provision of this Code or of any other ordinance of the Township or of any rule, regulation or order promulgated pursuant to such Code or other Township ordinance shall be punished by one or more of the following: a fine not exceeding ~~\$500 or \$1,250~~; by imprisonment for a period of not to exceed 90 days; a period of community service of not to exceed 90 days ~~or by both such fine and imprisonment.~~”

Subsection B is amended as follows:

Whenever any provision of the New Jersey Revised Statutes limits the authority of the Township to punish the violation of any particular provision of this Code or other Township ordinance or rule, regulation or order promulgated pursuant thereto to a fine of less amount than that provided in this section or imprisonment for a shorter term or for a shorter term of community service than that provided in this section, then the violation of such particular provision of this Code or other Township ordinance, rule, regulation or order shall be punished by the imposition of not more than the maximum fine or imprisonment or community service so authorized, ~~or by both such fine or imprisonment.~~

Chapter 5, Administration of Government

Section 5-1, definition of “Charter” is amended as follows:

The pertinent provisions of the State Optional Municipal Charter Law (N.J.S.A. 40:69A-1 et seq., as amended) (~~Chapter 465 of the Laws of 1981 as amended~~) governing the Council-Manager Plan (~~Article 9, N.J.S.A. 40:69A-81 et seq.~~) under which the Township government is constituted.

Section 5-2 is amended by adding Subsection A(10) and (11) and by revising Subsection B so that § 5-2 now reads as follows:

§ 5-2. Allocation of administrative functions.

A. *The administrative and legislative functions, powers and duties, except as are by the Charter or general law reserved to the Council, shall be allocated among and within the following functional areas:*

- (1) *Executive and legislative. (See Article II.)*
- (2) *Administrative Services and Municipal Court. (See Article III.)*
- (3) *Community Development. (See Article IV.)*
- (4) *Public Works and Engineering. (See Article V.)*
- (5) *Public Health. (See Article VI.)*
- (6) *Public Safety. (See Article VII.)*
- (7) *Recreation, Community Celebrations and Parks Administration. (See Article VIII.) [Amended 1-14-1997 by Ord. No. 1990]*
- (8) *Community Resources and Services. (See Article IX.) [Amended 1-14-1997 by Ord. No. 1990]*
- (9) *Fire Prevention. (See Article X.)*
- (10) *Economic Development. (See Article XI.)*
- (11) *Information Technology. (See Article XII.)*

- B. *Special services, boards, committees and commissions. In addition to the organizational units described in this chapter, there are special services, boards, committees and commissions cited in the Code of the Township of Franklin only to provide legislative authority for elements identified, known as required by state law and audit requirements. Inclusion of these entities does not necessarily mean that they are staffed. The special services, boards, committees, commissions and authorities shall include those enumerated in Chapter 13, Boards, Commissions and Committees, of the Code.*

Section 5-45 is amended to read as follows:

§ 5-45. Office of Emergency Management.

See Chapter 50, Police Department.

Section 5-56 is amended to read as follows:

§ 5-56. Fire Prevention Board.

For the Fire Prevention Board, see Chapter 13, Boards, Commissions and Committees, Article IX, Fire Prevention Board, and Chapter 132, Fire Prevention.

Chapter 8, Alliance Against Substance Abuse

Section 8-5 is amended as follows:

The Municipal Alliance of Franklin Township shall develop a comprehensive plan to provide matching funds equivalent to the amount of monies received from the Municipal Alliance for Prevention of Substance Abuse grant agreement with Somerset County Department of Human Services DEDR Funds. These matching funds shall be a minimum of 25% cash or in-kind services.

Chapter 13, Boards, Committees and Commissions

Article III, Agricultural Advisory Committee

Section 13-7 is amended as follows:

The Agricultural Advisory Committee established by this article shall be composed of five members who shall be residents of the municipality, with a majority of the members actively engaged in farming and owning a portion of the land they farm. The members of the Municipal Agricultural Advisory Committee shall be appointed for a one-year term, which term shall expire on December 31 of each year, ~~except that the members initially appointed to this Committee shall be appointed following adoption of this ordinance for terms which expire on December 31, 2000.~~

Chapter 46, Personnel Policies

Section 46-12 is amended as follows:

Original Subsections B and D(2) reading as follows are deleted:

~~*B. Optional medical coverage. Employees shall have the option to select coverage with an (HMO) Health Maintenance Organization or a (PPO) Primary Provider Option by paying the difference between the basic plan and the optional plan selected.*~~

~~*D(2) Full-time employees hired after January 1, 2000 shall be eligible for the medical coverage for employee and eligible dependents in the POS plan at no cost. Employees shall pay 20% of the premium cost for prescription and dental coverage. These employees may select an optional plan provided they pay the difference between the basic plan and the optional plan selected through payroll deductions.*~~

Subsection A is amended by changing “(POS) Point of Service” to “primary provider option (PPO).” References elsewhere in the chapter to (POS) point of service are changed to primary provider option (PPO).

Subsection C(1) is amended as follows:

Full-time employees hired before January 1, 2000 shall be eligible for medical coverage for employee and eligible dependents in any plan at no cost to the employee. These employees shall receive prescription and dental at no cost.

Section 46-13B is amended by changing 25 years to 20 years.

Original Subsection C reading as follows is deleted:

~~*Employees retiring with 20 years of service to the Township of Franklin. Employees retiring in the New Jersey pension system under service retirement, early, disability retirement or veteran retirement and 20 years of service to the Township will receive the POS at no cost to the retiree, as well as receive prescription and dental benefits for which they are eligible under Section 44-11 D of this chapter. If the employee chooses a plan other than POS, he/she shall be responsible for payment of the premium difference between the POS and coverage elected by the employee.*~~

Chapter 50, Police Department

Section 50-4A is amended to read as follows:

- A. *The following titles and positions shall exist within the Police Department: one Chief of Police, three Captains, four Lieutenants, 15 Sergeants, 81 patrol officers, Special Law Enforcement Officer, Class I and Class II.*

Section 50-18C is amended by changing “a rate not to exceed \$90 per hour” to “a rate established for the Township Attorney” in two places.

Chapter 112, Land Development

Original §112-1, Title, consisting of the long title of the ordinance, is hereby deleted.

Section 112-4, Definitions, definition of “family” is amended as follows:

~~*FAMILY -- One or more persons related by blood, marriage, adoption or guardianship living together as a single housekeeping unit in a dwelling. A group of individuals not necessarily related by blood, marriage, adoption, or guardianship living together in a dwelling unit as a single housekeeping unit under a common housekeeping management plan based on an intentionally structured relationship providing organization and stability.*~~

Section 112-6C is amended by deleting the descriptions of the amendments made to the Zoning Map

Section 112-8H is added to read as follows:

H. R-10A Single-Family Development. The purpose of the R-10A District is to permit single-family development.

Section 112-24C is amended as follows:

~~*Any owner or tenant who shall violate any provision of this chapter or fail to comply therewith or with any of the requirements thereof, upon conviction thereof, shall be liable to a fine of not more than \$1,000 or for imprisonment for not more than 90 days or to both such fine and imprisonment the penalties in §112-326. Each and every day such violation continues, shall be deemed a separate and distinct violation.*~~

Section 112-107A is amended to change “Department of Zoning” to “Department of Community Development.”

Section 112-302A is amended as follows:

A. Class I: ~~The Mayor, or the Mayor's designee in the absence of the Mayor.~~

Section 112-302B is amended as follows:

B. Class II: One of the officials of the municipality other than a member of the Township Council to be appointed by the ~~Mayor~~ Township Council, provided that if there is a member of the Environmental Commission who is also a member of the Planning Board as required by N.J.S.A. 40:56A-1 he shall be deemed to be the Class II Planning Board member if there is both a member of the Zoning Board of Adjustment and a member of the Board of Education among the Class IV members.

Section 112-302F(1) is amended as follows:

"The term of the member composing Class I shall correspond with ~~his official tenure~~ the Mayor's official tenure or if the member is the Mayor's designee in the absence of the Mayor, the designee shall serve at the pleasure of the Mayor during the Mayor's official tenure. The terms of the members composing Class II and Class III shall be for one year or terminate at the completion of their respective terms of office, whichever occurs first..."

Section 112-316 is amended as follows:

Pursuant to the provisions of N.J.S.A. 40:55D-12C, the Department of Community Development shall, within seven days after receipt of a request therefor and upon receipt of payment of a fee of \$0.25 per name or \$10, whichever is more, make and certify a list from the current tax duplicate of names and addresses of owners to whom the applicant is required to give notice pursuant to § 112-315B) of this chapter.

Section 112-325A(2) is amended as follows:

The owner of any building or structure, lot or land, or part thereof where anything in violation of this chapter shall be placed or shall exist, and any architect, builder, contractor, agent, person or corporation employed in connection therewith and who may have assisted in the commission of any such violation, shall each be guilty of a separate ~~misdemeanor offense~~, and upon conviction therefor shall be liable to ~~a fine or imprisonment or both hereinbefore specified~~ the penalties specified in Subsection A(1) above.

Section 112-325B, the lead-in paragraph, is amended as follows:

Any individual, corporation, company, association, society, firm, partnership or other entity who shall violate any term, condition or restriction contained in any easement, or any legal restriction upon real property which shall have been created in accordance with or pursuant to any provision of this chapter shall, upon conviction, be liable for the penalties provided in Chapter 1, Article II, General Penalty, or required to implement a restoration plan prepared by the Planning Board, or collectively to the fine, restoration and imprisonment.

Section 112-325B(1) is amended to change "misdemeanor" to "offense."

Chapter 115, Dogs and Other Animals

Article I, Animal Keeping Regulations

Section 115-2 is amended to change "poundkeeper" to "Animal Control Officer." Other references to poundkeeper in this chapter and the Code have been changed to Animal Control Officer.

Section 115-3 is amended by deleting the fees for room and board, disposal and euthanasia, pickup, etc. These fees are provided for in Article III of the chapter.

Section 115-4 is amended to read as follows:

§ 115-4. Sale of impounded animals. [Amended 1-28-1986 by Ord. No. 1263]

- A. All impounded livestock not redeemed by the owner or owners within seven days after they are impounded shall be placed for adoption.
- B. All other impounded animals not redeemed by the owner or owners within seven days after they are impounded may be adopted for the sum of \$20, and all proceeds shall be immediately delivered to the Chief Financial Officer of the Township of Franklin.

Article II, Dogs and Cats

Section 115-8B is amended by deleting "Effective January 1, 1995" at the beginning thereof.

Section 115-8F is added to read as follows:

- F. Dogs used as guides for blind persons and commonly known as "Seeing-Eye" dogs, dogs used to assist handicapped persons and commonly known as "service dogs," or dogs used to assist deaf persons and commonly known as "hearing ear" dogs shall be licensed and registered as other dogs hereinabove provided for, except that the owner or keeper of such dog shall not be required to pay any fee therefor.

Section 115-11B is amended to change "Animal Control Department" to "Animal Control Division."

Section 115-21B is amended, in part, as follows:

"...a notice, in writing, stating that the animal has been seized and will be liable to be ~~disposed of destroyed or offered for adoption~~ if not claimed within seven days after the service of the notice.

Section 115-23.2 is amended by adding "Except as provided in N.J.S.A. 4:19-15.19" at the beginning of the section.

Article III, Animal Control

Section 115-24, the definition of "ANIMAL CONTROL OFFICER" is amended to read as follows:

ANIMAL CONTROL OFFICER — See definition of "Animal Control Officer in § 115-31.

Article V, Cats

Section 115-37, the definition of "CAT VACCINATION AGE" is amended to change *seven* months to *four* months.

Section 115-38A is amended to change *seven* months to *four* months.

Chapter 132, Fire Prevention

Section 132-10A is amended by adding "or to the Franklin Township Board of Appeals, if constituted."

Section 132-22B is amended to delete the following:

~~*Exception: Pavement markings and signs which must be replaced prior to June 30, 1992 due to illegibility, damage or destruction shall comply fully with the provisions of this article at the time of replacement.*~~

Chapter 138, Food Establishments

Section 138-1 is amended as follows:

~~That certain code commonly known as Chapter 12 of the State Sanitary Code entitled "Sanitation and Retail Food Establishments and Food and Beverage Vending Machines (April 7, 1998) (N.J.A.C. 8:24-1.1 et seq.) regulating retail food establishments, temporary retail food establishments and agricultural markets, mobile retail food establishments, vending of food and beverages and community residences and bed-and-breakfast establishments is hereby adopted pursuant to N.J.R.S. 26:3-69.1 through 3-69.6. shall be enforced in the Township of Franklin. Three copies of such code are on file in the office of the Township Clerk and the Health Officer.~~

Section 138-2 is amended by deleting ~~"Such code is amended as follows: The following subparagraph, entitled '(c)' is hereby added to Section 4.1 of the aforementioned code."~~ Section 138-2 now reads as follows:

§ 138-2. Food handler's training course. [Amended 12-12-1990 by Ord. No. 1614]

At each establishment where food is handled, there shall be on duty at each separate food preparation station at all times when such establishment is open for business at least one person who shall have successfully completed a food handlers training course given by the Health Department of the Township of Franklin or a similar course offered within the State of New Jersey. The cost of attendance at such courses offered by the Township Health Officer shall be \$25 per person. Nothing herein contained shall be construed to prohibit more than one person being so trained. Said training shall be valid for a period of two years.

Chapter 146, Construction Codes, Uniform

Section 146-1A is amended to change "Department of Code Enforcement" to "Division of Code Enforcement." References to the Department of Code Enforcement in other chapters of the Code have also been revised.

Chapter 151, Housing Standards

Section 151-2B is amended to change "Division of Health" to "Department of Public Health." This change has been made throughout the chapter.

Section 151-9D is amended as follows:

Failure to secure a certificate of occupancy prior to the renting of a multiple dwelling unit shall be a violation of this chapter. An owner and/or operator violating the requirement to secure a certificate of occupancy shall be subject to ~~a fine not exceeding \$1,000 and/or 90 days imprisonment~~ the penalties in § 151-15.

Chapter 169, Nuisances

Section 169-10, Prohibited lease or rental of certain buildings, is deleted.

Chapter 179, Peddling and Soliciting

Section 271-12 is amended by deleting the fee amount of \$350 and referring instead to the fee as provided in § 271-

Chapter 219, Library

Section 219-6 is amended to increase the fine for a first offense from \$25 to \$50 and for a second and subsequent offenses from \$100 to \$200.

Chapter 260, Parks and Recreation**Article III, Permits and Fees**

Original § 175-12, Access to permit process, is deleted.

Article V, Skate Park Rules

Section 260-24A is amended as follows:

*First offense. Upon conviction by the Franklin Township Municipal Court of a violation of ~~subsection~~*** this article of the Franklin Township Code, a person shall be punished by a fine of up to \$50, plus court costs. Suspension of facility privileges will also be at the discretion of the Department of Recreation, Community Celebrations and Park Administration upon conviction.*

Chapter 271, Peddling and Soliciting

Section 271-9A(4) is amended to change Fire Prevention Bureau to Division of Fire Prevention.

Section 271-12 is amended by deleting the fee of \$350 and referring to § 271-10 where the fee is also found.

Ch. 284, Recycling

Section 284-9A is hereby amended to add Notes 1 and 2 to the end of the list of fees and charges.

Section 284-9B(4) is hereby amended to change "Recycling Center" to "Recycling and Transfer Center."

Section 284-15C(1) is hereby amended to change "Recycling/Refuse Transfer Station" to "Recycling and Transfer Center."

Chapter 290, Rental Dwellings**Article I, Eviction for Nonpayment of Rent**

Section 290-1 is amended to change "Director of Social Services" to "Director of Community Resources and Services."

Chapter 350, Taxicabs

A penalty applying to the entire chapter is added as § 350-2, and all sections which formerly contained penalties were revised to refer to § 350-2 in the manner set forth in the amendment for § 350-15B below.

Section 350-15B is amended as follows:

Violating this provision shall result in a ~~fine of \$250~~ penalty assigned to the taxicab driver and a ~~fine of \$500 assigned to the taxicab owner as provided in Chapter 1, Article II, General Penalty. If the taxicab driver is in fact the owner of the taxicab, then the maximum fine shall be \$500.~~ Any sworn law enforcement officer may enforce this section. Upon conviction in Municipal Court, the Township Clerk may refuse to grant a taxicab owner's license for a period up to one year, if an application made.

Ch. 364, Tort Claims

Section 364-1 is hereby amended by deleting the tort claim form and revising the section to read as follows:

§ 364-1. Adoption of form.

The tort claim form on file in the office of the Township Clerk is hereby adopted as the official notice of tort claim for the Township of Franklin.

ORDINANCE NO. 3591

This is a true copy of an ordinance adopted by the Township Council Township of Franklin, Somerset County, New Jersey.

Introduced: January 24, 2006
Public Hearing: February 14, 2006
Adoption: February 14, 2006
Notice of Adoption: February 20, 2006
Effective Date: March 6, 2006

Ann Marie McCarthy, Township Clerk