

TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX, STATE OF NEW JERSEY

ORDINANCE NO. 2009-09

**AN ORDINANCE OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 167, "TOWING AND STORAGE", SECTION 167-16, "TOWING AND STORAGE FEES SCHEDULE" OF THE REVISED GENERAL ORDINANCES**

**BE IT ORDAINED**, by the Township Committee of the Township of Andover, in the County of Sussex, and State of New Jersey, as follows:

**SECTION 1.** Chapter 167, "Towing and Storage", Section 167-16, "Towing and Storage Fee Schedule", of the aforesaid Revised General Ordinances is hereby amended and supplemented to read as follows:

**§ 167-16. Towing and storage fee schedule.**

The following fees are established as being the usual, customary, and reasonable rates which shall be charged for towing and storage of automobiles defined as basic towing service:

A. Class 1 & Class 2 Vehicles

(1) Road Service.

- (a) Days (between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday): \$95.00 per hour, no mileage fee.
- (b) Nights (between the hours of 5:01 p.m. and 7:59 a.m., Monday through Friday; weekends; or on New Jersey state holidays): \$125.00 per hour, no mileage fee.

(2) Impound Tows (Written Police Department Release Required)

- (a) Days (between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday): \$125.00 per hour and \$4.00 per mile (Portal to Portal)
- (b) Nights (between the hours of 5:01 p.m. and 7:59 a.m., Monday through Friday; weekends; or on New Jersey state holidays): \$150.00 per hour and \$4.00 per mile (Portal to Portal)

(3) Disabled Tow to Duty Vendor

- (a) Days (between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday): \$125.00 per hour, no mileage fee.
- (b) Nights (between the hours of 5:01 p.m. and 7:59 a.m., Monday through Friday; weekends; or on New Jersey state holidays): \$150.00 per hour, no mileage fee.

(4) Accident Tows

- (a) Days (between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday): \$125.00 per hour and \$4.00 per mile (Portal to Portal)
- (b) Nights (between the hours of 5:01 p.m. and 7:59 a.m., Monday through Friday; weekends; or on New Jersey state holidays: \$150.00 per hour and \$4.00 per mile (Portal to Portal)

(5) Winching/Cleanup/Recovery: \$150.00 per hour.

(6) Storage: \$47.50 per day.

- (a) There shall be a 12 hour mandatory DWI hold which the daily storage fee shall be waived unless the vehicle is not picked up after the waiting period.
- (b) For disabled vehicles, the storage fee shall be waived when the vehicle is serviced or repaired by duty vendor.
- (c) The storage fee shall also be waived if the vehicle is picked up the same day it comes in.

(7) Additional Charges

- (a) Speedy Dry- \$35.00 per container
- (b) No Key Charge- \$40.00

B. Class 3 to Class 8 Vehicles

(1) Road Service.

- (a) Days (between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday): \$97.50 per hour, with a two (2) hour minimum.
- (b) Nights (between the hours of 5:01 p.m. and 7:59 a.m., Monday through Friday; weekends; or on New Jersey state holidays: \$125.00 per hour, with a two (2) hour minimum.

(2) Disabled or Impound Tows (Written Police Department Release Required)

(3) Class 3 & Class 4 Portal to Portal

- (a) Days (between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday): \$175.00 per hour.
- (b) Nights (between the hours of 5:01 p.m. and 7:59 a.m., Monday through Friday; weekends; or on New Jersey state holidays: \$225.00 per hour.

(4) Class 5 & Class 6 Portal to Portal

- (a) Days (between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday): \$250.00 per hour.
- (b) Nights (between the hours of 5:01 p.m. and 7:59 a.m., Monday through Friday; weekends; or on New Jersey state holidays): \$300.00 per hour.

(5) Class 7 & Class 8 Portal to Portal

- (a) Days (between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday): \$350.00 per hour.
- (b) Nights (between the hours of 5:01 p.m. and 7:59 a.m., Monday through Friday; weekends; or on New Jersey state holidays): \$375.00 per hour.

(6) Accident Recovery Rates for Class 3 through Class 8 Vehicles, Minimum Weights Apply

15,000 lbs.- RV/Motor Homes  
30,000 lbs.- Bus/Straight Trucks  
60,000 lbs.- Tractor/Trailers

- (a) Normal recovery on or near roadway: 1% of declared value of recovered cargo plus:
  - (i) Contained Recovery/Winching- \$0.42 per pound
  - (ii) Salvage and Debris Recovery- \$0.54 per pound
  - (iii) Inclement Weather- \$0.18 per pound
  - (iv) Nights/Holidays/Weekends- \$0.18 per pound
  - (v) Travel to Location- \$0.30 per pound
  - (vi) Wheels Higher than Roof- \$0.12 per pound
  - (vii) Embankments or Inclines- \$0.12 per pound
  - (viii) Back Door Frame Open- \$0.12 per pound
  - (ix) Tractor from under Trailer- \$0.12 per pound
  - (x) Major suspension damage- \$0.60 per pound
  - (xi) Handle complete clean up- \$0.60 per pound
  - (xii) 30 M.P.H. Speed Zone- \$0.24 per pound
  - (xiii) 50 M.P.H. Speed Zone- \$0.36 per pound

- (b) Additional surcharges shall apply to HAZMAT incidents.

**SECTION 2.** All ordinances of the Township of Andover, which are inconsistent with the provisions of this Ordinance, are hereby repealed to the extent of such inconsistency.

**SECTION 3.** If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

**SECTION 4.** This Ordinance shall take effect immediately upon final passage, approval, and publication as required by law.

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**Vita Thompson, R.M.C.**  
**Municipal Clerk**

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**Robert O. Smith, Mayor**

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**SECTION 3.** If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

**SECTION 4.** This Ordinance shall take effect immediately upon final passage, approval, and publication as required by law.

## NOTICE OF PENDING ORDINANCE

**PUBLIC NOTICE** is hereby given that the foregoing Ordinance was introduced and passed at first reading at a Regular Meeting of the Township Committee of the Township of Andover held on March 09, 2009. A public hearing regarding same will be held at a meeting scheduled for March 23, 2009 beginning at 7:30 P.M., at the Municipal Building, 134 Newton-Sparta Road, Andover Township, NJ, at which time all persons interested both for and against said ordinance shall be given an opportunity to be heard concerning same.

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Vita Thompson, R.M.C.  
Municipal Clerk