

**BOROUGH OF HO-HO-KUS  
COUNTY OF BERGEN**

**ORDINANCE #2019-23**

**AN ORDINANCE TO AMEND AND SUPPLEMENT  
CHAPTER 75 OF THE HO-HO-KUS BOROUGH CODE ENTITLED  
“TOWING SERVICES”**

**BE IT ORDAINED**, by the Mayor and Council of the Borough of Ho-Ho-Kus, County of Bergen and State of New Jersey that Chapter 75 of the Code is amended as follows:

**Section I.**

Section 75-1 Definitions is amended, in part, as follows:

**STORAGE CHARGES FOR TWENTY-FOUR HOUR PERIOD** - The maximum allowable amount to be charged by a storage facility for a calendar day or fraction thereof. A new 24 hour period begins at 12:01 a.m.

**TOW VEHICLES BASE OF SERVICE** – The towing operator’s principal places of business where the tow vehicle is stationed when not in use.

**Section II.**

Section 75-4 Application Process is amended to read:

- A. (1) The name, residence and business addresses and telephone number of the owner of the towing company. If the owner is a corporation, the application shall contain the name, residence and business address and telephone number of every stockholder owning more than 10% of the issued stock.

Section 75-4 C. (4) is amended to read:

Neither the applicant nor the applicant’s personnel have been convicted of a criminal offense within the past year.

**Section III.**

The following subsections of Section 75-6 Minimum standards of performance are amended to read:

- A. (1)(c) One medium duty wrecker.

(1)(d) One heavy-duty hydraulic wrecker one with at least 30 ton capacity and 3 stages under reach.

- A. (4) is amended to read:

All equipment shall comply with all state and federal regulations and all vehicle operators shall possess a CDL license for over 26,000 pounds.

- B. Minimum equipment requirements:

(5)(a) Towing operators’ vehicles shall display New Jersey commercial license plates and registrations issued to the licensed towing service.

- C. (1)(f) Not have been convicted of a crime within the past year.

- D. (1)(d) The storage area shall be in an area legally zoned for such use and shall have video surveillance. A certificate of occupancy for towing and storage use is required.

(1)(e) The storage facility shall be available 24 hours a day, 365 days per year and shall be open to the public on weekdays during normal business hours and for

four hours on Saturdays. The applicant shall specify the hours on which the facility will be open on Saturdays. The applicant is not required to be open on Sundays or Federal/State holidays.

(1)(g) The hours of release for any impounded vehicles are Monday-Friday from 8:00 A.M. to 4:30 P.M. If the owner of the vehicle is requesting that the vehicle be released after hours, there will be a \$75.00 fee for after-hours release when the tower is available to do so.

Section IV.

Section 75-10 Towing and storage fee schedule is amended to read:

- A. Fees for towing and storage of private passenger vehicles, damaged in an accident or recovered after being stolen, may not exceed the fees established by the New Jersey Department of Insurance.
- B. The following is a fee schedule for basic automobiles, motorcycles, motorized bikes, towing services and heavy-duty recovery.
  - (1)(a) to (e) repealed.
  - (2)(a), (b) repealed.
  - (3) repealed.
  - (4)(a) to (c) repealed.
  - (5)(a) repealed.
- C. (1)(a), (b) repealed.
  - (2)(a) to (e) repealed.
- D. (1), (2) repealed
- E. (1)(a), (b) repealed.
  - (2)(a) repealed.
  - (3)(a) repealed.
- F. (1) to (9) repealed.
  - (10) If tower is called by police and arrives on the scene and owner refuses services or no service is required, there is a fee of \$75.00 for the tow truck responding.

The following fee schedule applies in lieu of the foregoing repealed fees:

ROAD SERVICES ONLY

CARS (LIGHT)	\$125.00 PER HOUR PLUS PARTS
TRUCKS (MEDIUM/HEAVY)	\$175.00 PER HOUR PLUS PARTS

TOWING – BASIC

LIGHT DUTY – up to 8,000 lbs.	HOOK UP \$150.00
MEDIUM DUTY – 8,001 – 16,000 lbs.	\$250.00 PER HOUR
HEAVY DUTY – 16,001 and above	\$500.00 PER HOUR
DECOUPLING FEE (if tow is not performed)	½ OF BASIC RATE

LIGHT DUTY ON HOOK MILEAGE  
WHEN VEHICLE IS NOT TOWED TO STORAGE YARD

OR TOWED OUT-OF-TOWN

LIGHT DUTY	\$6.00/PER LOADED MILES
MEDIUM DUTY	N/A
HEAVY DUTY	N/A

Light duty vehicles to be towed out-of-state will require an agreed price and/or hourly rate.

RECOVERY/WINCHING (In Addition to Towing- per truck including driver)

LIGHT/MEDIUM DUTY up to 16,000 lbs.	\$350.00 PER HOUR
HEAVY DUTY 16,001 and above	\$600.00 PER HOUR

SPECIALIZED RECOVERY EQUIPMENT

ROTATOR/CRANE RECOVERY UNIT	\$1,200.00 PER HOUR
TRACTOR WITH LANDOLL TRAILER OR DETACH TRAILER	\$450.00 PER HOUR
TRACTOR/TRANSPORT HAULER ONLY	\$250.00 PER HOUR
REFRIGERATED TRAILER W/TRACTOR	\$450.00 PER HOUR
BOX TRAILER W/ TRACTOR	\$400.00 PER HOUR
AIR CUSHION UNIT	\$1,000.00 PER HOUR
LIGHT TOWER	\$250.00 PER HOUR
PALLET JACK	\$200.00 PER HOUR
ROLLERS	\$200.00 FLAT RATE
ANY OTHER SPECIALIZED EQUIPMENT	\$250.00 PER HOUR
LOADER/BACKHOE/TELESCOPIC HANDLER/BULLDOZER/BOBCAT	\$300.00 PER HOUR EACH
FORKLIFT	\$300.00 PER HOUR
DUMP TRUCK /DUMP TRAILER W/ TRACTOR	\$350.00 PER HOUR
ROLL-OFF WITH CONTAINER	\$350.00 PER HOUR PLUS DISPOSAL
RECOVERY SUPERVISOR VEHICLE	\$150.00 PER HOUR
SCENE SAFETY EQUIPMENT, COMMUNICATION EQUIPMENT, TRAFFIC MANAGEMENT EQUIPMENT, ETC.	\$250.00 PER HOUR EACH TYPE USED
RECOVERY SUPPORT VEHICLE/TRAILER, ADDITIONAL RECOVERY EQUIPMENT	\$350.00 PER HOUR

LABOR – ALL LABOR MIN. OF 1 HOUR

ACCIDENT MINOR CLEAN-UP AND DISPOSAL OF DEBRIS	\$75.00 PER HOUR ONE HOUR MINIMUM PLUS ABSORBANT MATERIALS USED
RECOVERY SUPERVISOR AND/OR LEVEL III RECOVERY SPECIALIST	\$225.00 PER HOUR
CERTIFIED TOWING OPERATOR	\$125.00 PER HOUR PER MAN
MANUAL LABORERS	\$100.00 PER HOUR PER MAN

STORAGE – PER CALENDAR DAY  
(INSIDE RATES TWO TIMES OUTSIDE RATE)

CARS/LIGHT TRUCKS – 10’ X 20’ SPACE	\$45.00 PER DAY
TRUCKS (DUAL WHEELS)/SINGLE AXLE	\$90.00 PER DAY
TRACTOR/DUMP TRUCK/TRACTOR AND TRAILER COMBO/TRAILERS	\$125.00 PER UNIT PER DAY
BUSES	\$150.00 PER DAY
ROLL-OFF	\$125.00 PER DAY FOR EACH
CARGO/ACCIDENT DEBRIS/LOAD STORAGE/VEHICLE COMPONENTS 10’ X 20’ SPACE	\$45.00 PER SPACE USED PER DAY
RENTAL OF ANY TOW COMPANY SUPPLIED TRAILER POST INCIDENT	\$500.00 PER DAY

\*\* STORAGE BILLED PER CALENDAR DAY\*\*

ADDITIONAL SERVICES/NOTES

FUEL/HAZ-MAT/CARGO SPILLS CLEAN-UP AND DISPOSAL	TIME AND MATERIAL
HAZMAT AND TRASH RECOVERY	SURCHARGED 10%
SUBCONTRACTOR MARK-UP	10%
ADMINISTRATIVE CHARGE ONLY AFTER 3 <sup>rd</sup> VISIT TO VEHICLE	CARS ONLY - \$50.00
ADMINISTRATION CHARGE	MEDIUM/HEAVY TRUCK - \$200.00
AFTER HOURS RELEASE	\$75.00
NOTIFICATION DOCUMENTATION FEE	\$50.00
TARPING/WRAPPING VEHICLE	\$90.00 PER CAR \$250.00 PER TRUCK
FUEL SURCHARGE	RESERVED FOR FUTURE NEED

Section 75-10 Heavy Vehicle Recovery (Over 16,000 lbs.)

(1) Is amended to read as follows:

To provide heavy vehicle recovery, the Borough of Ho-Ho-Kus requires that the licensee have on scene a recovery supervisor with Level 3 certification from the Towing and Recovery Association of America (TRAA) or another nationally recognized certification such as Wreck master.

Section 75-10 G. is amended to add a new subsection (5):

(5) Acceptance of credit/debit cards are at towing company’s discretion. A maximum of 4% service fee may be added to offset expenses. Credit/debit cards do not have to be accepted for any impounded vehicles.

Section V. **Severability.**

If any portion of this ordinance is adjudged unconstitutional or invalid by the Court of competent jurisdiction, such judgment shall not affect or invalidate the remainder of this ordinance, but shall be confined in its effect to the provision directly involved in the controversy in which such judgment shall have been rendered.

Section VI. **Repealer.**

All other ordinances or parts of ordinances of the Borough which are inconsistent with this ordinance are hereby repealed but only to the extent of such inconsistencies.

Section VII. **Effective Date.**

This ordinance shall take effect upon passage and publication as required by law.

NOTICE OF PENDING ORDINANCE

This Ordinance published herewith was introduced and pass upon first reading at a meeting of the Municipal Council of the Borough of Ho-Ho-Kus, in the County of Bergen, New Jersey, held on February 26, 2019. It will be further considered for final passage after the public hearing thereon, at a meeting of said Municipal Council to be held in the Municipal Building, 333 Warren Avenue, Ho-Ho-Kus, NJ 07423-1547, in said Borough on March 26, 2019, at 7:30 p.m. at which time and place all interested member 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 has been posted on the bulletin board upon which public notices are customarily posted in the Borough Hall and copies are available at no charge in the Office of the Borough Clerk for members of the general public who may request them.

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 HO-HO-KUS AT A REGULAR MEETING ON **MARCH 26, 2019**

ATTEST: \_\_\_\_\_ Joan Herve, RMC, Borough Clerk

APPROVED: \_\_\_\_\_ Thomas W. Randall, Mayor