

ORDINANCE NO. 1- 09
ORDINANCE AMENDING CHAPTER 456 OF THE JEFFERSON
TOWNSHIP MUNICIPAL CODE ENTITLED “TOWING” AND
MORE PARTICULARLY SUBSECTION 456-2 ENTITLED “FEES:
METHODS OF PAYMENT; HEAVY VEHICLE RECOVERY”

BE IT ORDAINED by the Township Council of the Township of Jefferson, County of Morris, State of New Jersey, that Chapter 456 Of the Jefferson Township Municipal Code, entitled “TOWING” and more specifically subsection 456-2 entitled “Fees: Methods of Payment; Heavy Vehicle Recovery” shall be amended as follows:

SECTION I

Section 456-2, entitled “Fees: Methods of payment; heavy vehicle recovery” is hereby amended by adding the following new Section:

D. Yard charges.

1. Whenever a vehicle is placed in storage, and because of extensive damage to the vehicle specialized equipment is needed in order to move the vehicle, secure the vehicle, drain fluids or absorb fluids that have been leaking, the towing operator shall have a right, in addition to usual and customary charges, to charge a yard fee. Said yard fee may be charged in the following instances, but shall not be limited to these incidences:
 - (1) Prying open damaged hoods with heavy equipment to cut battery cables to prevent fire, or to drain flammable fluids.
 - (2) Lifting damaged vehicles to drain leaking gas tanks, transmissions or radiators.
 - (3) Applying absorbent material under the vehicle to absorb any spills.
 - (4) Moving vehicles that do not have keys or that are so badly damaged they need special equipment to remove them from a tow vehicle or to move them around a storage lot.
 - (5) Providing covers for vehicles that need to be stored that have windows blown out or need to be sheltered from the elements.
2. The yard fee shall be in increments of one-half hour at the rate of \$40 per half hour and there shall be a minimum charge for every yard fee of \$40.
3. All bills for a yard fee shall be itemized and be available for inspection upon any complaint or investigation. A copy of the bill will be given to all owners of the vehicle or entities or persons paying the charges.

SECTION II

All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistencies.

SECTION III

If any article, section, subsection, paragraphs, phrase or sentence is, for any reason, held to be unconstitutional or invalid, said article, section, subsection, paragraph, phrase or sentence shall be deemed severable.

SECTION IV

This Ordinance shall take effect immediately upon final publication as provided by law.

**COUNCIL OF THE
TOWNSHIP OF JEFFERSON**

ATTEST:

LYDIA MAGNOTTI, Clerk

RICHARD W. YOCUM, President

INTRODUCED: January 7, 2009

ADOPTED: January 21, 2009