

ORDINANCE NO. 2174-17

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF HAWTHORNE TO REVISE AND REPLACE CHAPTER 477, TOWING AND STORAGE, SECTION 477-2, FEES, SO AS TO INCREASE AND MODIFY THE FEES PERMITTED THEREUNDER

BE IT ORDAINED by the Municipal Council of the Borough of Hawthorne, in the County of Passaic and State of New Jersey, that:

Section 1. Chapter 477, Towing and Storage, Section 477-2, Fees, of the Code of the Borough of Hawthorne, shall be and hereby is revised, amended and supplemented by modification of the various fees provided therein so that the same shall read as follows:

§ 477-2 Fees.

A. The following is the fee schedule pursuant to N.J.S.A. 40:48-2.49 for basic automobile towing services, when requested by the Borough.

(1) Days (8:00 a.m. to 4:30 p.m.) Monday through Friday:

(a) First mile or less, or return to operator's yard: \$70

(b) Each additional mile, other than operator's yard, if requested by owner: \$3.00

(2) Nights, weekends and New Jersey holidays:

(a) First mile or less, or return to operator's yard: \$85

(b) Each additional mile, other than operator's yard, if requested by owner: \$3.00

B. The following is the fee schedule for storage services for all types of vehicles pursuant to N.J.S.A. 40:48-2.49:

(1) Inside building (according to storage facility capacity):

(a) Twenty-one or more spaces: \$20

(b) Ten to 20 spaces: \$25

(c) Less than 10 spaces: \$30

(2) Outside secured (according to storage facility capacity):

(a) Twenty-one or more spaces: \$15

(b) Ten to 20 spaces: \$20

(c) Less than 10 spaces: \$25

(3) Outside unsecured (according to storage facility capacity):

(a) Twenty-one or more spaces: \$10

(b) Ten to 20 spaces: \$12

(c) Less than 10 spaces: \$15

C. The following is the fee schedule for basic towing of trucks and other vehicles not covered under N.J.S.A. 40:48-2.49:

(1) Trucks up to one ton: \$100 per hour

(2) Trucks from one tone to five: \$200 per hour

(3) Trucks over five tons: \$325 per hour

(4) Motorcycles, mopeds, etc. \$45 flat rate

(5) Additional services that may be required:

- (a) Winching: \$250 per hour
- (b) Axle pull/drive shaft: \$50 flat rate
- (c) Hookup air: \$30 flat rate
- (d) Cleanup: \$60 per hour
- (6) Charges for additional services not listed above: \$60 per hour
- (7) Additional personnel after driver: \$60 per hour
- (8) No key towing winching or towing - \$60 per hour
- (9) Heavy recovery support - \$300 per hour

Section 2. All other parts or provisions of Chapter 477 of the Code of the Borough of Hawthorne or any other ordinance or regulation not specifically amended by this Ordinance shall remain in full force and effect.

Section 3. If any section, subsection or part of this ordinance is adjudged by a Court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not impair or invalidate the remainder of this ordinance.

Section 4. Except to the extent amended hereunder, all other parts or sections of Chapter 477, Towing and Storage, shall remain in full force and effect. All parts and provisions of any ordinance which are inconsistent with the provisions of this ordinance shall be repealed to the extent of such inconsistency.

Section 5. This Ordinance shall take effect 20 days after final adoption and publication as provided by law.

JOHN N. BERTOLLO
Council President

Attest:
Lori DiBella, RMC
Borough Clerk

NOTICE OF PENDING ORDINANCE

The Ordinance published herewith was introduced and passed upon first reading at a meeting of the Municipal Council of the Borough of Hawthorne, in the County of Passaic, New Jersey, held on January 18, 2017. It will be further considered for final passage after public hearing thereon, at a meeting of said Municipal Council to be held in the Municipal Building, 445 Lafayette Avenue, in said Borough on February 15, 2017, at 7:00 p.m., at which time and place all interested members of the public who desire will be given an opportunity to be heard in connection with said Ordinance, and during the week prior to and up to and including the date of such meeting, copies of said Ordinance will be made available on the borough website, www.hawthornenj.org, and at the Clerk's Office in said Municipal Building to the members of the general public who shall request the same.

Lori DiBella, RMC, Borough Clerk

THIS IS TO CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF AN ORDINANCE ADOPTED BY THE MUNICIPAL COUNCIL OF THE BOROUGH OF HAWTHORNE AT A REGULAR MEETING ON FEBRUARY 15, 2017.

ATTEST:

Lori DiBella, RMC, Borough Clerk

John N. Bertollo, Council President

APPROVED:

Richard S. Goldberg, Mayor