

ORDINANCE NO. 14-2023
AN ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER 195, ENTITLED "TOWING",
OF THE CODE OF THE BOROUGH OF SEA BRIGHT

BE IT ORDAINED by the Borough Council of the Borough of Sea Bright in the County of Monmouth, State of New Jersey, as follows:

SECTION ONE: Chapter 195, "Towing", of the Code of the Borough of Sea Bright, Section 195-13, "Payment of charges; rates," be and the same is hereby amended and supplemented to read, in full, as follows:

"A. The vehicle owner shall pay charges for transportation, hauling or service of disabled vehicles. Any unoccupied vehicle parked or standing in violation of any provisions of this Code or contrary to the laws of the Borough, the County of Monmouth or the State of New Jersey 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 of the vehicle shall pay the costs of the removal and storage before regaining possession of the vehicle according to the following rates:

(1) For towing any passenger automobiles, a maximum fee of \$175.00 may be charged.

(2) For every day of dead outdoor storage, \$50.00 per day may be charged for passenger automobiles, trucks and omnibuses and \$125.00 per day may be charged for tractor-trailers.

(3) Waiting time and/or winching time for wreckers may be charged at a flat rate fee of \$65.00 per 1/2 hour. Waiting time charged shall not begin until at least 1/2 hour after the time of arrival of the tow truck/wrecker at the scene.

(4) If a heavy-duty wrecker is required for towing, the charge shall be \$500.00 per vehicle, plus \$8.75 per mile for towing to the authorized storage facility. If a heavy-duty wrecker must be used for removal of vehicles from accidents, the maximum charge may be \$650.00.

(5) If an operator is called out to tow or remove from an accident and there is debris from the accident, such as broken glass, removed bumpers or panels or the like, the operator, upon satisfactory debris cleanup, can charge to the vehicle owner a flat fee of \$75.00 for cleanup services. If needed, \$15.00 per bag of absorbent material.

(6) In the event that a fatality is involved with an accident, a specialized tow company qualified by the appropriate agencies in reconstruction of accident scenes shall be called. Said company shall be responsible for cleanup as set forth in Subsection A(5) of this section.

- B. Every operator of a tow truck/wrecker shall give the owner of the vehicle a written, itemized receipt for the fee paid. Copies of receipts shall be maintained by the operator for two years and shall be available for inspection by authorized Borough officials. Each receipt shall have imprinted on the reverse side a schedule of fees and charges. The schedule of fees and charges shall be posted in the area where these transactions normally take place."
- C. Operators are permitted to petition the Borough Council, in writing, as to prevailing rates.
- D. The above rates shall comply with any promulgation of the Director of the Division of Community Affairs as per N.J.S.A. 56:13-1 et seq. regarding towing and storage fee schedule for the reimbursement of towing charges and storage charges for private passenger automobiles that are damaged in accidents or are recovered after being stolen."

SECTION TWO: All Ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistencies.

SECTION THREE: If any section, subsection, paragraph, sentence or other portion of this Ordinance be adjudged by a Court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance.

SECTION FOUR: This Ordinance shall take effect immediately upon its passage and publication as required by law.

I HEREBY CERTIFY this to be a true and correct Ordinance of the Mayor and Borough Council of the Borough of Sea Bright, introduced on August 15, 2023 and will be further considered after a Public Hearing held on September 5, 2023.

INTRODUCED: August 15, 2023
PUBLIC HEARING: September 5, 2023
ADOPTED: September 5, 2023

Witness

Christine Pfeiffer
CHRISTINE PFEIFFER, CLERK

BOROUGH OF SEA BRIGHT

Brian Kelly
BRIAN KELLY, MAYOR