

**AN ORDINANCE AMENDING CHAPTER 4, SECTIONS 37.1 OF THE REVISED
GENERAL ORDINANCES OF THE TOWNSHIP OF WEST ORANGE
(Repossession Activity)**

BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF WEST ORANGE, NEW JERSEY that Chapter 4 of the Revised General Ordinances of the Township of West Orange be and are hereby amended as follows:

I. PURPOSE

The purpose of this Ordinance is to create requirements for the repossession of vehicles on behalf of holders of liens on the vehicles.

II. CHAPTER 4, SECTION 37.1 SHALL BE AND HEREBY IS AMENDED AND SUPPLEMENTED TO INCORPORATE THE FOLLOWING:

4-37 REPOSSESSION ACTIVITY

4-37.1 Definitions.

As used in this section:

Private Towing Company shall mean a company retained by a holder(s) of lien(s) on a vehicle for the recovery of a vehicle possessed by an owner/borrower.

Notice shall mean a written notification identifying: (1) the make and model of the vehicle to be repossessed; (2) the Vehicle identification number to be repossessed; (3) name of the vehicle owner/borrower from whom the vehicle will be recovered from; (4) address or location of the vehicle to be repossessed; and (5) the approximate date and time of the repossession of the vehicle.

Repossession Activity shall mean the recovery of a vehicle from public or private property without the consent of the owner or operator of the vehicle by a Private Towing Company on behalf of a holder of lien on the vehicle.

III. CHAPTER 4, SECTION 37.2 SHALL BE AND HEREBY IS AMENDED AND SUPPLEMENTED TO INCORPORATE THE FOLLOWING:

4-37.2 Notice to the West Orange Police Department.

Prior to any Repossession Activity, any Private Towing Company operating within the Township of West Orange must provide Notice to the Township of West Orange Police Department. The Private Towing Company shall also provide the Township of West Orange Police Department with proof of its right to repossess the vehicle.

IV. CHAPTER 4, SECTION 37.3 SHALL BE AND HEREBY IS AMENDED AND SUPPLEMENTED TO INCORPORATE THE FOLLOWING:

4-37.3 Violations and Penalties

Any person convicted of violating this section shall be subject to a fine of not less than five hundred (\$500) dollars and not more than one thousand (\$1,000) dollars or imprisonment for a period not exceeding ninety (90) days or both.

V. REPEAL OF CONFLICTING ORDINANCES

Any Ordinances of the Township which are in conflict with this Ordinance are hereby repealed to the extent of such conflict.

VI. SEVERABILITY

If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereof shall not affect the remaining parts of this Ordinance.

VII. EFFECTIVE DATE

This Ordinance shall take effect upon final passage and publication in accordance with the law.

Joe Krakoviak
Council President

Honorable Robert D. Parisi
Mayor

Karen J. Carnevale, R.M.C.
Municipal Clerk

Introduced: September 19, 2017

Adopted: October 3, 2017

Legislative History

This Ordinance is intended to create a notice requirement for private towing companies repossessing vehicles within the Township of West Orange to notify the Township of West Orange Police Department prior to any repossession activities. This Ordinance is meant to avoid erroneous reports of stolen vehicles being submitted to the Township of West Orange Police Department.

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