

**TOWNSHIP OF HAMILTON
COUNTY OF MERCER, NEW JERSEY**

ORDINANCE

No. **23-006**

1ST READING JANUARY 17, 2023

DATE TO MAYOR _____

2ND READING & PUBLIC HEARING FEB. 7, 2023

DATE RESUBMITTED TO COUNCIL _____

WITHDRAWN _____ LOST _____

DATE EFFECTIVE _____

APPROVED AS TO FORM AND LEGALITY

FACTUAL CONTENTS CERTIFIED TO BY

TOWNSHIP ATTORNEY

TITLE

ORDINANCE AMENDING AND SUPPLEMENTING THE CODE OF THE TOWNSHIP OF HAMILTON, NEW JERSEY, PART II, GENERAL LEGISLATION, CHAPTER 215, FEES, § 215-1, MUNICIPAL CLERK

Be It Ordained by the Council of the Township of Hamilton, in the County of Mercer and State of New Jersey, that the *Code of the Township of Hamilton, New Jersey, Part II, General Legislation, Chapter 215, Fees, § 215-1, Municipal Clerk*, as amended and supplemented, be further amended and supplemented as follows:

Chapter 215

FEES

§ 215-1. Municipal Clerk.

A. Unofficial searches for municipal liens or for municipal improvements authorized but not assessed: \$10 per search. (§ 5-198)

.....

N. Theaters.

.....

O. Towing.

[(1) Application for authorized Township tower license: \$750. If the application is approved, \$500 of the license application fee will be applied to the license fee. (§ 468-4)]

(1) Application fee. (§ 468-7)

(a) Application fee: \$1,500 (non-refundable).

[(2) License fees. (§ 468-10)]

[(a) License fee for each light/medium duty operation only: \$1,750 per year.]

[(b) License fee for a heavy duty operation only: \$100 per year.]

[(c) License fee for a combination light/medium duty and heavy duty operation: \$1,850 per year.]

[(d) Duplicate license: \$1 each.]

(2) License fees.

EXPLANATION: Matter underlined thus in this legislation is new matter.
Matter contained in brackets [thus] is to be omitted from the law.

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- (a) Light/medium duty operation only: \$500 per year (\$2,000 total).
- (b) Light/medium with heavy duty operation: \$600.00 per year (\$2,100 total).
- (c) Heavy duty only: \$200 (\$1,700 total).

[(3) Service rates. Charges for the transportation, hauling or service of disabled vehicles by a tower under the license provided for in Chapter 468, Towing, shall not exceed the following rates: (§ 468-17)]

[(a) For any work done on disabled vehicles up to 3/4 ton GVW and conveying the vehicle from any point in the Township to any other point in the Township, if the vehicle was located within the public right-of-way, the fee shall be \$100.]

[1. For conveying a vehicle up to 3/4 ton GVW (light duty) to a point other than the tower's facility, i.e., the owner's home or another garage, an additional fee of \$3 per loaded mile shall be charged for all distances of greater than five miles.]

[2. Where basic towing services are rendered as a result of an accident or theft recovery, the fees set forth on the schedule for towing rates are the maximum charges that shall apply to a private passenger automobile. There shall be no additional charges other than those provided in this section, including but not limited to flatbedding, waiting time, winching, cleanup cost and additional labor, when only basic towing services, as defined in Chapter 468, Towing, are provided.]

[(b) For any work done on a disabled vehicle weighing over 3/4 ton up to 18,000 pounds GVW (medium duty) and conveying the vehicle from any point in the Township to any other point in the Township, if the vehicle was located within the public right-of-way, the fee shall be \$175.]

[1. For conveying a vehicle weighting over 3/4 ton up to 18,000 pounds GVW to a point other than the tower's facility, i.e., the owner's home or another garage, an additional fee of \$4 per loaded mile shall be charged for all distances of greater than five miles.]

[(c) For any work done on a disabled vehicle weighting 18,001 pounds and above GVW (heavy duty) and conveying the vehicle from any point in the Township to any other point in the Township, if the vehicle was located within the public right-of-way, the fee shall be \$300.]

[1. For any heavy duty vehicle that is rolled over or severely damaged, the extra charge shall be negotiated between the owner or driver of the vehicle and the tower. This fee is in addition to the prescribed rates for the actual towing of the vehicle.]

[(d) For conveying vehicles from a point within the Township to a point outside the Township, or vice versa, the rate is to be predetermined by mutual agreement.]

[(e) Vehicle storage.]

[1. For dead storage of vehicles weighing up to 3/4 ton GVW (light duty), the fee shall be \$35 per day.]

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[2. For dead storage of vehicles weighing over 3/4 ton GVW up to 18,000 pounds GVW (medium duty), the fee shall be \$50 per day.]

[3. For dead storage of vehicles weighing over 18,001 pounds GVW, the fee shall be \$125 per day.]

[(f) Waiting time.]

[1. For a light/medium duty wrecker (which includes a flatbed truck), the fee shall be \$20 per hour.]

[2. For a heavy duty wrecker, the fee shall be \$30 per hour.]

[(g) Charges for the cleanup and removal of vehicle debris in the area surrounding the vehicle shall be charged at the rate of \$15 per one-quarter hour and must be listed on the notice of charge form. In no event shall the charge exceed \$60.]

[(h) Other fees.]

[1. A yard fee (light, medium and heavy duty tow): \$20. This includes the cost of moving a vehicle from the tower's yard to the public street for towing by a secondary tower and/or services such as physical inspection, telephone or fax calls, removal of personal items and any additional necessary paperwork.]

[2. Winching (light duty tow): \$75 first hour, prorated one-quarter-hour intervals (minimum one hour).]

[3. Winching (medium duty tow): \$125 first hour, prorated one-quarter-hour intervals (minimum one hour).]

[4. Winching (heavy duty tow): \$325 first hour, prorated one-quarter-hour intervals (minimum one hour).]

(3) Service Rates.

(a) Official Towers engaged in towing for the Township of Hamilton shall not charge a fee in excess of the most recently adopted Maximum New Jersey State Police Tower Rates Guide. No charges may be imposed for roadside service and labor categories as listed in the Rate Guide.

[(4) Abandoned vehicles. All vehicles found by the Police Division to be abandoned shall be towed to the licensee's storage facility. These vehicles will be towed at the rate of \$100. (§ 468-24)]

[(5) Limitation of fees for storage of removed vehicles. (§ 468-28)]

[(a) A limit of \$3 per day for the first 30 days of storage of a removed vehicle, whether said vehicle is owned by the Township of Hamilton or found abandoned by the police and towed at their direction and stored at a tower's facility, may be charged to the Township for the storage of the vehicle.]

[(b) A limit of \$2 per day for the 31st day of storage and any day thereafter of a removed vehicle, whether said vehicle is owned by the Township of Hamilton or found abandoned by the police and towed at their direction and

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stored at a tower's facility, may be charged to the Township for the storage of the vehicle.]

[(c) A maximum limit of \$400 per removed vehicle, whether said vehicle is owned by the Township of Hamilton or found abandoned by the police and towed at their direction and stored at a tower's facility, may be charged to the Township for the storage of the vehicle regardless of the duration of the storage.]

P. Code subscription or supplement service:

(1) Land Use Code subscription: \$50 per year.

(2) Code supplement service: \$75 per year.

Q. Notice of an appeal to the governing body from any final decision of the Board of Adjustment approving an application for a use variance: \$50. (§ 550-197)

Any Ordinance or Ordinances in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

PRESIDENT

MUNICIPAL CLERK

RECORD OF VOTE													
First Reading							Second Reading						
COUNCIL	AYE	NAY	NV	AB	ORD	SEC.	COUNCIL	AYE	NAY	NV	AB	ORD	SEC.
PASQUALE "PAT" PAPERIO, JR.	✓					✓	PASQUALE "PAT" PAPERIO, JR.						
NANCY PHILLIPS				✓			NANCY PHILLIPS						
RICHARD L. TIGHE, JR.	✓						RICHARD L. TIGHE, JR.						
ANTHONY P. CARABELLI, JR.	✓				✓		ANTHONY P. CARABELLI, JR.						
CHARLES F. WHALEN	✓						CHARLES F. WHALEN						

X - Indicates Vote A.B. - Absent N.V. - Not Voting RES. - Moved SEC. - Seconded

REJECTED _____

JEFFREY S. MARTIN, MAYOR

DATE

APPROVED _____

RECONSIDERED BY COUNCIL _____ OVERRIDE VOTE AYE _____ NAY _____