ORDINANCE O017-2025

WASHINGTON TOWNSHIP
GLOUCESTER COUNTY

ORDINANCE AMENDING CHAPTER 246 OF THE CODE OF THE TOWNSHIP OF WASHINGTON ENTITLED "TOWING"

WHEREAS, Chapter 246, of the Code of the Township of Washington regulates Towing within the Township; and

WHEREAS, pursuant to N.J.S.A 40:48-2, the Township Council is authorized to enact and amend ordinances as deemed necessary for the preservation of the public health, safety and welfare and, as may be necessary, to carry into effect the powers and duties conferred and imposed upon the Township of Washington by law; and

WHEREAS, there exists a need to amend and update Chapter 246 entitled "Towing" to provide improved towing services within the Township of Washington for both Township residents and motorists generally; and

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Washington, County of Gloucester and State of New Jersey, Chapter 246 of the Township Code is hereby amended as indicated below:

SECTION 2. Chapter 246-2.1 of the Township Code is hereby amended, with struck -through language deleted and underlined language inserted, as follows, as follows:

§ 246-2. Establishment of list of tow agencies; application required.

The Township Council of the Township of Washington, at the first meeting of each year, shall establish a list of tow agencies (Classes I and II) which qualify to be called by the Division of Police, pursuant to the terms of this chapter. Towers who wish to be included in the lists shall complete an application and provide all requisite documents to the Chief of Police between October 1 and October 31 of every ~~third~~ second year beginning for the time period of ~~2014 to 2016~~ 2026 to 2027 and continuing with every consecutive two-year period thereafter. If any application is deemed insufficient by the submission date (October 31), the application shall not be considered for the upcoming year. Successful applicants shall be called for Township towing on a rotating basis according to a schedule established by the Chief of Police. All towers will be treated equally.

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SECTION 2. Chapter 246-2.1 of the Township Code is hereby amended as follows:

§ 246-2.1. Application for license.

A. No person, firm or corporation, while acting as the official tow service for the Township of Washington, shall operate a wrecker or towing service, upon or along any street in the Township, until the owner thereof shall obtain a license therefor.

B. The application process for the licensure year will begin October 1 of the pre-licensure year. Applications for operator's licenses shall be filed with the Chief of Police not later than October 31 of the pre-licensure year and shall include the following information:

(1) The name, business address and telephone number of the applicant. If the application is made on behalf of a corporation, it shall state the name and address of the officers and directors thereof and the name and address of its registered agent, including a listing of the names and addresses of every stockholder holding more than 10% of the stock of the corporation;

(2) The year, make, type and model number of each wrecker or tow truck used in said business, its serial number and registration number and the name and address of the registered owner and any lien holder thereon;

(3) The address where the wrecker or tow truck or trucks are regularly garaged, the telephone number or numbers and the names, addresses and New Jersey driver's license numbers of all employee-drivers of the vehicles identified;

(4) The location, size and security features of the storage lot or space in which towed vehicles will be stored, including the number of vehicle spaces available;

(5) The name and address of the operator's insurance carrier(s), and the policy numbers of all insurance policies issued for the business, the business premises and the vehicles identified in § 246-2.1B(2);

~~(6) A copy of the current fee schedule for towing and storage services;~~ [RESERVED.]

(7) A certification that towing and storage services and fees will be available in compliance with this chapter;

(8) A certification granting permission to the Washington Township Police Department to conduct inspections of the wreckers, tow trucks and storage facility for the purpose of determining compliance with this chapter;

(9) Such other information as the Township shall deem appropriate and necessary;

(10) Applicants must understand that they must be able to respond and be present at the towing location within ~~20~~ fifteen (15) minutes of receipt of notice of the towing, unless heavy or unusual traffic conditions prevent the operator from arriving within such period;

(11) All submitted applications, tower(s) wishing to apply for appointment, will be required to complete the application process ~~to include a fee of $100 submitted to the Township upon appointment~~.

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(12) The application shall be accompanied by the following supporting documentation: zoning certification (issued by the Township Zoning Officer/Construction Official) and fire subcode certification (issued by the Fire Official) that the property and structures comply with all approvals, laws and regulations. Both certifications shall be issued within 60 days' prior to the submittal of the license application. Any applicant with outstanding zoning and/or construction code violations shall be automatically denied a license if the same is not cured within 30 days notice from the Township official. If the Zoning Officer or Fire Official has not responded to the request, the applicant may submit proof that the applicant requested such approval in lieu of the actual approval. [Added 2-23-2022 by Ord. No. 4-2022]

(13) All towing applicants shall submit valid documentation along with their application verifying the location of their towing yard and storage facility. Acceptable documentation includes a current utility bill, property tax bill, and/or a screenshot from a recognized mapping service (e.g., Google Maps) demonstrating the facility's address and its distance from Washington Township police headquarters located at 1 Mc Clure Drive, Sewell, NJ 08080.

C. The application for license shall be accompanied by a fee payable to the Township of Washington in the form of cashier's check, certified check or money order to defray the costs of the license application process, the motor vehicle and criminal investigation by the Police Department. The fee shall be ~~$500~~ $1,000 per application. [Amended 2-23-2022 by Ord. No. 4-2022]

D. All towing operators must be in good standing with all other municipalities, law enforcement agencies, and public entities for which they currently or previously provided towing services. Any applicant that has had a towing contract terminated for cause, or has been removed or suspended from a municipal or law enforcement towing list or contract, within the past five (5) years, shall be deemed ineligible for selection.

E. All towing operators shall accept at least two (2) forms of payment, including credit or debit cards. Cash-only policies are prohibited. Receipts for all transactions are required.

SECTION 3. Chapter 246-2.2A(9)(m) of the Township Code is hereby amended as follows:

(m) Storage facility within a ~~five~~ four (4)-mile radius of police headquarters located at 1 Mc Clure Drive, Sewell, NJ 08080.

SECTION 4. Chapter 246-2.3 of the Township Code is hereby amended as follows:

§ 246-2.3. Issuance of license; renewal; display; transferability.

A. An operator's license shall be issued by the Township Clerk to the applicant, upon approval thereof by the Chief of Police, and upon submission of proof of insurance required by § 246-3.

~~B. Such license shall be submitted during the last two weeks in December of the pre-licensure year by the Township Clerk to be considered for approval on or about January 1 for the following year.~~ [RESERVED.]

C. All licenses issued pursuant to this chapter shall expire at the end of the second calendar year ~~in which the license is issued~~ of the license term established by § 246-2**.**

D. Applications for renewal of licenses shall include a certification as to any changes in the information set forth in the original application and shall be filed at least 30 days before the expiration of the license.

E. All licenses issued under this chapter shall be prominently displayed on all wreckers and tow trucks and at the operator's place of business.

F. All licenses issued under this chapter are nontransferable.

G. The licensee shall permit no new employee or temporary employee to operate under a license unless first approved in accordance with the procedures set forth in Subsection D of this section.

H. All approved employees drivers shall be provided with a photographic identification card issued by the Township, which must be in their possession while acting in their capacity as a towing vendor. The design and format for this identification card shall be established and approved by the Chief of Police.

I. The regulations and fee schedules of individual towers shall be made available to the public during normal business hours of the municipality.

SECTION 5. Chapter 246-5.3 of the Township Code is hereby amended as follows:

§ 246-5.3. Qualifications of wrecker.

A. Minimum standards.

(1) All wreckers utilized by operators on the rotating list shall conform to the following minimum standards:

(a) Wreckers shall be equipped and of sufficient size, weight and configuration to safely tow all makes of domestic and foreign automobiles, light-duty trucks and vans.

(b) Wreckers shall be equipped with a rotating amber beacon light mounted above the cab as well as front and rear flashing hazard lights.

(c) Wreckers shall be equipped at all times with safety flares.

(d) The name, address and telephone number of the operator shall be permanently affixed to the left and right sides of each wrecker.

(2) All operators on the rotating list shall provide and maintain the following minimum equipment:

(a) Two light-duty towing vehicles (one of which may be a flatbed, rollback vehicle), with a minimum chassis rating of 11,000 pounds GVW, and a lifting device with a minimum capacity of four tons.

(b) Wreckers will be equipped with tow sling-type bars, with rubber straps, and wheel lifts, with safety straps for lifting, to prevent damage to towed vehicles, and steering locks for towing vehicles from the rear.

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(3) All operators on the rotating list and all wreckers utilized shall comply and conform to the following standards and procedures:

(a) Operators shall, at all times, employ a sufficient number of employees to comply with the minimum operational requirements.

(b) All drivers of the operator shall be over the age of 18 years and must have a valid, current New Jersey State driver's license and shall be in good health and of high moral character.

(c) All employees shall be clean, neat, and make a good appearance. All employees of an operator will be required to wear in a place where visible driver's license photo IDs issued by the N.J. Motor Vehicle Commission.

(d) The operator shall be responsible for the towing of vehicles from all streets, alleys, public easements, thoroughfares, public or quasi-public places, including parks, playgrounds, including rivers, lakes and streams.

(e) In all underwater recoveries of a nonemergent nature (threats to life or public safety), it shall be the responsibility of the operator to be either certified or assisted by a N.J. certified underwater specialist for the proper towing of such vehicles.

(f) The operator shall respond promptly to all requests for towing services by the Township. In any event, the operator shall respond and be present at the towing location within ~~20~~ fifteen (15) minutes of receipt of notice of the towing, unless heavy or unusual traffic conditions prevent the operator from arriving within such period. In that event, the operator will be given 10 additional minutes to arrive. If the operator fails to arrive promptly, the police may call the next operator on the rotating list.

(g) The operator shall be responsible for the towing of any disabled Township-owned vehicle, when requested by the Township, and, if required, the changing of tires on those vehicles. This service will be furnished to the Township for the minimum applicable towing fee not to exceed $50.

(h) The operator shall be responsible to cleanup all broken glass and debris at the scene of crashes and remove same from the scene. All vehicles must be equipped with a broom, shovel and container to remove debris.

(i) The operator shall have the right to utilize another operator on the rotating list to perform towing services, if the operator believes his equipment is inadequate or insufficient to accomplish the towing. In the event that another operator assists or performs the towing, the fees shall be those specified in this chapter.

(j) The operator shall prepare a bill for towing charges, for each vehicle towed, consistent with this chapter. Prior to the release of any vehicle, the owner shall contact the Washington Township Police Department for authorization to release said vehicle.

(k) The operator will maintain a written log of all towing services performed for the Township, through the use of the wrecker request forms, filled out by the responding police officer.

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(4) All storage facilities utilized by the operators on the rotating list shall conform to the following standards and requirements:

(a) Operators shall have sufficient space to safely accommodate stored vehicles. This space must be adequately safeguarded against vandalism and theft, in which to hold towed vehicles of absent drivers or owners, until such time as said vehicles are claimed or are disposed of in accordance with the law.

(b) Based on roadway configuration, traffic patterns, and the geographic location of the Township Police Headquarters in relation to major arterial routes (SH42, SH47, and NJ Route 55), all storage facilities shall be owned, operated and/or under the control of the operator and shall be located within a ~~five~~ four (4)-mile radius of police headquarters located at 1 Mc Clure Drive, Sewell, NJ 08080**.**

(c) No towed vehicle may be stored upon a public street or alley but must be stored by the operator within the storage area as hereinabove described.

(d) Operators shall be responsible for each vehicle in their storage facility until final disposition and removal, as ordered by the Township. All vehicles, regardless of condition, must be stored singly and so arranged to permit inspection and subsequent removal when sold.

(e) The operator shall remove and tow to the storage facility all vehicles, as directed by Washington Township Police Department, which are abandoned, illegally parked, disabled, involved in crashes or suspected of involvement in criminal activity. The determination to tow a vehicle which is abandoned, illegally parked, disabled, involved in a crash or suspected of criminal activity shall be made by the Washington Township Police Department, and the operator shall have no responsibility for such determination.

B. Storage facilities. The wrecker must maintain a storage facility for towed vehicles with the following requirements:

(1) The impoundment area must be visually screened from the highway.

(2) The facility must be secure. The contractor is responsible for safe storage.

(3) The storage area must be lighted from dusk to dawn.

(4) There shall be a sturdy six-foot fence with locks on gates.

(5) All vehicles will be stored in a facility within a ~~five~~ four (4)**-**mile radius of police headquarters located at 1 Mc Clure Drive, Sewell, NJ 08080 in an area zoned for such use.

(6) Proof of ownership or lease of storage area must be submitted. Township-approved towing companies may not share the same storage facility. The storage facility, building and grounds must meet all zoning requirements.

(7) The storage lot will be at least 1/2 acre (21,780 square feet).

(8) Upon request for service, the tower must be able to respond to the incident with ~~20~~ fifteen (15) minutes. The tower who fails to arrive on location in a timely fashion (within ~~20~~ fifteen (15) minutes of receipt of the call) or fails to provide adequate service may be subject to deletion from the tow list upon recommendation from the

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Chief of Police.

(9) If the wrecker cannot or does not comply within the required time limit, then the next name on the list of wreckers shall be called.

(10) Each towing operator shall have a representative physically present at the storage facility and available to release vehicles between the hours of 8:00 a.m. and 6:00 p.m., Monday through Friday, excluding holidays, but with Saturday and Sunday availability.

(11) Each towing operator shall ensure that a clean and operable restroom facility is available for public use at the storage facility during designated business hours. The restroom must be accessible to customers retrieving their vehicles and must be maintained in a sanitary condition in compliance with all applicable health and safety codes.

(12) The storage facility must be clearly marked as such and shall have a sign indicating the name, address, hours and phone number for the facility.

(13) All storage facilities utilized for Class II (heavy-duty) towing operations shall be owned, operated, and/or under the control of the licensed operator and shall be located within a five (5) mile radius of the Washington Township Police Headquarters, located at 1 McClure Drive, Sewell, New Jersey.

C. Required towing equipment.

(1) One standard tow truck with underreach capabilities and one flatbed owned or leased, with:

(a) Three-eighths-inch safety chain.

(b) Detached lift chain and safety chain.

(c) That the vehicle to be used for towing has been properly licensed and inspected when applicable by the State of New Jersey and has the necessary stickers affixed or required insurance cab decals. No vehicle shall be licensed as a wrecker which is using dealer license plates or which has failed inspection.

(d) That the towing service vehicle is equipped with granular absorbent (oil dry or its equivalent) in a minimum amount equal to two forty-pound bags.

(e) Wreckers must be equipped with at least one three-hundred-sixty-degree amber light on top of the vehicle. Additional lighting equipment is acceptable. These lights must be maintained in good working order and must be used in accordance with state requirements. Permits for said lights must be obtained from the Division of Motor Vehicles. Wreckers must be suitably identified on each side with the name and address of the agency.

(f) Fluid spills. Spills resulting from motor vehicle crashes that are less than five gallons in volume or covering an area less than 10 feet by 10 feet will be mitigated by the tow agency. The tow agency shall be responsible for the proper disposal of any materials used in the cleanup of the vehicle fluids.

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(g) While at the scene, any employee of the towing agency shall wear a safety vest or its equivalent bearing reflectorized material at nighttime and for daytime an orange vest, shirt or jacket.

(h) All drivers of the tow agency shall be over the age of 18 years and must have a valid, current New Jersey driver's license valid for the type of vehicle being driven. The license shall have no restrictions or conditional endorsements except condition requiring glasses, and the driver shall be in good health and of high moral character.

(i) The tow agency shall submit to the Township the names and addresses of all proposed drivers and employees who will be rendering service under this contract on behalf of the tow agency. This information will be kept current with the Chief of Police by the wrecker.

(j) The service equipment and personnel are subject to periodic inspections and approval by the Township. The Township reserves the right to have a qualified person or agency make such inspections.

(k) All wreckers and flatbeds shall be maintained in good condition, to include compliance with all regulations of New Jersey Revised Statutes, Title 39, and be available 24 hours a day when on call.

(2) The wrecker must provide one additional tow truck, either flatbed or standard, owned or leased, equipped as specified in Subsection C above.

(3) Proof of ownership or lease by the applicant of the required towing equipment must be submitted with the initial application. The same vehicle may not be used by more than one approved towing contractor.

(4) The wrecker is not permitted to subcontract for towing services.

(5) <u>All towing vehicles must be registered with the New Jersey Motor Vehicle Commission (MVC) and comply with all applicable state regulations. All drivers shall possess a valid New Jersey Commercial Driver's License (CDL) when required by law, based on the gross vehicle weight rating (GVWR) or towing capacity of the vehicle operated</u>.

D. Additional requirements.

(1) The tow agency's principal business must be staffed during business hours and Saturdays 9:00 a.m. to 12:00 noon. The agency shall maintain a clean and comfortable waiting room and toilet facilities.

(2) The tow agency shall not use answering machines or pagers to receive calls from the Police Department. Cell phones may be utilized but only with the approval of the Police Department.

(3) The tow agency shall notify the Police Department when unable to respond to a call or when unable to meet the response time requirement.

(4) The tow agency must post in a conspicuous manner a copy of the approved fee schedule. The tow agency shall notify the Police Department concerning any changes in employee status, including additions/deletions.

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SECTION 6. Chapter 246-8(C) of the Township Code is hereby amended as follows:

C. All towing operators and their employees shall conduct themselves in a professional, courteous, and respectful manner at all times when interacting with the public, law enforcement, Township officials, and other agencies. Complaints of any kind relative to service, overcharging, theft of parts, damage to towed or stored vehicles, discourteous treatment or unethical behavior and the like shall be referred to the Chief of Police for investigation and recommendation to the Township Administrator, if necessary. Such complaints may be cause for termination of the tower's services and removal from the rotation list by the Township Administrator. Any such termination shall be subject to an appeal set forth in Subsection A above.

SECTION 7. Except as set forth in Sections 1 through 4 above, the balance and remainder of the Code of the Township of Washington shall not be affected by this Ordinance.

SECTION 8. All Ordinances contrary to the provisions of this Ordinance are hereby repealed to the extent that they are inconsistent herewith.

SECTION 9. If the provisions of any section, subsection, paragraph, subdivision, or clause of this Ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this Ordinance.

SECTION 10. This Ordinance and its provisions contained therein shall take effect on January 1, 2026.

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INTRODUCTION: August 13, 2025

Members	Motion	Second	Ayes	Nays	Abstain	Absent	Recuse
Yerkes							
Harris							
Bennett							
Brown							
Del Borrello							

TOWNSHIP OF WASHINGTON

By: _____
Peter Del Borrello III, Council President

I, Christine Ciallella, do hereby attest the above Ordinance **O017-2025** was introduced at the Township of Washington Meeting on August 13, 2025. A public hearing will occur on September 10, 2025 at 6:00PM.

ATTEST:

_____
Christine Ciallella, RMC, CMR
Township Clerk

FAILED

ADOPTION: September 10, 2025

Members	Motion	Second	Ayes	Nays	Abstain	Absent	Recuse
Yerkes							
Harris							
Bennett							
Brown							
Del Borrello							

I, Christine Ciallella, do hereby attest the above Ordinance **O017-2025** was adopted at the Township of Washington Meeting on September 10, 2025 by Township Council after a public hearing which was scheduled for September 10, 2025. Said Ordinance shall take effect in accordance with the law.

ATTEST:

_____
Christine Ciallella, RMC, CMR
Township Clerk

On this _____ day of _____ 2025, I hereby approve the above Ordinance **O017-2025**.

_____
ANTHONY DELLAPIA, MAYOR

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