



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

ORDINANCE O-20-22

AN ORDINANCE AMENDING CHAPTER 3, SECTION 26.6 OF THE BOROUGH CODE CONCERNING CONDITIONS OF ISSUANCE OF TOWING AND STORAGE SERVICES LICENSES

WHEREAS, N.J.S.A. 40:48-2.49, et seq., authorizes municipalities 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 following removal, fees charged for such removal, notice requirements therefor, and the mercantile licensing of such operators; and

WHEREAS, the Borough has established licensing provisions for Towing and Storage Services at Chapter 3, Section 26 of the Borough Code; and

WHEREAS, the governing body of the Borough of Highlands has determined to amend the requirements for issuance of a Towing and Storage Services license to provide for towing services to the Borough at no charge when the vehicles are in the possession of the Borough or being towed for investigative purposes.

NOW, THEREFORE, BE IT ORDAINED by the governing body of the Borough of Highlands as follows:

SECTION I.

Chapter 3, Section 26.6, Condition of Issuance of License shall be amended as follows: (All additions are shown in ***bold italics with underlines***. The deletions are shown as ***strikeovers in bold italics.***)

3-26.6 Condition of Issuance of License.

a. The Chief of Police shall approve an application when he finds that the following requirements have been met by the applicant:

1. The insurance policies as required have been procured and supplied.
2. The applicant has at least one wrecker/tow truck in use and operation in order to assure the efficient and diligent dispatch of towing apparatus upon the request of the Police Department.
3. The requirements of this section and all other applicable laws, statutes and ordinances have been complied with.
4. All towing apparatus proposed to be used have been properly licensed and conform to the State Motor Vehicle Laws.
5. The towing apparatus to be approved meet the required minimum standards as set forth herein.
6. The towing contractor must be able to respond to all calls for service by the Highlands Police Department within a reasonable amount of time, preferably ten (10) minutes but not more than thirty (30) minutes. Although it is stated in other subsections of this section, failure to meet this time requirement will initially result in the Police Department calling the next wrecker in the rotation; however, any three (3) failures to comply with the required response time could result in the offending wrecker service being dropped from the list and revocation of its license.
7. Payment of a one hundred fifty (\$150.00) dollar licensing fee.

8. There shall be no charge for any towing of any municipally owned vehicle to a location within five (5) driven miles of the boundaries of the Borough of Highlands.

9. There shall be no charge for any towing of vehicles that are in possession of the Borough or being towed for investigative purposes.

SECTION II. SEVERABILITY. 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, which shall otherwise remain in full force and effect.

SECTION III. REPEALER. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION IV. EFFECTIVE DATE. This ordinance shall take effect immediately upon its passage and publication in accordance with law; however Towing and Storage Services Licenses issued prior to the effective date of this amendment shall not be affected until after the expiration of the current license term on December 31, 2020.

First Reading and Set Hearing Date for O-20-22

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
BRASWELL			X			
MAZZOLA			X			
RYAN			X			
VALKOS	X		X			
BROULLON		X	X			

This is a Certified True copy of the Original Resolution on file in the Municipal Clerk's Office.

DATE OF VOTE: 09/16/2020



Michelle Hutchinson, Acting Municipal Clerk
Borough of Highlands

Public Hearing and Adoption October 7, 2020 O-20-22

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
BRASWELL			X			

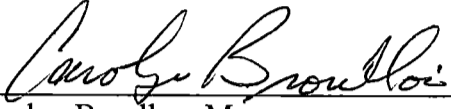
MAZZOLA			X			
RYAN	X		X			
VALKOS		X	X			
BROULLON			X			

This is a Certified True copy of the Original Resolution on file in the Municipal Clerk's Office.

DATE OF VOTE: 10/07/2020



Michelle Hutchinson, Acting Municipal Clerk
Borough of Highlands



Carolyn Broullon, Mayor