

**TOWNSHIP OF WALL**

**ORDINANCE NO. 18-2015**

**AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 206, TOWING AND STORAGE OF MOTOR VEHICLES**

**WHEREAS**, the Township Committee regulates the procedures pertaining to the towing and storage of motor vehicles by and through Chapter 206 of the Code of the Township of Wall; and,

**WHEREAS**, the Township Committee wishes to amend Chapter 206, Section 3 to update certain criteria and requirements for towing vendors to be placed on the Township Police Department rotating list; and,

**WHEREAS**, the Township Committee wishes to amend Chapter 206, Section 5 to update certain fees established for towing services in conjunction with the Township Police Department; and,

**WHEREAS**, the Township Committee of the Township of Wall finds that it is in the best interest of the citizens of the Township of Wall to supplement and amend Chapter 206 to update certain criteria and requirements for towing vendors to be placed on the Township Police Department rotating list and update certain fees established for towing services in conjunction with the Township Police Department; and,

**NOW, BE IT ORDAINED** by the Township Committee of the Township of Wall, in the County of Monmouth, in the State of New Jersey, as follows:

**Section 1.** Chapter 206-3 Approval and licensing of towing vendors to be placed on the Police Department rotating list is hereby amended as follows:

**A.** Applicant standards/requirements.

(1) The vendor agrees that all employees including the owners or officers of the company will be photographed and fingerprinted by an agency recommended by Wall Township and will be issued an identification card by the Wall Township Police Department. The identification card shall be available for inspection by police officers and customers and renewed every two years. The cost will be the responsibility of the tow vendor.

(2) All drivers of the vendor shall be at least 18 years of age and shall possess a current, valid New Jersey driver's license appropriate for the categories of vehicles that he/she may drive.

(3) The vendor agrees that the owner(s) or officers of the company shall be responsible, except as otherwise provided by law, for the negligent acts of their employees while acting pursuant to this chapter.

(4) If for any reason the driver's license or privileges of an employee of a vendor are suspended or expired, he/she will not be allowed to operate a wrecker under this chapter, and the vendor shall notify the Police Department, in writing, as to the reason for and duration of the suspension or expiration.

(5) Vendor will ensure adequate available personnel to provide necessary Township wrecker services on a twenty-four-hour basis seven days per week.

(6) Vendor will furnish copies of driver licenses and all applicable certifications of all employees to the Wall Township Police Department on an annual basis.

(7) The Wall Township Police Department reserves the right to conduct driver's license and background checks on all vendor employees. This is to include periodic inspection of company personnel by the Department, as well as updated reports from the Division of Motor Vehicles.

(8) Vendor agrees to provide the Department with a roster of all drivers, to include names and home addresses. All new employee information must be immediately provided to the Wall Township Police Department. The employees shall not respond to tow requests until approved by the police department.

(9) Vendor shall provide information as to any trade association memberships pertaining to vendor and/or employees.

(10) Employees of vendor shall not claim to represent or be employed by the Township of Wall.

(11) No operator shall solicit, demand or receive from any person any commission or fee except the fee for transporting or servicing the vehicle to be towed, as established by this chapter.

(12) No vendor or his operators shall pay any gratuity or tip to any third person not involved in the towing or removal of any vehicle for any information as to the location of any crash or for soliciting the employment of the vendor/operator's service.

(13) No vendor shall engage in the conduct of cruising for tows or service calls within the Township.

(14) Vendor equipment, as outlined herein, must be of the type, condition and design to efficiently perform the work required by the Township as outlined in Section B

(15) All wreckers shall be equipped with two-way radio capability or cellular telephone and an established dispatching center on a twenty-four-hour basis.

(16) Vendor agrees to provide such wrecker services within a reasonable response time, not to exceed 15 minutes, from time of police request.

(17) Vendors shall be required to clean up all broken glass and debris from the scene of any crash to which they are called prior to leaving the scene of said crash.

(18) No subcontracting of towing services shall be permitted. Only licensed vendors employing approved operators and utilizing inspected and approved vendor equipment will be permitted.

(19) Switching or trading of rotation assignments by licensed vendors shall not generally be permitted unless some exigent circumstances exist which necessitate same. Such circumstances shall be submitted in writing to the Chief of Police for approval prior to any such activity taking place.

(20) The schedule of fees associated with towing and storage in conjunction with the rotation program shall be conspicuously displayed in all vendor facilities for review by customers. Similarly, a schedule of these fees shall also be placarded on each approved wrecker to be utilized in conjunction with this rotation program.

(21) Only one vendor may occupy any one principal address for towing services.

(22) In times of emergent circumstances and/or natural disasters, or at the situational discretion of the Police Supervisor, the Wall Township Police Department reserves the right to contract other towing service operators who may not be on the rotation list.

(23) All tow truck drivers will be required to wear an A.N.S.I Level II traffic vest or equivalent clothing at minimum.

**B.** Applicant equipment requirements. The following vehicles/equipment are required for consideration to participate in the towing rotation program:

(1) One wheel lift wreckers.

(2) Two flatbed wreckers, one must have a wheel lift.

(3) Each tow vehicle shall be equipped with a three-hundred-sixty-degree amber lighting.

(4) All lights shall be of such candle power in intensity as to be visible one fourth of a mile away.

(5) Dual rear wheels or equivalent.

(6) A power take-off controlled winch with a minimum cable thickness of 3/8 inch or equivalent.

(7) Weight equal to the vehicles to be towed, with a minimum of 5,500 pounds.

(8) A 3/8 inch safety chain. The lift chain and the safety chain are not to be attached in any form or manner to the same part of the wrecker.

(9) One shovel and one broom for use in removing debris from the roadway.

(10) One twenty-pound dry chemical fire extinguisher.

(11) One five-gallon bucket of sand or absorbent material.

C. Insurance requirements. No wrecker shall be licensed or authorized, nor shall any licensed wrecker be operated within Wall Township without first submitted [sic] the following insurance policies and/or certificates of insurance:

(1) An auto garage keeper's legal liability policy covering fire, theft and explosion in the minimum amount of \$120,000 and collision coverage, subject to a maximum deductible of \$500 with each accident deemed a separate claim.

(2) A liability policy covering the operation of vendor's equipment and wrecker for any bodily injury or property damage in the minimum amount of \$750,000 and for any one person killed or injured \$1,000,000 and \$3,000,000 for more than one person killed or injured in any one accident. This policy shall also provide for coverage in the minimum amount of \$100,000 for all damage arising out of or injury to, or destruction of, property.

(3) Each policy as required must contain an endorsement providing for 10 days' notice to the Township in the event of any material change or cancellation. If the policy is not maintained according to these guidelines, the Chief of Police shall have the authority to immediately suspend the wrecker license and collect any licensing identification.

(4) Licensees shall indemnify and hold the Township of Wall and the Police Department harmless from any damages or liability which may arise by reason of the action of the licensee, his agents or employees in connection with furnishing the services required. Licensees shall provide proof of workman's compensation insurance for all employees participating in Township towing services.

**Section 2.** Chapter 206-5 Fees is hereby amended as follows:

A. The following fees are hereby established for towing services in conjunction with the Wall Township Police Department:

<b>Service</b>	<b><u>Towing</u> Fees</b>
Standard tow	\$105.00
Flatbed tow	\$105.00
Tows over 6,999 GVW	\$175.00 plus tax
Tows over 15,000 GVW	\$350.00 plus tax

<b>Service</b>	<b><u>Vehicle Winching</u> Fees</b>
Under 6,999 GVW	\$100.00 first hour/ \$75.00 per hour there after
7,000 - 14,999 GVW	\$200.00 first hour/ \$150.00 per hour there after

<b>Service</b>	<b><u>Road Calls</u> Fees</b>
All Road Calls	\$60.00 plus fuel
Vehicle lockouts	\$60.00
Police vehicle tow	\$50.00; \$3.00 per mile out of town to Wall border Maximum of \$200.00
MVA scene cleanup	\$25.00 flat plus \$15.00 Per Bag of Absorbent
Rollover/Recovery up to 14,999 GVW	\$225.00 first half hour; \$150.00 per hour after
Disabled tow from scene to site of owner's choice	Applicable tow cost (plus \$3.50 per mile out of town to Wall border)
Wait time (investigative delays)	\$30.00 per half hour
Police car after-hour tire	\$40.00

<b>Service</b>	<b><u>Storage</u> Fees</b>
Passenger vehicles	\$35.00 per day; + \$10.00 for indoor
Over 6,999 GVW	\$40.00 per day; + \$10.00 for indoor
Over 15,000 GVW	\$60.00 per day; + \$10.00 for indoor

**Section 3.** All ordinances or parts of ordinances in conflict or inconsistent with any part of this Ordinance are hereby repealed to the extent that they are in such conflict or inconsistent.

**Section 4.** This Ordinance may be renumbered for codification purposes.

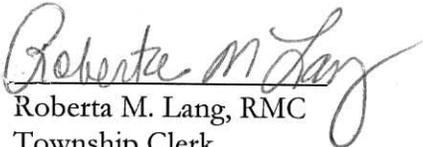
**Section 5.** In the event that any section, part or provision of this Ordinance shall be held to be unenforceable or invalid by any court, such holding shall not affect the validity of this Ordinance as a whole, or any part thereof, other than the part so held unenforceable or invalid.

**Section 6.** This Ordinance shall take effect upon final passage and publication as provided by law.

Introduced: **October 28, 2015**

Adopted: **November 24, 2015**

Attest:

  
Roberta M. Lang, RMC  
Township Clerk

Attest:

  
George K. Newberry  
Mayor