

BOROUGH OF ALLENHURST

ORDINANCE #2017 -04

AN ORDINANCE REVISING CHAPTER IV OF THE BOROUGH CODE OF THE BOROUGH OF ALLENHURST ENTITLED “LICENSING AND BUSINESS REGULATIONS.”

WHEREAS, the Borough Council of the Borough of Allenhurst has determined that it is in the best interests of the community to revise certain portions of its existing Borough Code concerning the Towing Ordinance to address the needs of the community;

NOW THEREFORE, BE IT ORDAINED by the Borough of Allenhurst, County of Monmouth, State of New Jersey, that the Borough Code of the Borough of Allenhurst be and is hereby amended and supplemented as follows:

Chapter IV be and is hereby revised to delete the existing subsection “4-2.8” and replace it with the following:

4-2.8 Fee Schedule.

Towing fees and charges shall be as follows:

- a. Passenger vehicles, including mopeds and motorcycles, adjacent to the confines of the roadway, from any point in the Borough, twenty-four (24) hours a day, seven (7) days a week, three hundred sixty-five (365) days a year: One Hundred and Fifteen (\$115.00) dollars.
- b. Any vehicle over nine thousand five hundred (9,500) pounds registered gross weight, from any point within the Borough, at any time of the day or night: One Hundred and Fifty (\$150.00) dollars.
- c. When the winching of any vehicle or the recovery of any vehicle is required, within twenty (20) feet from the roadway, an additional fee of twenty-five (\$25.00) dollars shall be charged. For any vehicle that is more than twenty (20) feet from the roadway, an additional twenty-five (\$25.00) dollars shall be charged, plus one dollar and fifty (\$1.50) cents for every foot of cable used.
- d. Where passenger vehicles, including mopeds and motorcycles, are stored prior to reclamation by the owner, the fees shall be as follows:
 1. Indoors: Thirty-five (\$35.00) dollars per day shall be charged.
 2. Outdoors: Twenty-five (\$25.00) dollars per day shall be charged.
- e. Where vehicles over nine thousand five hundred (9,500) pounds registered gross weight are stored prior to reclamation:

1. Indoors: Sixty (\$60.00) dollars per day shall be charged.
 2. Outdoors: Forty (\$40.00) dollars per day shall be charged.
- f. Where the owner of a vehicle requests a wrecker for a service call, on a vehicle not to be towed, the charge for the service shall not exceed the Borough rates for towing.
- g. All licensed wrecker operators shall be required to post his rates at his business, and upon payment, give a written request for services rendered.
- h. Any vehicle over nine thousand five hundred (9,500) pounds or requiring special facilities and/or equipment (buses, tractor-trailers, large or oversized vehicle, etc.) will require arrangement between the owner or driver and the wrecker operator.
- i. The Police Department reserves the right to call any qualified wrecker operator, regardless of licensing status, if an emergency condition exists which necessitates removal of a vehicle.
- j. The Chief of Police is directed to establish a receipt system which will allow the wrecker operator to release a vehicle upon the showing of such receipt.
- k. *Snow Emergency*. The fee for the towing and storage shall be set at fifty (\$50.00) dollars for the tow and one-half (1/2) the storage rate as indicated in paragraph d. above.
- l. *Police Impound*. There shall not be a fee, in accordance with those defined above, for the towing of vehicles that are impounded by the Police Department and towed to police headquarters for further investigation. (Ord. No. 98-10 § VIII)
- m. The authorized towing service must agree to tow Borough owned vehicles, at no cost, to a local repair facility, not to exceed 5 miles.
- n. The authorized towing service must agree to respond, at no cost, to change any tire of a police department vehicle, within the Borough.
- o. The towing service shall have the right to prepare all required applications for junk and/or saleable vehicle titles, required by the NJ Motor Vehicle Agency, themselves. If towing agency is unable, or unwilling, to prepare these documents themselves, such application shall be completed by Police department personnel, or a designated outside agency, approved by the Police Department.

And, it is further

ORDAINED that except as herein above provided, the remainder of Chapter IV, LICENSING AND BUSINESS REGULATIONS, shall remain unaltered and in full force and effect; and it is further

ORDAINED that the provisions of this ordinance are declared to be severable, and if any section, subsection, sentence, clause or phrase hereof shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, subsections, clauses and phrases of this ordinance shall stand notwithstanding the invalidity of any part; and it is further

ORDAINED, That this Ordinance shall take effect after publication and adoption according to law.

APPROVED: **January 31, 2017**

ADOPTED: **February 14, 2017**