

TOWNSHIP OF BELLEVILLE
ESSEX COUNTY, NEW JERSEY

ORDINANCE NO.16-24

DATE OF INTRODUCTION: 5/28/24 DATE OF ADOPTION: 6/25/24
Legal Advertisement: 6/6/24 Legal Advertisement: 7/11/24

TITLE:

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 27 – TOWING AND STORAGE OF THE TOWNSHIP OF BELLEVILLE MUNICIPAL CODE

WHEREAS, N.J.S.A. 40:48-2.49 permits the Township to regulate by ordinance towing practices within the Township; and

WHEREAS, the definition of “Towing” contained in N.J.S.A. 56:13-9 includes the immobilization of a vehicle; and

WHEREAS, the Mayor and Council of the Township of Belleville believe it is necessary to regulate the fees charged when a vehicle is immobilized by the use of an anti-theft wheel lock clamp boot, or similar apparatus to protect the public from predatory practices.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Township Council of the Township of Belleville that Chapter 27 – Towing and Storage shall be amended as follows:

§27-2. PURPOSE AND INTENT. shall be deleted in its entirety and replaced with the following:

The purpose and intent of this chapter is to provide criteria and standard operating procedures that are reasonable, non-exclusionary and nondiscriminatory in the selection and use of towing operators, on a rotational basis, in providing towing, road services, including the use of immobilization methods, and towing for vehicles that are abandoned, disabled, illegally parked, stolen, involved in accidents and/or suspected or identified by the Township as being involved in criminal activities.

§27-3. DEFINITIONS. shall be amended to include the following definition:

VEHICLE IMMOBILIZATION – Shall mean the attachment of any device to a vehicle that prevents the vehicle from legally being driven (i.e. the use of anti-theft wheel lock boot).

BASIC TOWING SERVICE – Shall mean the moving or removing, from public or private property or from a storage facility by a motor vehicle, of a motor vehicle that is damaged as a result of an accident or otherwise disabled, is recovered after being stolen, or is parked illegally or otherwise without authorization, parked during a time at which such parking is not permitted, or otherwise parked without authorization, or the immobilization of or preparation for moving or removing of such motor vehicle, for which service charge is made, either directly or indirectly.

§27-11. TOWING AND STORAGE FEE SCHEDULE. shall be amended as follows:

§27-11a. shall be deleted and replaced with the following:

The Township shall from time to time adopt and/or amend the Towing and Storage Fee Schedule, which shall set forth the maximum permitted fees that shall be charged for towing and/or storage of passenger automobiles or other vehicles and/or vehicle immobilization by towing operators on the rotational list. Towing operators transporting multiple passenger cars at one time shall receive the applicable fees for the number of vehicles transported. The fee rates for towing, storage, and vehicle immobilization are located at the end of this chapter. The towing rates shall apply to within 1 ½ miles of the Township boundaries. The towing operator may charge an additional towing fee to the standard rates listed of \$2.00 per mile outside the Township boundaries.

§27-11i. The “TOWING AND STORAGE FEE SCHEDULE” shall be amended to include Vehicle Immobilization Fee: \$50.00.

BE IT FURTHER ORDAINED by the Governing Body of the Township of Belleville, New Jersey:

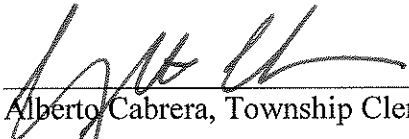
1. That the balance of the Ordinance shall remain in full force and effect.
2. All prior Ordinances inconsistent with the language hereinabove are hereby repealed.
3. This Ordinance shall take effect upon passage and publication as required by law.

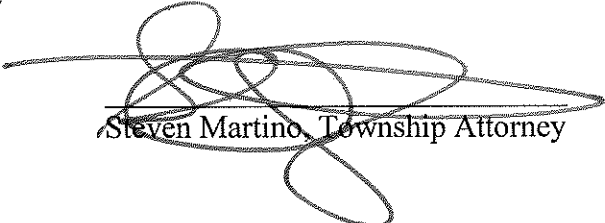
ORDINANCE# 16-2024
INTRODUCTION
MAY 28, 2024

On a motion by Council Member COZZARELLI
Seconded by Council Member NOTARI

Adopted by the Municipal Council of the Township of Belleville, N.J.									
COUNCIL RECORD OF VOTE									
Council Member	YES	NO	N.V.	AB.	Council Member	YES	NO	N.V.	AB.
COZZARELLI	X				ROVELL				X
DE PEÑA	X								
GRAZIANO	X				MAYOR MELHAM	X			
NOTARI	X								
X - Indicates Vote					N.V. - Not Voting			AB - Absent	

I, Alberto Cabrera, Registered Municipal Clerk, for the Township of Belleville, do hereby certify that the foregoing is a true copy of a resolution adopted by the Belleville Township Council at a meeting held on the 28th day of MAY, 2024.


Alberto Cabrera, Township Clerk


Steven Martino, Township Attorney

Vincent Cozzarelli
Deputy Mayor

ORDINANCE# 16-2024
ADOPTION
JUNE 25, 2024

On a motion by Council Member ROVELL
Seconded by Council Member COZZARELLI

Adopted by the Municipal Council of the Township of Belleville, N.J.									
COUNCIL RECORD OF VOTE									
Council Member	YES	NO	N.V.	AB.	Council Member	YES	NO	N.V.	AB.
COZZARELLI	X				ROVELL	X			
DE PEÑA	X								
GRAZIANO	X				MAYOR MELHAM	X			
NOTARI	X								
X - Indicates Vote					N.V. - Not Voting			AB - Absent	

I, Alberto Cabrera, Registered Municipal Clerk, for the Township of Belleville, do hereby certify that the foregoing is a true copy of a resolution adopted by the Belleville Township Council at a meeting held on the 25th day of JUNE, 2024.


Alberto Cabrera, Township Clerk


Steven Martino, Township Attorney

Vincent Cozzarelli
Deputy Mayor