Published October 14, 2026

NOTICE OF PENDIN ORDINANCE
NOTICE IS HEREBY GIVEN

that at a meeting of the Council of the Borough of North Plainfield held on October 13, 2026 there was introduced and read for the first time, and passed on such first reading, an ordinance, a true copy whereof is printed below and that said Council did then and there fix the regular meeting of said Council to be held on October 26, 2026 at 7:30 p.m. or as soon thereafter as the matter may be heard, and the North Plainfield Borough Council Chambers, 263 Somerset Street, North Plainfield, New Jersey or via Zoom as the place when and where said ordinance will be further considered for final passage, at which time and place, or at any time and place to which such meeting shall from time to time be adjourned, all persons interested will be given an opportunity to be heard concerning such ordinance.

The said ordinance as introduced and passed on first reading as aforesaid is in the following words and figures:

BOROUGH OF NORTH PLAINFIELD
263 SOMERSET STREET
NORTH PLAINFIELD, NJ 07060-4846

ORDINANCE NO. 26-19

AN ORDINANCE TO AMEND, REVISE AND SUPPLEMENT CHAPTER 4 OF THE BOROUGH CODE, ENTITLED "GENERAL LICENSING", SPECIFICALLY TO ADD A NEW §4-18, ENTITLED "MOTOR VEHICLE REPAIR SHOPS".

WHEREAS, pursuant to *N.J.S.A.* 40:48-1 and *N.J.S.A.* 40:48-2, the governing body of a municipality may make, amend, repeal and enforce such ordinances, regulations, rules and by-laws not contrary to the laws of this State and/or of the United States, as it may deem necessary and proper for the good of government, order, and protection of person and property and for the preservation of the public health, safety and welfare of the municipality and its inhabitants and, as may be necessary to carry into effect the powers and duties conferred and imposed by this subtitle, or by any other law; and,

WHEREAS, the Borough has determined that it is in the best interests of the Borough to license and regulate motor vehicle repair shops to protect the appearance and good order of properties on which such motor vehicle repair shops are located throughout the Borough and for the preservation of the public health, safety and welfare of the Borough and its inhabitants; and,

WHEREAS, the Borough therefore finds it necessary and appropriate to amend, revise and supplement Chapter 4 of the Borough Code, entitled "General Licensing," specifically to add a new §4-18, entitled "Motor Vehicle Repair Shops".

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of North Plainfield, County of Somerset, State of New Jersey that the Borough Code of the Borough

of North Plainfield be amended, revised and supplemented as to Chapter 4 of the Borough Code, entitled "General Licensing", specifically to add a new§4-18, entitled "Motor Vehicle Repair Shops," as follows:

Section 1. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

MOTOR VEHICLE - An automobile, truck, motorcycle or any other trackless self-propelled vehicle designed primarily to transport persons or property over public streets and highways.

MOTOR VEHICLE REPAIR SHOP:

A. Any land, building or premises used to engage in the business of performing maintenance, diagnosis or repair services on a motor vehicle or the replacement of parts, or the repair, removal or installation of integral component parts of an engine, power train, or chassis of a motor vehicle.

B. For purposes of this chapter, "Motor vehicle repair shop" does not include an "auto body repair facility", as defined pursuant to *N.J.S.A.* 39:13-1 and *N.J.A.C.* 13:21-21.2, and that is required to be licensed by the New Jersey Motor Vehicle Commission pursuant to *N.J.S.A.* 39:13-2.
(1)

C. For purposes of this chapter, "Motor vehicle repair shop" also does not include any land, building or premises used where only the following work is performed:
   (1) Lamp globe changing.
   (2) Charging of batteries.
   (3) Installing minor parts or making trivial repairs customarily done in connection with the business of selling motor fuel, oil or motor vehicle accessories.

PERSON - Any person, firm, partnership, association, corporation or organization of any kind.

REPAIR WORK ON MOTOR VEHICLES - Any work done on the premises of a motor vehicle repair shop which requires direct or indirect physical contact with a motor vehicle or any part of a motor vehicle.

SERVICE BAY - An individual, indoor, enclosed workstation or defined work area within a motor vehicle repair shop, used specifically for the service or repair of vehicles containing a lift or designated space for a motor vehicle to be worked on.

Section 2. License required.

It shall be unlawful for any person to operate a motor vehicle repair shop on any land, building or premises within the Borough of North Plainfield without first obtaining a license from the Borough Clerk in accordance with the provisions of this chapter. A license shall be required whenever more than one (1) motor vehicle is stored for repair on any such land building or premises. A person who operates more than one (1) motor vehicle repair shop within the Borough shall obtain a separate license for each shop.

Section 3. License application.

A. An applicant for a motor vehicle repair license shall file an application with the Borough Clerk upon forms provided by the Borough Clerk. The application form shall be signed by the applicant, by all partners if the applicant is a partnership or by the president or chief executive officer if the applicant is a corporation or limited liability company. Each person signing the application shall swear before a notary public to the truth of all information contained in the application.

B. Applications shall contain the following information:

(1) Name, resident address and telephone number of each individual owner, partner or, if a corporation or other organization, each officer and director.

(2) Trade names and exact locations and descriptions of any businesses operated by the applicant and each person signing the application within the past five years.

(3) Names and addresses of employers of each person signing the application within the past five years.

(4) A statement as to whether the applicant and each person whose name appears on the application has been convicted of any crime, the nature of the offense and the date of the conviction.

(5) The trade name and telephone number of the business of the applicant.

(6) The address of the place where the business is to be conducted.

(7) Information as to the number of motor vehicle service bays, off-street parking spaces and number of employees at the property where the business is to be conducted

(8) Proof of general liability insurance from an insurance company authorized to do business in the State of New Jersey.

(9) A copy of the applicant's New Jersey Business Registration Certificate.

(10) Any other information which the Borough finds reasonably necessary to enforce this chapter.

Section 4. Investigation; license issuance.

A. Upon receipt of a completed application the Borough office of Property Maintenance shall investigate the business and inspect the premises and equipment with which the motor vehicle repair shop is to be conducted. The office of Property Maintenance shall ensure that the premises possess a valid Certificate of Occupancy and fire inspection and that the premises and equipment with which the business is to be conducted conform to the requirements of the Building Code, other applicable codes and this chapter. The office of Property Maintenance shall also refer the application to the Borough Zoning Officer to determine compliance with the Borough Zoning Ordinance and all land use regulations. The office of Property Maintenance shall further investigate whether the applicant has ever had a license to conduct business in the Borough that has been denied or revoked. If the applicant has ever had a license denied or revoked, the applicant shall be required to detail the facts leading to such denial or revocation. The office of Property Maintenance shall also verify the number of service bays for the motor vehicle repair shop.

B. The Borough Clerk shall approve the application only if the office of Property Maintenance makes a favorable recommendation that a license should be issued based on the office of Property Maintenance's investigation. The license shall indicate the number of service bays that have been identified by the office of Property Maintenance for the motor vehicle repair shop.

C. If the office of Property Maintenance's findings are unfavorable to the applicant, the

Borough Clerk shall notify the applicant within 30 days after the filing of his or her application that no license will be issued. This notification shall be accompanied by a written statement of the grounds upon which the application was disapproved.

D. All licenses shall contain the following language:

IMPORTANT. This license is valid only for the address listed on the license. It authorizes the holder of this license to operate a motor vehicle repair shop in a lawful place and manner. It is not a substitute for a certificate of occupancy or any other license or permit required by applicable laws or Borough code; nor does it relieve the holder of this license of the responsibility to have all permits and certificates required by law at all times or to comply with all laws affecting the operation of its business.

Section 5. Expiration; renewal.

A. All licenses shall expire on January 30th of each year.

B. An applicant for a renewal license shall file with the Borough Clerk a written application which conforms in all respects to the original application on or before December 15th.

Section 6. License fees.

A. The annual fee for all licenses and renewal licenses shall be $250.00. The fee shall not be prorated or computed from the date of filing.

B. All license fees shall be paid when the applicant files his or her application and are to be computed as of the date of filing of the application.

Section 7. Establishments to be separately licensed.

A separate license shall be obtained in the manner prescribed by this chapter for each separate location of the applicant's business as if each separate location were a separate business.

Section 8. License nontransferable.

No license issued under this chapter shall be transferred, assigned or used by any person other than the one to whom it is issued; nor shall any license be used for any location other than the one for which it is issued.

Section 9. General operating requirements.

A. No partially dismantled, inoperable or wrecked motor vehicle, tires or motor vehicle parts shall be parked, stored or dismantled on the repair shop premises except as a direct, immediate and necessary incident to the repair of a motor vehicle.

B. The following general operating requirements shall apply to all motor vehicle repair shops:

(1) The license issued under this chapter shall be plainly displayed on the business premises.

(2) No noxious weeds or appreciable amounts of refuse shall be allowed to accumulate on the premises.

(3) The property on which the motor vehicle repair shop is located shall be maintained in a clean, sanitary and safe condition, and may not have the appearance of a motor vehicle junk yard.

(4) No partially dismantled, wrecked and/or motor vehicle undergoing repairs shall be permitted to be parked, stored or dismantled outside the building for more than ten (10) days.

(5) No more than four (4) partially dismantled, wrecked and/or motor vehicles undergoing repairs per service bay shall be permitted to be parked, stored or dismantled outside the building at any one time. This shall not apply to motor vehicles that are parked outside temporarily for less than one (1) business day while they are being serviced. Motor vehicles that are parked/stored outside must be in striped or otherwise specifically designated parking spaces.
(6) No motor vehicle bodies, frames, parts, tires, batteries or motors shall be stored outside.
(7) Public street and rights of ways may not be used for the storage or repair of motor vehicles or for the storage of equipment, including forklifts.
(8) No tractor trailers, box trucks, trailers, trucks or other motor vehicles may be used for storage.
(9) No motor vehicles shall be sold from the licensed premises.
(10) Shall be no unregistered motor vehicles stored on the premises.
(11) Public streets and rights-of-way may not be used for storing motor vehicles and/or for staging.
(12) All garbage must be contained in covered containers.
(13) An itemized statement of parts and labor used in repairing a motor vehicle shall be furnished to the owner of the motor vehicle or upon the request of the insurance company which has insured the vehicle, its owner or operator.
(14) If secondhand parts are used for any repair or alteration of a motor vehicle, the customer must be informed that the parts are not new and that fact noted on any written estimate or bill.
(15) A written report shall be made to the Chief of Police within 24 hours when any motor vehicle with gun shot damage is brought to the repair shop. This report shall include, if available, the license number, serial number, engine number, make, model, year and color of the vehicle and the name and address, sex, race and approximate age of the person who brought the vehicle.

Section 10. Suspension or revocation of license.

The Borough Clerk may suspend or revoke any motor vehicle repair shop license if he or she receives a report or notification from the office of Property Maintenance that after investigation, that:

A. The licensee or any agent, officer or employee of the licensee who takes part in the operation of the licensed business has failed to comply with this chapter or any law or Borough code applicable to the premises, equipment or operation of the licensed business.
B. The licensee or any agent, officer or employee of the licensee has in the course of the licensed business:
   (1) Mutilated or altered the engine or serial number of any motor vehicle;
   (2) Made wrongful use of any motor vehicle entrusted to the licensee; or
   (3) Willfully or through gross negligence endangered the life or safety of any person.
C. The licensee or any agent, officer or employee of the licensee has defrauded or attempted to defraud any person by means of charging or attempting to charge for any unnecessary or unauthorized repairs by intentionally misstating the nature or probable cost of any repair or by any other means.

D. The licensee has obtained his or her license through any fraud or misstatements.
E. The licensed business is being conducted in a manner detrimental to the health, safety or general welfare of the public or is no longer being operated.

Section 11. Hearings.

Any person aggrieved by any decision granting, denying, renewing, suspending or revoking a license for a proposed or existing motor vehicle repair shop may file a request for a hearing before the Borough Administrator within 10 days after the issuance of the decision. The Borough Administrator, or designee shall schedule a hearing no later than 10 days after he or she receives notice of the request. The Borough Administrator, or designee shall also give notice of the hearing to other persons directly interested in the decision subject to the hearing. At the hearing, the Borough Administrator, or designee shall decide whether the decision granting, denying, renewing, suspending or revoking a license for a proposed or existing motor vehicle repair shop was in accordance with the provisions of this chapter. The Borough Administrator, or designee shall issue written findings of fact, conclusions of law and an order to carry out his or her findings and conclusions. A copy of this order shall be sent to all parties appearing before the Borough Administrator, or designee.

Section 12. Grace period.

Each person operating a motor vehicle repair shop on the effective date of this chapter shall have a period of 90 days after the effective date of this chapter to apply for the license required by this chapter.

Section 13. Violations and penalties.

In addition to the suspension or revocation of his or her license, any person found guilty of violating this chapter shall, upon conviction, be punishable as provided in Chapter 2, Article I, §2-1.7.

NOW, THEREFORE, BE IT FURTHER ORDAINED that this Ordinance shall take effect, after final passage, twenty (20) days following action or inaction by the Mayor, as provided by law or an override of a mayoral veto by the Council, whichever is applicable, and publication in accordance with law, unless a resolution is adopted, pursuant to *N.J.S.A*. 40:69A-181(b), declaring an emergency and providing that this Ordinance shall take effect at an earlier date.

Published October 14, 2026

Copies of the full Ordinance are on file with the Borough Clerk of the Borough of North Plainfield in the Municipal Building, 263 Somerset Street, North Plainfield, New Jersey. Copies may be obtained upon request and a copy is posted on the Bulletin Board in the Municipal Building reserved for such purpose.

Michele Irby-Garry
Borough Clerk