

ORDINANCE NO. 2022-14

ORDINANCE AMENDING SECTION 14, "RATES", OF CHAPTER 213,
"TOWING" OF THE CODE OF COLTS NECK TOWNSHIP, COUNTY OF
MONMOUTH, AND STATE OF NEW JERSEY

WHEREAS, a number of towing companies operating in Colts Neck Township have expressed experiencing difficulties due to rising costs of fuel; and

WHEREAS, increasing towing rates will alleviate the difficulties of local towing companies; and

WHEREAS, the Township Committee has reviewed the towing rates of neighboring and nearby municipalities to develop proposed towing rates that are in line with rates in the areas surrounding Colts Neck; and

WHEREAS, the Township Committee has the power to regulate towing and towed vehicle storage fees through N.J.S.A. 40:48-2.49;

NOW THEREFORE BE IT ORDAINED, by the Council of Colts Neck Township, County of Monmouth, and State of New Jersey, as follows (additions to text indicated by underline; deletions to text indicated by ~~strikeout~~):

§ 213-14 Rates.

Charges shall be paid by the vehicle owner or driver for transportation, hauling or service of disabled vehicles or for any unoccupied vehicle parked or standing in violation of any provisions of New Jersey State law or the Code of Colts Neck Township, which shall be deemed a nuisance and a menace to the safe and proper regulation of traffic, and any police officer may provide for the removal of such vehicle by an approved tow truck/wrecker or operator of any approved tow truck/wrecker. The owner thereof shall pay the costs of the removal and storage before regaining possession of the vehicle according to the following rates. Towing and storage contractors shall not charge fees for towing or storage more than those authorized by this chapter. Unless specified, the fee includes waiting time, ~~clean up,~~ and mileage.

A. Towing Fees

1. Conventional Tow, vehicles with GVWR up to 10,000lbs
 - a. Tow beginning between 8:00am – 5:00pm - \$125.00
 - b. Tow beginning between 5:01pm – 7:59am - \$150.00
 - c. Federal/New Jersey State Holidays 8:00am – 7:59am - \$175.00
2. Conventional Tow, vehicles with GVWR 10,000lbs – 26,000lbs
 - a. In effect 24 hours per day with the exception of Federal/New Jersey State Holidays - \$300.00
 - b. Federal/ New Jersey State Holidays - \$325.00
3. Conventional Tow, vehicles with GVWR over 26,000lbs
 - a. In effect 24 hours per day - \$500.00
4. Mileage Fees – to begin at the scene and ending upon arrival at the tow yard or requested destination
 - a. Vehicles with GVWR up to 26,000lbs - \$6.00 per mile
 - b. Vehicles with GVWR 26,001lbs and over - \$10.00 per mile

B. Winching/Recovery Fees, if required, per hour

1. Standard GVWR up to 10,000lbs - \$125.00
2. Medium duty GVWR 10,000lbs – 26,000lbs - \$300.00
3. Heavy duty GVWR 26,001lbs and over - \$500.00

C. Service Calls

1. Winching service without tow
 - a. GVWR up to 10,000lbs - \$100.00
 - b. GVWR 10,001lbs – 26,000lbs - \$150.00
 - c. GVWR 26,001lbs and over - \$200.00

2. Tire Change
 - a. Beginning between 8:00am – 5:00pm - \$85.00
 - b. Beginning between 5:01pm – 7:59am - \$100.00
3. Fuel Delivery
 - a. 8:00am – 5:00pm - \$85.00 plus cost of fuel
 - b. 5:01pm – 7:59am - \$100.00 plus cost of fuel

D. Miscellaneous Fees

1. Scene clean-up - \$50.00
 - a. \$25.00 per additional bag of absorbent
2. Extra employee per hour - \$75.00
3. Window Cover fee of \$25.00 per window/\$75.00 for tarping entire vehicle

E. Special Towing Services

1. If special towing services are required, the towing and storage contractor shall quote the vehicle owner or the owner's authorized representative directly. In the event that the owner is incapacitated, a written copy of the price quote should be filed with the Colts Neck Township Police Department.
2. Special towing services include, but are not limited to:
 - a. Cranes
 - b. Low boy
 - c. Air cushions
 - d. Roll off containers
 - e. Any other equipment necessary for the removal and cleanup of the scene.

A.F. Storage. Storage includes vehicles taken to the contractor's yard as a result of a motor vehicle crash, impound, or disabled vehicle.

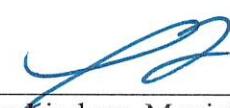
1. The storage period starts at 12:01 a.m. on the day following the day the vehicle is placed into storage and ends at 12:00 midnight each day.
2. Vehicles released on the same day that the vehicle is placed into storage will not incur any storage fees.
3. Storage Fees:
 - a. Vehicles with GVWR up to 10,000lbs - \$50.00
 - b. Vehicles with GVWR 10,001 – 26,000lbs - \$75.00
 - c. Vehicles with GVWR 26,001 and over - \$100.00

B.G. Receipt. The towing and storage contractor shall utilize the Colts Neck Township Police Department towing service receipt itemizing all charges as set forth in § 213-15 of this chapter.

C.H. Violations and penalties; liability for operators who engage in a pattern and practice of knowingly violating fee limits. Operators who engage in removal of motor vehicles, or any employee, officer or agent thereof who engages in a pattern or practice of knowing violation of the fee limits set herein may be liable to the municipality for a civil penalty of not less than \$25 nor more than \$50 for each motor vehicle stored with the operator. Such penalties will be collected in a summary manner in the Colts Neck Township Municipal Court in accordance with the Penalty Enforcement Law of 1999.

I, Trina Lindsey, Township Clerk of Colts Neck Township, in the County of Monmouth, New Jersey, hereby certify that annexed hereto is a true and complete copy of Ordinance No. 2022-14 which was introduced at a duly convened meeting of the Township Committee on November 9, 2022. A public hearing will be held on December 7, 2022, 7:00 p.m. Town Hall, 3 Veterans Way.


J.P. Bartolomeo, Mayor


Trina Lindsey, Municipal Clerk

RECORD OF VOTE										
	First Reading					Second Reading				
	November 9, 2022					December 7, 2022				
	M S	Yes	No	NV	Ab	M S	Yes	No	NV	Ab
Mayor Bartolomeo		X					X			
Deputy Mayor Fitzpatrick		X					X			
Torchia Buss	S	X					X			
Rizzuto	M	X				M	X			
Viola		X				S	X			
M - Moved	S - Seconded	X - indicates vote			NV - Not Voting			Ab - Absent		