

ORDINANCE NO. 1-2023

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER AMENDING AND SUPPLEMENTING §255.C. ENTITLED “QUALIFICATIONS OF TOWING OPERATORS; INDEMNIFICATION OF TOWNSHIP” AND §255-7. ENTITLED “RATE SCHEDULE” UNDER CHAPTER 255 OF THE CODE OF THE TOWNSHIP OF HANOVER ENTITLED TOWING AND ROAD SERVICE AS IT RELATES TO TOWING AND ROAD SERVICE CHARGES FOR CALENDAR YEARS 2023, 2024 AND 2025

WHEREAS, in accordance with a recommendation of the Chief of Police, a need exists to amend paragraph C. under §255-5. Entitled “Qualifications of towing operators; indemnification of Township” under Chapter 255 of the Code of the Township entitled Towing and Road Service; and

WHEREAS, a need also exists to amend the towing and road service rate schedule under §255-7. of Chapter 255 of the Code; and

WHEREAS, N.J.S.A. 40:48-2.49 permits a municipality to regulate by ordinance the removal of motor vehicles from private or public property by operators engaged in such practice, including but not limited to, the fees charged for storage including non-discriminatory and non-exclusionary regulations governing towing operators engaged in business and removing and storing motor vehicles; and

WHEREAS, the maximum permitted towing and road service charges that towing operators may charge owners of vehicles under §255-7. entitled “Rate Schedule” of Chapter 255 of the Code of the Township entitled Towing and Road Service for Calendar Years 2020, 2021 and 2022 are set to expire on December 31, 2022; and

WHEREAS, with the forthcoming expiration of the Rate Schedule, it is necessary to adopt a new Rate Schedule for calendar years 2023, 2024 and 2025.

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Hanover in the County of Morris and State of New Jersey as follows:

Section 1. §255-5.C. is hereby amended to read as follows: “As a safeguard to protect the personal safety of customers, all tow company owners and their employees who are engaged in towing shall be subject to criminal background checks. The Chief of Police shall have the discretion to disqualify a tow company employee based on the results of his/her criminal history background check. Additionally, if it is determined that a tow company has violated any of the provisions related to criminal history background checks, the Chief of Police, may, in his/her discretion, remove the tow company from the approved tow company list.”

Section 2. §255-7. entitled "Rate Schedule" under Chapter 255 of the Code of the Township entitled Towing and Road Service is hereby amended and supplemented with the inclusion of new maximum permitted rates that may be charged the owners of vehicles for towing and road service for calendar years 2023, 2024 and 2025.

RATE SCHEDULE

The following constitutes the maximum permitted rates that may be charged.

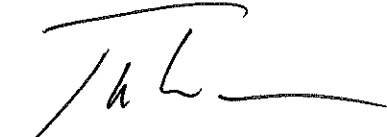
Conventional Tow	2023	2024	2025
Tow	\$115.25	\$117.50	\$119.90
Mileage – Per Mile	\$4.95	\$5.50	\$5.60
Flatbed			
Tow	\$128.50	\$131.00	\$133.60
Mileage – Per Mile	\$4.95	\$5.50	\$5.60
Heavy Duty	2023	2024	2025
Conventional Tow	\$359.00 p/h	\$366.00 p/h	\$373.00 p/h
Storage	2023	2024	2025
Inside Secure	\$51.00	\$52.00	\$53.00
Outside Secure	\$41.00	\$42.00	\$43.00
Outside Un-secure	\$35.00	\$36.00	\$37.00
Recovery/Winching	2023	2024	2025
Passenger vehicles/pickups Minor-return to road	Not to exceed \$143.00	Not to exceed \$146.00	Not to exceed \$149.00
Heavy duty-Minor	\$158.00 plus \$107.00.00 p/h	\$161.00 plus \$109.00.00 p/h	\$164.00 plus \$111.00 p/h
Passenger vehicles/pickups Major-rollover, downhill	\$76.50 plus \$177.50 p/h	\$78.00 plus \$181.00 p/h	\$79.50 plus \$184.00 p/h
Heavy duty-major	\$160.00 plus \$176.50.00 p/h	\$163.00 plus \$180.00 p/h	\$166.00 plus \$183.00.00
Road Service	2023	2024	2025
Gasoline	\$86.75 plus Gasoline	\$88.50 plus Gasoline	\$90.25 plus Gasoline
Tire Change – Flat Fee	\$75.50	\$77.00	\$78.50
Jump start – Flat Fee	\$85.50	\$87.00	\$88.75

Section 3. In case, for any reason, any section or provision of this Ordinance shall be held to be unconstitutional or invalid, the same shall not affect any other section or provision of this Ordinance, except so far as the section or provision so declared unconstitutional or invalid shall be severed from the remainder or any portion thereof.

Section 4. All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are, to the extent of such inconsistency, hereby repealed.

Section 5. This Ordinance shall take effect in accordance with the law.

TOWNSHIP COMMITTEE
TOWNSHIP OF HANOVER
COUNTY OF MORRIS
STATE OF NEW JERSEY



Thomas "Ace" Gallagher, Mayor

ATTEST:



Krista M. DiGiorgio, Township Clerk

DATE OF INTRODUCTION: January 12, 2023
DATE OF ADOPTION: February 9, 2023

CERTIFICATION

I, Krista M. DiGiorgio, Township Clerk of the Township of Hanover, County of Morris and State of New Jersey, do hereby certify the foregoing to be a true copy of an Ordinance adopted by the Township Committee of said Township on the 9th day of February, 2022, at a meeting duly convened, of said Body.



Krista M. DiGiorgio, Township Clerk