

**ORDINANCE 2013-**

**AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE, IN  
THE COUNTY OF PASSAIC AND STATE OF NEW JERSEY, TO  
AMEND CHAPTER XXI, MUNICIPAL TOWING**

**WHEREAS**, the Borough of Bloomingdale (“Borough”) provides for the towing of motor vehicles; and

**WHEREAS**, the Borough is desirous of protecting the property of and persons operating motor vehicles within the Borough; and

**WHEREAS**, the Borough seeks to promote the free flow of traffic in the Borough.

**NOW, THEREFORE, BE IT ORDAINED**, by the Mayor and Borough Council of the Borough of Bloomingdale, in the County of Passaic and State of New Jersey, as follows:

**SECTION 1.** Chapter XXI, “Municipal Towing,” of the Borough Code is amended to read as follows:

**CHAPTER XXI MUNICIPAL TOWING**

**21-1 DEFINITIONS.**

For the purpose of this chapter, the following words shall have the meanings given herein.

*Abandoned vehicle* shall mean a motor vehicle which the owner or operator leaves on a public roadway and fails to notify the police or does not attempt to repair and remove the same within a reasonable period of time.

*Absorbent* shall mean a granulated or powdered substance used to soak up fluids used in the operation of motor vehicles. A bag or container of absorbent will be defined as weighing fifty (50) pounds.

*Accident vehicle* shall mean a motor vehicle which has been involved in an accident.

*Borough* shall mean the environmental boundaries of Bloomingdale and all land within.

*Basic environmental clean-up* shall mean the cleanup and removal of small quantities of fluids used in the operation of a motor vehicle which leak onto the ground.

*Basic towing service* shall mean the towing of a vehicle or the removal and transportation of a vehicle from a highway, street or other public or private property.

*Cruising* shall mean driving an unengaged wrecker to and from along a public street in any fashion calculated for the purpose of soliciting business along any street.

*Disabled vehicle* shall mean any motor vehicle which is unable to operate under its own power.

*Garage* shall mean a building or property where motor vehicles can be sheltered, stored, repaired and made ready for use.

*Impoundment* shall mean the storage of a motor vehicle upon the order of the Police Department at either the towing operator's storage area or at a Borough facility as a result of abandonment, involvement in an accident, suspected criminal activity and/or any violation of Title 39 of the New Jersey Statutes or municipal ordinances.

*Licensee* shall mean any person, firm, partnership, association, corporation, company or organization of any kind that has been issued a license by the Borough, pursuant to this section, to provide wrecker/towing services to the Borough.

*Licensed tow truck/wrecker* shall mean any wrecker/tow ehicle licensed pursuant to the provisions of this section.

*Owner* shall mean a person, firm, corporation or partnership that owns and/or operates a motor vehicle on the roads within the Borough of Bloomingdale.

*Person* shall mean an individual, a sole proprietorship, a corporation, limited liability company or any other business entity.

*Police* shall mean the Borough of Bloomingdale Police Department.

*Principal location* shall mean the licensed place of business of the towing operator. The towing operator shall maintain a place of business where trucks, in response to police requests, are normally kept. The impound area shall be located adjacent to, or be part of, the principal location and shall comply with the local zoning ordinances. The principal location must be staffed during business hours and shall maintain a clean, comfortable waiting area with toilet facilities and an accessible phone for use by patrons.

*Recovery* shall mean the procedure in which the tow operator applies his knowledge in a skillful manner to preserve the condition of the motor vehicle while moving the vehicle to a towable position; can be achieved by several actions that may include but are not limited to winching and rigging.

*Roadway cleanup* shall mean the sweeping and removal of all debris left on the roadway as a result of an accident or incident.

*Rotating list* shall mean the list of towers prepared by the Chief of Police from which, each month, the on-duty tower for the month is designated.

*Storage rates* shall mean fees charged for the storage of motor vehicles.

*Towing operator* shall mean a person, firm, corporation or partnership engaged in the business of providing towing, road service and storage services for motor vehicles.

*Vehicle* shall mean every device in or upon or by which a person or property is or may be transported upon a highway, except devices moved by human power.

*Winching* shall mean the process of moving a motor vehicle, by the use of a cable, from a position that is not accessible for direct hookup by conventional means for loading onto a tow vehicle. Winching is not pulling a vehicle onto a tilt bed or carrier, nor lifting a motor vehicle with a conventional tow sling.

*Wrecker and tow truck* shall mean a vehicle employed for the purpose of towing, transporting, conveying and removing any vehicles which are unable to be operated under their own power from the place where they are disabled to some other place.  
(Ord. No. 4-2001)

## **21-2 PERMIT REQUIRED.**

No person, firm, or corporation shall participate in the police towing rotation within the Borough without first obtaining the necessary permit as hereinafter provided from the Chief of Police. (Ord. No. 4-2001) License or renewal applications filed after December 1st will not be accepted for the following calendar year, but shall be considered for the subsequent calendar year.

## **21-3 TERM OF PERMIT**

All permits issued under this chapter shall expire on the last day of December next succeeding the date of issuance. (Ord. No. 4-2001)

## **21-4 APPLICATION.**

Towing operators meeting the qualifications set forth below shall submit an application, in writing, to the Police Department to be considered for placement on a rotating list of towing operators. There shall be a maximum of three (3) towers on the list per year. In establishing the list, applications shall be considered on a first-come first-serve basis for qualified applicants.

- a. Application for permits issued under this chapter shall be made upon forms prepared and made available by the Chief of Police. The application shall state the following information:
  1. The complete legal business name, telephone number, and address of all locations operated by the applicant for the business of towing, indicating which is the principle location.
  2. A description of the wreckers owned by the applicant and the types of towing services to be provided.
  3. Photocopies of all registrations of every tow vehicle to be operated by the applicant. If the tow vehicle is leased, the applicant is required to submit a copy of the lease agreement.
  4. That the applicant has available space at the garage for properly accommodating and protecting all impounded/disabled motor vehicles to be towed from the place where they are impounded/disabled, and that the vehicles will not be stored or allowed to remain on public property or any street or property which is not permitted by the chapter for such storage.
  5. The names addresses and telephone numbers of any persons possessing any liens and/or encumbrances on the principal location.
  6. The name, address and telephone number of the applicant's insurance carrier and photocopies of each certificate of insurance issued by the carrier.
  7. Photocopies of all towing vehicle operator's current driver's licenses.

8. Proof that the applicant's principal location meets all zoning requirements applicable to the jurisdiction in which it is located.
  9. Description of vehicles for which the permit is desired, including year, make, model, type, color and vehicle identification number; length of time the vehicle has been in use, including documentation of the manufacturer's gross vehicle weight rating for each tow truck; and any other information which the Chief of Police shall deem necessary or proper. All leased and rented equipment must be permanently located at the contractor's place of business or residence, provided that such location is in conformity with state law, federal law and local ordinances.
  10. Any persons employed by the towing business, including the applicant/owner, who has been convicted of a crime.
  11. The application shall have affixed thereto an affidavit to be sworn to by the applicant that all of the information given in the application is true and correct.
  12. The applicant shall provide an agreement that, upon issuance of a license, the licensee shall indemnify and hold harmless the Borough of Bloomingdale, its agents, servants and/or employees from and against all claims of a third party relating to the towing and/or storage service of the licensee.
  13. Applications will be processed according to the order in which they were filed with the Police Chief.
- b. Upon this chapter becoming effective, applications shall be received during the thirty (30) day period immediately following and shall be acted upon in accordance with the other provisions of this chapter. Thereafter, applications shall be received prior to December 1st for processing prior to January 1st. Application shall be accompanied by a fee of two hundred (\$200.00) dollars.

#### **21-5 INVESTIGATION.**

- a. Within thirty (30) days after receipt of an application, the Chief of Police or his designee shall cause an investigation to be made of the applicant and his proposed business operation and shall make or have made an inspection of the vehicle.
- b. The Chief of Police may delegate the inspection of the vehicle to a person or persons, who shall make such an inspection and who shall report to the Chief of Police whether the wrecker is in a thoroughly safe and sanitary condition and complete with the requirements and standards of this chapter, as given herein.
- c. Upon completion of the investigation and inspection, the Chief of Police shall either refuse to approve the application or shall approve the application in accordance with the standards given herein, and shall inform the applicant of his decision. If the application is approved, the applicant shall supply the Chief of Police with the insurance policies or certificates as required.

- d. Upon receipt of the policies or certificates, the Chief of Police shall make appropriate notations on the applications and shall notify the Mayor and Council that the application has been approved. He shall maintain a file of the aforementioned documents. (Ord. No. 4-2001)

#### **21-6 REQUIREMENTS FOR APPROVAL.**

The Chief of Police shall approve an application when he finds that the following requirements have been met by the applicant:

- a. The insurance policies as required have been procured and supplied.
- b. The applicant and proposed operators are qualified to operate the wrecker and conduct a wrecker service in the Borough. Permit holders will be required to submit a list of operators and their legal addresses and keep the Police Department informed of any changes. The applicant shall have his garage located within 2.5 miles of the municipal building of the Borough of Bloomingdale, 101 Hamburg Turnpike, Bloomingdale, New Jersey and shall have at least one (1) tow truck maintained at the garage.
- c. The requirements of this chapter and all other laws, statutes, and ordinances have been met.
- d. The vehicles have been properly licensed and conform to the State motor vehicle laws.
- e. The wrecker or tow truck to be approved on inspection meets the required minimum standards set forth herein.
- f. The garage shall have a secured impound yard consisting of a fence of the maximum height permitted by the local zoning ordinance, with a locked gate. The impound yard shall be large enough to accommodate and protect all towed and disabled vehicles which have been Police Department generated. Stored vehicles within this impound yard shall not be seen from the roadway.  
  
(Ord. No. 4-2001)
- g. There must be a business office open to the public between 8 a.m. and 5 p.m., at least 5 days a week, excluding holidays.
- h. The impound area shall be properly lighted from dusk to dawn and must be properly safeguarded from vandalism and/or theft.
- i. The Borough of Bloomingdale Police Department shall be granted access to any part of the impound area at any time, day or night, for the purpose of inspection and/or investigation. This shall include indoor and outdoor areas.

- j. Towing companies agree that the Borough of Bloomingdale may make periodic drivers' license checks, registration checks, background checks and insurance checks.

The Chief of Police may disqualify any applicant wherein an employee, owner, principal, agent and/or officer has been convicted of a crime involving moral turpitude or excessive moving violations or a substantial violation under this section.

#### **21-7 MINIMUM STANDARDS FOR WRECKERS OR TOW TRUCKS.**

The following shall serve as a minimum standard for wreckers:

- a. A wrecker shall be able to handle all makes of passenger cars and small trucks, such as pickup and small panel trucks up to one (1) ton and must have or be equipped with the following:
  - 1. All wreckers shall be a minimum of three-quarter (3/4) ton according to the manufacturer's specifications and shall have dual rear wheels.
  - 2. A power take off controlled with a minimum cable thickness of three-eighths (3/8) inch or equivalent.
  - 3. Gross weight equal to the vehicles to be towed, with a minimum of five thousand five hundred (5,500) pounds.
  - 4. A three-eighths (3/8) inch safety chain. The lift chain and the safety chain are not to be attached in any form or manner to the same part of the wrecker.
  - 5. Front and rear flashing hazard lights.
  - 6. An approved light bar or equivalent.
  - 7. All lights shall be of such candlepower in intensity as to be visible one-fourth (1/4) of a mile away.
  - 8. All towing company drivers shall carry their business cards and must give it to the owner/driver of the vehicle to be towed.
  - 9. All companies will have the company name, address, and phone number permanently affixed (in letter and numbers) a minimum of three (3) inches on both sides of the wrecker prior to said wrecker being used on any Borough rotation calls. The letter and numbers shall be a minimum of three (3) inches in height.
  - 10. The wrecker is equipped with a flatbed and sufficient equipment to clean up the debris on the highway. The operator must clean away the debris at the scene.

11. Response by wreckers and tow trucks, maximum fifteen (15) minutes between the hours of 7:00 a.m./10:00 p.m.; and 4:00 p.m./7:00 p.m.; twenty (20) minutes all other times.

(Ord. No. 4-2001)

12. Two (2) reflectorized traffic safety vests.
  - b. All employees performing work while on a roadway, twenty-four (24) hours a day shall wear at all times a reflectorized traffic safety vest, to be provided by the employee's towing firm.
  - c. The towing operator shall provide all trucks with a shovel, broom and other equipment necessary to clean up broken glass and debris from the scene of any accident to which they are summoned. The towing operator shall be responsible for the subsequent cleanup. Each truck shall have at least one (1) bag or container of absorbent for oil and/or any other liquid, except gasoline, that might be spilled onto a roadway as a result of an accident. If gasoline is spilled as a result of any accident, the Police Department shall immediately notify the Fire Department for immediate removal. Absorbed liquids, other than gasoline, shall be removed from the roadway by the tower, placed in plastic bags and then placed in the towed vehicle by the towing operator and shall be disposed of by the owner of said vehicle.

#### **21-8 INSURANCE POLICIES.**

- a. No wrecker shall be called by the police unless the vehicles have been approved and the following insurance policies or certificates of insurance specifically naming the Borough as an insured party are filed with the Chief of Police.
  1. Automobile liability in an amount not less than \$1,000,000 for bodily injury per person, \$3,000,000 for bodily injury per accident and \$500,000 for property damage per accident.
  2. Garage Keeper's Policy. A garage keeper's legal liability policy covering fire, theft, and explosion in the minimum amount of twenty-five thousand (\$25,000) dollars and collision coverage subject to one hundred (\$100) dollars deductible, with each accident deemed a separate claim.
  3. Garage Liability Policy. A garage liability policy covering the operation of the applicant's equipment or vehicles for any bodily injury or property damage. This policy shall be in the amount of \$500,000/\$1,000,000.
  4. Worker's compensation as required by statute.
  5. Comprehensive general liability in an amount not less than \$2,000,000.
- b. Each policy required herein must contain an endorsement providing ten (10) days notice to the Borough in the event of any material change or cancellation for any cause.

- c. In the event the policy is changed so as to fail to conform with the above requirements, or if any policy of any approved wrecker is canceled for any reason, the Chief of Police shall notify the person responsible for the policy and it shall be corrected or reinstated or replaced with a conforming policy within ten (10) days after the notice is received and before the date of cancellation. If the policy or certificate is not corrected, reinstated, or replaced within the required time, the Chief of Police shall immediately suspend the wrecker permit.

(Ord. No. 4-2001)

#### **21-9 DISPLAY OF IDENTIFICATION CARD.**

The Chief of Police shall issue to the person owning an approved wrecker a card, in such form as may be set by the Chief of Police, which shall be at all times displayed on the passenger side of the rear window of each wrecker. The card shall bear the name of the owner, the rate of charges, and a notice that in case of any complaint, the complainant may notify the Chief of Police, giving the license number of the wrecker. The card shall also have the signature of the Chief of Police and the date of inspection of the wrecker. (Ord. No. 4-2001)

#### **21-10 POWERS AND DUTIES OF CHIEF OF POLICE AND BOROUGH ADMINISTRATOR/FULL-TIME MAYOR.**

The Chief of Police is hereby authorized to establish reasonable rules and regulations for the inspection and operation of wreckers and the design, construction, maintenance and conditions for the safe conduct of a wrecker service business, in accordance with the standards outlined in this chapter. The Chief shall maintain due vigilance over all wreckers to see that they are kept in a safe condition for transporting and hauling disabled vehicles and shall have the right at all times to inspect all licensed wreckers. If at any time the Chief of Police shall find the equipment inadequate or unsafe or find that the operator is not adhering to the rules or regulations promulgated by the Chief providing for adequate service, or otherwise violating the terms of this chapter the Chief of Police has the authority to suspend. Furthermore, the Chief of Police can suspend any license at any time for criminal activity, Title 39 violations or any violation(s) of this section. When a license is suspended, the Chief of Police shall forward a full report to the Borough Administrator/Full-time Mayor and Mayor and Council within seven (7) business days after said suspension. If the licensee objects to the determination of the Chief of Police, the licensee may request a hearing before the Borough Administrator or Full-time Mayor. The licensee must notify the Borough Administrator in writing of a request for a hearing within twenty (20) days of the suspension notice issued by the Chief of Police.

The Borough Administrator or Full-time Mayor shall conduct a hearing on the matter and impose such penalties, suspensions as shall be proper. The Administrator or Full-time Mayor, at the conclusion of the hearing, may affirm or reverse the decision of the Chief of Police. In the event the Borough Administrator or Full-time Mayor determines that a suspension of more than thirty (30) days should be imposed or that a permit should be revoked, the aggrieved party may, within five (5) days of notification of the Borough Administrator or Full-time Mayor's decision, appeal the decision in writing to the Mayor



and Council. The Mayor and Council shall conduct a hearing within thirty (30) days of receipt of the written appeal.

The Chief of Police is also hereby authorized and empowered to establish from time to time such additional rules and regulations, not inconsistent herewith, as may be reasonable or necessary in carrying out the provisions of this chapter. (Ord. No. 4-2001)

#### **21-11 HEARINGS BY THE MAYOR AND COUNCIL.**

The aggrieved party shall be given at least ten (10) days notice of a hearing by the Mayor and Council as provided in Section 21-10 above. The Mayor and Council shall render a decision within thirty (30) days of the hearing. (Ord. No. 4-2001)

#### **21-12 RECORD OF OWNERS AND OPERATORS.**

The Chief of Police shall keep a record of names of all persons owning or operating wreckers approved under this chapter, together with the license number and description of the wreckers and the date and complete record of inspection made of them. (Ord. No. 4-2001)

#### **21-13 SERVICE RATES.**

- a. Charges for transportation, hauling or service of disabled vehicles by an approved wrecker or operator of any approved wrecker shall not exceed rates to be fixed by the Borough Council by ordinance.
- b. Every owner of the wrecker shall give the owner of the vehicle a written receipt for the fee paid. Copies of receipts shall be maintained by the owner for two (2) years and available for inspection by authorized Borough officials.

(Ord. No. 4-2001)

#### **21-14 CONDUCT OF OWNERS AND OPERATORS.**

- a. A wrecker permit hereunder shall be subject to the following conditions:
  1. No person shall seek employment by driving his wrecker to and from in a short space in front of any disabled vehicle or otherwise interfering with the proper and orderly progress of traffic along the public highways.
  2. No person owning or operating a wrecker shall engage in cruising.
  3. No person owning or operating a wrecker licensed under this chapter shall permit or invite loitering within or near the wrecker.
  4. No person shall solicit or attempt to divert prospective patrons of another wrecker nor shall he solicit or divert prospective patrons of a given garage in the Borough to another garage.
  5. No person shall solicit, demand, or receive from any person any commission or fee except the proper fee for transporting the disabled vehicle.

6. No person shall pay any gratuity, tip, or emolument to any third person not involved in the accident or to any police officer for any information as to the location of any accident or for soliciting the employment of the operator's services, nor give any gratuities, fees, or other compensation or gifts to any members of the Police Department.
7. No wrecker which happens to be passing by is permitted to solicit business from any of the drivers involved in the accident. Any wrecker at the scene may be used by the investigator to clear the scene if traffic conditions preclude waiting for the authorized wrecker; however, this may not authorize them to tow the vehicle from the scene.
8. Shall any wrecker called by unable to respond adequately, or not have available the equipment required for a particular job, the Police Department using the rotation list, not the tower shall obtain a substitute.
9. A patron or towee shall be given the opportunity by the Police Officer to secure a wrecker of his choice unless the Police Officer determines that the interests of traffic movement and control, and/or the public health and safety require the services of a wrecker on the rotation list. The decision of the Police Officer shall be final.

(Ord. No. 4-2001)

- b. Towing Operator Personnel. The employees of the towing operator shall meet the following requirements:
  1. An employee of the towing operator shall under no circumstances be deemed an agent, servant and/or employee of the Borough or represent to the public that he/she is an employee of the Borough of Bloomingdale.
  2. No person shall be employed by the towing operator unless he/she has obtained a record check and has been approved by the Borough of Bloomingdale Police Department.
  3. The towing operator and his employees are prohibited from collecting or attempting to collect a fee, commission, pay or charge other than as provided for in this section.
  4. The name of the individual tow truck employee shall be listed on the towing ticket/receipt.
  5. The towing operator shall provide the Police Department with a list of said personnel and copies of each operator's commercial driver license (CDL) and social security number.
  6. No towing operator shall employ, directly or indirectly, any employee of the Bloomingdale Police Department.
  7. No cruising by personnel shall be permitted.
  8. The licensee shall be responsible for roadway cleanup, which shall include but not be limited to removing broken glass and debris at the

scene of an accident, as per N.J.S.A. 39:4-56.8b, and may charge the owner of the vehicle that created the debris a reasonable clean-up fee.

9. The police officer at the scene of an accident or disabled vehicle shall be in complete charge and shall be responsible to guarantee that the scene is properly cleared and safe for traffic to resume safely.

#### **21-15 RECORDS AND IMPOUNDMENT RULES.**

- a. **Regular Towing Service.** Every person owning an approved wrecker shall keep a record of all details of each vehicle towed, serviced, or transported, together with full information concerning the service and fee charged **for a four year period.** This record shall indicate the date of towing, location, and the name and address of the owner and/or driver of the disabled vehicle. The record book herein described shall be kept open for inspection at all times by the Chief of Police or any duly authorized representative of the Chief.
- b. **Vehicles Impounded by the Police Department.** All companies on the towing list shall maintain a record regarding all vehicles impounded at the request of the Bloomingdale Police Department. For example, abandoned vehicles, recovered stolen vehicles, or vehicles held for investigation by the Department. This record shall be made available to any Police Officer for inspection upon request and shall contain the following information:
  1. The date, time, location, and name of the wrecker driver who towed the vehicle at the Department's request.
  2. The name of the Police Officer who requested the vehicle be impounded.
  3. The physical location of the vehicle after being towed.
  4. Identification of the impounded vehicle to include make, model, color, vehicle identification number, license number, and name of registered owner if known.
  5. A vehicle impounded by the Police shall not be released without a Tow Order Release Form authorizing said release.
  6. A written record shall be kept or maintained by the towing service indicating the name of the person releasing the vehicle, the type of "proof of ownership" presented, and the name of the person receiving said vehicle.
- c. It shall be the responsibility of the towing company to obtain proper proof of ownership and identification prior to the release of any vehicle. Release of any vehicle to an unauthorized person by the towing company shall result in liability against such company.

(Ord. No. 4-2001)

**21-16 ROTATING CALL LIST.**

- a. Wreckers performing towing service under these regulations shall perform on a monthly rotating basis, which rotating list shall be limited to those approved wrecker operators. The Chief of Police is hereby authorized to establish a system of rotation in the assignment of wreckers in the area. Wreckers shall be assigned from the rotating list only. No person shall respond to the scene of an accident except upon notification by the officer in charge of police headquarters or upon request of the driver or owner of the disabled vehicle.
- b. Additional rules and regulations regarding the rotation of wreckers as may be promulgated hereunder by the Chief of Police shall take effect immediately after service of a copy thereof to all permit holders for wreckers in the Borough which may be made by addressing same to the permit holders by mail at their last known addresses.

(Ord. No. 4-2001)

**21-17 TOWING RATES; COMPLAINTS; APPEALS.**

- a. The towing rates for the Borough of Bloomingdale shall not exceed those as established by the New Jersey Department of Insurance and promulgated in the New Jersey Register.
  - 1. Basic Tow: (up to 8000 gv) \$80.00
  - 2. Basic Tow Medium duty: (8001-18000 gv) \$150.00
  - 3. Basic Tow Heavy duty: (18001-80000 gv) \$275.00
  - 4. Waiting time per hour billable in 15 min increments \$80.00
  - 5. Clean up including brush, one bag of 50 lb absorbent \$40.00
  - 6. Tarping/crash wrap \$15.00
  - 7. Winching (under 8000 gv) per hour billable in ½ hr increments \$120.00
  - 8. Winching (over 8000 gv) per hour billable in ½ hr increments \$450.00
  - 9. Storage (up to 8000 gv) \$35 per day
  - 10. Storage (over 8000 gv) rate determined by spaces used \$50 per day
  - 11. Additional labor (tire changes, lock outs etc...) \$40.00
- b. A copy of these rates and fees shall be on file in the office of the Borough Clerk and available for public inspection during regular business hours. Each towing company shall maintain a copy of said fee schedule and have the same available for inspection by any patron or towee.
- c. All complaints received by the Borough regarding a towing operator's performance under the provisions of this section shall be investigated by the Chief of Police or his designee. Any person whose vehicle is towed by the Borough of Bloomingdale, and wishes to lodge a complaint regarding said

towing, may do so by submitting a written grievance to the Borough Administrator or Full-time Mayor's Office. The Borough Administrator or Full-time Mayor shall review all grievances and attempt to structure a satisfactory resolution of the dispute.

- d. Any person who wishes to appeal the towing costs of their vehicle and any charges they incurred as a result of the towing may do so by:
  - 1. Obtaining a copy of the "Towing Appeals Form" from the Office of the Borough Administrator/Full-time Mayor;
  - 2. Completing the entire form and attaching a copy of the towing receipt;
  - 3. Submitting the form to the Borough Administrator/Full-time Mayor within twenty (20) days of the vehicle being towed.
- e. Failure to properly complete the form or submit the form within the twenty (20) day time period will disqualify the appeal from consideration. No appeal shall be heard until all outstanding fines or tickets have been paid by the appellant.

(Ord. No. 4-2001; Ord. No. 21-2007 § 1)

**SECTION 2.** All ordinances or parts of ordinances of the Borough of Bloomingdale inconsistent herewith are repealed to the extent of such inconsistency.

**SECTION 3.** If any section, subsection, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid by any court or competent jurisdiction, such decision shall not affect the remaining portion of this ordinance.

**SECTION 4.** This law shall take effect immediately upon final passage, approval and publication as required by law.

ATTEST:

BOROUGH OF BLOOMINGDALE  
COUNTY OF PASSAIC  
STATE OF NEW JERSEY

\_\_\_\_\_  
Jane McCarthy, Clerk

By: \_\_\_\_\_  
Jonathan Dunleavy, Mayor