

AN ORDINANCE OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF MOUNT ARLINGTON, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING BOROUGH CODE CHAPTER 155 TOWING, CHAPTER 155 TOWING, SECTIONS §155-3. STANDARDS FOR LICENSING EQUIPMENT; §155-4. TOWING OPERATOR'S BASE OF SERVICE; §155-5. STORAGE FACILITIES; §155-8. TERM OF LICENSE; §155-9. NUMBER OF LICENSES; AND §155-13. TOWING AND STORAGE FEES TO UPDATE THEBOROUGH CODE

WHEREAS, in light of rising fuel and equipment costs, tax increases and training and safety expenses, the Borough Chief of Police reviewed the Borough Code and determined certain sections were outdated and needed to be revised; and requested that the Mayor and Borough Council review and amend Chapter 155 Towing, Sections §155-3. Standards for Licensing Equipment; §155-4. Towing operator's base of service; §155-5. Storage facilities; §155-8. Term of license; §155-9. Number of licenses; and §155-13. Towing and storage fees to reflect the current Borough and industry practice and fees; and

WHEREAS, the Mayor and Borough Council reviewed Chapter 155 Towing, Sections §155-3. Standards for Licensing Equipment; §155-4. Towing operator's base of service; §155-5. Storage facilities; §155-8. Term of license; §155-9. Number of licenses; and §155-13. Towing and storage fees and determined that the changes, including the updated fees are reasonable, and the amendments are in the best interest of the Borough and its public servants; and

WHEREAS, the Mayor and Borough Council reviewed and desires that the fees set forth in Chapter 155 Towing, Sections §155-3. Standards for Licensing Equipment; §155-4. Towing operator's base of service; §155-5. Storage facilities; §155-8. Term of license; §155-9. Number of licenses; and §155-13. Towing and storage fees be updated as more specifically set forth below.

BE IT ORDAINED, by the Mayor and Borough Council of the Borough of Mount Arlington, County of Morris, and the State of New Jersey, as follows:

SECTION 1.

Chapter 155 Towing, Section §155-3. Standards for Licensing Equipment, Section B, Item (3) is hereafter amended and supplemented to read in its entirety as follows:

B. Said equipment shall be designated as follows:

- (3) All towing operators' trucks shall be equipped with radio communication or cellular phones, enabling them to maintain contact with their places of business.

Chapter 155 Towing, §155-4. Towing operator's base of service, Section A is hereafter amended and supplemented to read in its entirety as follows:

- A. It shall be located no more than five (5) miles from the boundaries of the municipality measured on any roadway traversing the municipality to ensure response within twenty (20) minutes from the time of the dispatch call.

Chapter 155 Towing, §155-5. Storage facilities, Section A is hereafter amended and supplemented to read in its entirety as follows:

- A. It shall be located no more than five (5) miles from the boundaries of the municipality measured on any roadway traversing the municipality.

Chapter 155 Towing, §155-8. Term of license is hereafter amended and supplemented to read in its entirety as follows:

§ 155-8. Term of license.

All licenses issued shall be for a period of one (1) year, regardless of the date of application and shall commence on January 1 of the year of said application and run until December 31 of that same year.

Chapter 155 Towing, §155-9. Number of licenses is hereafter amended and supplemented to read in its entirety as follows:

§ 155-9. Number of licenses.

In accordance with N.J.S.A. 40:48-2.49 and to assure for safe and efficient towing service throughout the municipality, all qualified towing operators shall be issued a towing license. There shall be no more than five (5) licenses to be issued by the municipality.

Chapter 155 Towing, §155-13. Towing and storage fees, Section A, Item 5 is hereafter amended and supplemented to read as follows:

- A. Towing services.

- (5) The following is the fee schedule for towing services:

Type	Fee
Basic Towing Rates:	
Light Duty Tow	\$135.00 (flat fee)
Medium Duty Tow	\$250.00 (flat fee)
Heavy Duty Tow	\$450.00 (flat fee)
Winching Charge Rates:	
Light Duty Tow	\$175.00 (per hour)
Medium Duty Tow	\$275.00 (per hour)
Heavy Duty Tow	\$500.00 (per hour)
Additional labor as needed per person	\$95.00 (per hour)
Motor Vehicle Crash Cleanup	\$75.00 (flat fee)
Extended scene clean up	\$95.00 (per hour)

Chapter 155 Towing, §155-13. Towing and storage fees, Section B, Item 1 is hereafter amended and supplemented to read as follows:

B. Storage fees. The fees set forth for storage fees are the maximum storage charges per twenty-four-hour period that shall apply to a private passenger automobile that is stored by a person as a result of an accident or theft recovery or towed as result of being unable to be operated for any reason under its own power.

(1) Storage fee schedule.

Storage Facility

Type and Capacity	Fee
Secured outside storage:	\$35.00 per day
Secured inside storage:	\$45.00 per day

Storage commences immediately upon vehicle's arrival on the lot of impound/storage facility and is based on calendar day; not hourly.

Light service calls: (Lockout, jump start, tire change, fuel delivery) \$85.00

Municipal vehicles: (within borough limits - to include Township of Roxbury) \$50.00

Administrative Fee \$35.00 (flat fee)

Vehicle Access Fee \$50.00 (flat fee)

SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed as to such inconsistencies.

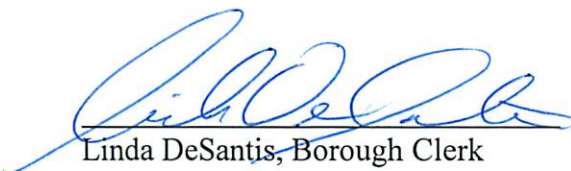
SECTION 3. If any article, section, subsection, paragraph, phrase, or sentence is for any reason held to be unconstitutional or invalid, said article, section, subsection, paragraph, phrase or sentence shall be deemed separable.


SECTION 4. This Ordinance shall take effect upon final publication as provided by law.

I HEREBY CERTIFY this to be a true and correct Ordinance of the Mayor and Borough Council of the Borough of Mount Arlington, adopted on October 3, 2017 and will be further considered after a Public Hearing held on November 1, 2017 at the Municipal Building at 7:00 P.M.

INTRODUCED:
PUBLISHED:
ATTEST:

BOROUGH OF MOUNT ALRINGTON
COUNTY OF MORRIS
STATE OF NEW JERSEY


Linda DeSantis, Borough Clerk


Michael Stanzilis, Mayor