

CITY OF VINELAND

ORDINANCE NO. 2022- 82

ORDINANCE AMENDING ORDINANCE 99-47, AS AMENDED, CHAPTER 665 OF THE CODE OF THE CITY OF VINELAND ENTITLED TOWING AND STORAGE SERVICE.

WHEREAS, on August 10, 1999, City Council adopted Ordinance 99-47 establishing regulations for towing and storage services for vehicles within the City, and

WHEREAS, on November 28, 2006, City Council adopted Ordinance 2006-99 setting forth the terms, conditions and costs for no-preference automobile tow services required by the Vineland Police Department among other Departments of the City; and

WHEREAS, as a result of the increase costs of tow truck operations including fuel, insurance and salaries, it is necessary for Council consider an increase in the costs tow truck operators may charge for no-preference tow services for vehicles posing a threat to travel, among other issues requiring no-preference towing.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Vineland that Ordinance 99-47, as amended, Chapter 665 of the Code of the City of Vineland be amended as follows:

Section 665-10 shall be amended by the addition of subsection F. as follows:

- F. All licensed tow operators shall maintain a policy of automobile insurance as required by law and liability insurance in an amount of not less than \$1,000,000.00 naming the City of Vineland as an additional insured. All licensed tow operators shall maintain adequate Workers Compensation insurance for all employees. Proof of insurance shall be provided on an annual basis to the Chief of Police.

Section 665-11B shall be amended by the addition of subsection 665-11B (3) as follows:

- (3) The tow operator called for no-preference tow is only responsible for the cleanup of the vehicle for which it was called by the Police. Private tow companies shall be responsible for cleanup caused by the vehicle being towed by said company.
- (4) The tow operator shall maintain not less than 3 forty pound bags of material to absorb hazardous liquids such as Sta-Dry.

Section 665-12D shall be amended by the addition of subsection 665-12D (7) as follows:

- (7) Each tow vehicle or flatbed shall be equipped with not less than three 40 pound bags of material to absorb hazardous liquids from the vehicles being towed, such as Oil Dri to be used for cleanup in accordance with Section 665-11B, herein.

Section 665-14A. (1) (a) and (b) shall be deleted in their entirety and replaced as follows:

(a) Days:

- [1] Regular \$150.00
- [2] Heavy duty: \$450.00 per hour truck (payable in fifteen-minute increments); two-hour minimum per truck.
- [3] Each mile from dispatch to delivery: \$6.00

(b) Nights weekends and New Jersey State holidays:

- [1] Regular: \$150.00
- [2] Heavy duty: \$450.00 per hour truck (payable in fifteen-minute increments); two-hour minimum per truck.

CITY OF VINELAND

[3] Each mile from dispatch to delivery: \$6.00

Section 665-14A (2) and (3) shall be deleted in their entirety and replaced as follows:

- (2) Storage of vehicles, per day
 - (a) inside building
 - [1] Regular \$50.00
 - [2] Heavy duty: \$100.00
 - (b) Outside secured.
 - [1] Regular \$45.00
 - [2] Heavy duty: \$65.00

Section 665-14A (3) shall be deleted in its entirety and replaced as follows:

- (3) Additional fees
 - (a) Recovery fee: \$350.00. for purposes of this section, Recovery shall be defined as any extra-ordinary use of tow vehicle distinguished from a basic tow, such as recovery down an embankment, vehicle on its side or roof, vehicle with no key or ability to shift into neutral. It shall not mean a tow from a shoulder or side of road.
 - (b) Operator shall be reimbursed \$15.00 for each 40 pound bag of absorption material used and cleaned from site of vehicle.

Section 665-14A (4) shall be deleted in its entirety and replaced as follows:

- (4) A fee of \$50.00 may be charged for each non-heavy duty City of Vineland vehicles being towed.

Section 665-14 C. shall be deleted in its entirety and replaced as follows:

- C. The per mile towing rate shall be calculated based upon the total distance from point of dispatch or tow operator's base of service, whichever is less to the point of delivery by way of the shortest available route. Fractions may be rounded up to the nearest whole mile.

Section 665-15 K. shall be deleted in its entirety and replaced as follows:

- K. Records and billing.
 - (1) All towing operators shall maintain a record of each motor vehicle towed, stored and released, and of all services rendered, which records shall be maintained at on central location and retained for a period of not less than five years.
 - (2) Police records regarding the ownership of the towed vehicles shall be made available to the tow operators, including police reports, subject to proper redaction of personal information.
 - (3) All bills and receipts or copies thereof generated by the tow operator pursuant to Section 665, Article III shall be submitted to the City of Vineland within 60 days of the tow call.

BE IT FURTHER ORDAINED that the balance of Ordinance 99-47, as amended, Chapter 665 of the Code of the City of Vineland not amended hereby shall remain in full force and effect.

CITY OF VINELAND

BE IT FURTHER ORDAINED that should any portion of this Ordinance be deemed unenforceable by a court of competent jurisdiction, that portion so determined to be unenforceable, shall be void and the balance hereof shall remain in full force and effect.

BE IT FURTHER ORDAINED that should any Ordinance or portion thereof be inconsistent herewith, such Ordinance or portion thereof shall be void to the extent of such inconsistencies.

This Ordinance shall take effect upon adoption and publication according to law.

Passed first reading:

Passed final reading:

President of Council

Approved by the Mayor:

Mayor

ATTEST:

City Clerk