

LICENSED TOWING OPERATORS

(Licensed Towing Operator- A towing operator who has complied with all provisions of the New Jersey Statutes and regulations and all of the provisions of these regulations and whose name appears on the list of licensed towing operators maintained by the Clerk of the City of Millville) See Attachment A- Services to be Performed by Licensed Towing Operators and Responsibility of Towing Operators on List.

License term. All licenses issued shall be effective for the period of two years. The license shall begin on the first day of January and end on the 31st day of December two years after the granting of the same. All licenses shall expire automatically; applications for renewal thereof shall be submitted on or before December 1 of the expiring year. Applications received after December 1 of the expiring year will not be accepted.

LICENSE APPLICATION (Chapter 52, Article 13)

\$500.00 Non-Refundable License Fee (Two Year License)

**Attach Copy of State of New Jersey Business Registration Certificate
Attach Copy of State of New Jersey Certificate of Authority for Sales and Use Tax**

Attach Copy of Company Insurance Policy

Attach Copy of Vehicle Insurance Policy

Attach Copy of Each Towing Vehicle Registration & Insurance Card

Attach Copy of Each Driver's Or Operator's Current Driver's License

Attach a Current and Complete Criminal History of Towing Operator and Each Driver employed by or otherwise associated with the towing operator

Attach a Current and Complete State of NJ Certified Motor Vehicle Abstract of Towing Operator and Each Driver employed by or otherwise associated with the towing operator

Attach Letter of Compliance of Land Use Ordinance from the Zoning Official representing the Municipality having jurisdiction of the Towing Operator's base of service, dispatch and/or storage facilities, Planning Board Site Plan Approval (if applicable) and a Plot Plan

Attach Letter of Compliance of applicable property maintenance and health codes from the City Clerk of the Municipality having jurisdiction of the Towing Operator's base of service, dispatch and/or storage facilities

Attach Copy of Certificate of Liability Insurance Naming City of Millville as Certificate Holder

Attach Schedule of Storage and Towing Fees

Attach List of Fees for Non-basic Towing, if applicable, in accordance with Section 52.66L

DATE OF APPLICATION: _____ NON-REFUNDABLE FEE PAID: \$ _____

BUSINESS INFORMATION:

NAME OF BUSINESS: _____ PHONE#: _____

STREET ADDRESS: _____
(Required) Street Number Street Name

PO Box City State Zip Code County

OWNER INFORMATION:

NAME OF OWNER: _____ PHONE#: _____

STREET ADDRESS _____
(Required) Street Number Street Name

PO Box City State Zip Code County

EMAIL ADDRESS: _____

D.O.B: ____/____/____ DL#: _____ SS#: ____ - ____ - ____
Month Day Year Attach Copy of DL and/or Legal Id

PARTNERSHIP INFORMATION:

NAME OF PARTNER: : _____ PHONE#: _____
Please Print

PARTNER'S ADDRESS: _____
Street Number Street Name

PO No. _____ City _____ State _____ Zip _____ County _____

D.O.B.: ____ / ____ / ____ DL#: _____ SS#: _____ - _____ - _____
Month Day Year Attach Copy of Driver's License

CORPORATION INFORMATION:

NAME OF PRESIDENT: _____ PHONE#: _____
Please Print

ADDRESS: _____
(Required) Street Number Street Name

PO No. _____ City _____ State _____ Zip _____ County _____

D.O.B.: ____ / ____ / ____ DL#: _____ SS#: _____ - _____ - _____
Month Day Year Attach Copy of Driver's License

MOTOR VEHICLE STORAGE FACILITY INFORMATION:

STREET ADDRESS: _____
(Required) Street Number Street Name

PO Box _____ City _____ State _____ Zip Code _____ County _____

§ 53-64 Towing facilities.

A. Every tow operator on the Police Department Tow List shall maintain an inside building and outside secured storage area meeting the following requirements:

(1) The storage area shall be capable of storing not less than 25 passenger vehicles and one tractor and trailer. The area shall have not less than 800 square feet of inside storage facilities to hold and protect "police hold" vehicles.

(2) The storage area shall be located either within the limits of the City or at such location outside of the City as to facilitate a response time of not more than 20 minutes.

(3) Outside storage areas shall be fully enclosed by a fence of sufficient security to prevent trespassing having a height of eight feet, or as otherwise prescribed by the City of Millville Zoning Ordinance with at least one lockable gate for ingress and egress, and shall be lighted from dusk to dawn. (If the storage facility includes more than one access point, then all access points must be secured with appropriate gate and lock.) Fences which are not less than six feet in height which existed prior to adoption of this chapter shall be permitted; however, if such fences are replaced, the new fence shall be eight feet in height or as otherwise prescribed by the Zoning Ordinance.

(4) The storage facility shall be available to the Millville Police Department 24 hours a day, 365 days per year and shall be open to the public on weekdays during normal business hours and for limited but reasonable hours on weekends. The applicants shall specify the hours on which the facility will be open to the public on weekends. The storage facility shall release a stored vehicle to the owner thereof on such date as shall have been requested by said owner, and storage charges shall not accrue beyond the requested date of release.

(5) The tow operator shall have an employee on duty during all hours in which the storage facility is open.

(6) The tow operator shall not charge a release fee or other charge for releasing vehicles to their owners after normal business hours or on weekends.

B. The City of Millville shall not be responsible for processing of licensure or any other documents required by the State of New Jersey with regard to vehicles left abandoned at a repair facility. Vehicles left abandoned at a repair facility, including those involved in accidents, are the responsibility of the repair facility, per N.J.S.A. 39:10A-8.list.

RADIO COMMUNICATIONS DISPATCH CENTER INFORMATION:

Hours Available

Dispatch Center Location

CITY OF MILLVILLE
INDEMNITY CLAUSE
(Hold Harmless Agreement)

"To the fullest extent permitted by law, _____,
Owner's Name

owner of _____, agrees to defend, pay on behalf of,
Business Name of Licensed Towing Operator

indemnify, and hold harmless the City of Millville, its elected and appointed officials, its agents, employees and volunteers and others working on behalf of the City of Millville against any and all claims, demands, suits, or loss, including all costs connected therewith, and for any damages which may be asserted, claimed or recovered against or from

the City of Millville, its elected and appointed officials, its agents, employees, volunteers or others working on behalf of the City of Millville,

by reason of personal injury, including bodily injury or death and/or property damage, including loss of the use thereof, which arises out of or

is any way connected to or associated with Licensed Towing Operator

By: _____
Signature of Licensed Towing Operator

Notary

TOW TRUCK DRIVER INFORMATION: (List All Tow Truck Drivers Employed By Your Company)

Attach Current Copy of the Driver's License of each tow truck driver

1) TOW TRUCK DRIVER:

Please Print Full Name
ADDRESS: _____
Street Number Street Name

PO No. City State Zip County

2) TOW TRUCK DRIVER:

Please Print Full Name
ADDRESS: _____
Street Number Street Name

PO No. City State Zip County

3) TOW TRUCK DRIVER:

Please Print Full Name
ADDRESS: _____
Street Number Street Name

PO No. City State Zip County

4) TOW TRUCK DRIVER:

Please Print Full Name
ADDRESS: _____
Street Number Street Name

PO No. City State Zip County

5) TOW TRUCK DRIVER:

Please Print Full Name
ADDRESS: _____
Street Number Street Name

PO No. City State Zip County

6) TOW TRUCK DRIVER:

Please Print Full Name
ADDRESS: _____
Street Number Street Name

PO No. City State Zip County

7) TOW TRUCK DRIVER:

Please Print Full Name
ADDRESS: _____

Street Number

Street Name

PO No.

City

State

Zip

County

VEHICLE INFORMATION:

Description of Each Tow Vehicle and Equipment Available for Service and Name and Address of Owner

1) VEHICLE DESCRIPTION

Year

Make/Model

Vehicle/Equipment Type and Design

Vehicle Equipment/Condition

Vehicle Identification Number

License Plate Number

NAME OF VEHICLE OWNER: _____ **PHONE#:** _____

STREET ADDRESS: _____
(Required) Street Number Street Name

PO Box City State Zip Code County

Attach Copy of Title and/or Certificate of Origin, Vehicle Registration & Insurance Card for Each Vehicle/Equipment

2) VEHICLE DESCRIPTION

Year

Make/Model

Vehicle/Equipment Type and Design

Vehicle Equipment/Condition

Vehicle Identification Number

License Plate Number

NAME OF VEHICLE OWNER: _____ **PHONE#:** _____

STREET ADDRESS: _____
(Required) Street Number Street Name

PO Box City State Zip Code County

Attach Copy of Title and/or Certificate of Origin, Vehicle Registration & Insurance Card for Each Vehicle/Equipment

3) VEHICLE DESCRIPTION

Year

Make/Model

Vehicle/Equipment Type and Design

Vehicle Equipment/Condition

Vehicle Identification Number

License Plate Number

NAME OF VEHICLE OWNER: _____ **PHONE#:** _____

STREET ADDRESS: _____
(Required) Street Number Street Name

PO Box City State Zip Code County

Attach Copy of Title and/or Certificate of Origin, Vehicle Registration & Insurance Card for Each Vehicle/Equipment

4) VEHICLE DESCRIPTION

Year _____ Make/Model _____

Vehicle/Equipment Type and Design _____

Vehicle Equipment/Condition _____

Vehicle Identification Number _____

License Plate Number _____

NAME OF VEHICLE OWNER: _____ **PHONE#:** _____

STREET ADDRESS: _____
(Required) Street Number Street Name

PO Box _____ City _____ State _____ Zip Code _____ County _____

Attach Copy of Title and/or Certificate of Origin, Vehicle Registration & Insurance Card for Each Vehicle/Equipment

5) VEHICLE DESCRIPTION

Year _____ Make/Model _____

Vehicle/Equipment Type and Design _____

Vehicle Equipment/Condition _____

Vehicle Identification Number _____

License Plate Number _____

NAME OF VEHICLE OWNER: _____ **PHONE#:** _____

STREET ADDRESS: _____
(Required) Street Number Street Name

PO Box _____ City _____ State _____ Zip Code _____ County _____

Attach Copy of Title and/or Certificate of Origin, Vehicle Registration & Insurance Card for Each Vehicle/Equipment

6) VEHICLE DESCRIPTION

Year _____ Make/Model _____

Vehicle/Equipment Type and Design _____

Vehicle Equipment/Condition _____

Vehicle Identification Number _____

License Plate Number _____

NAME OF VEHICLE OWNER: _____ **PHONE#:** _____

STREET ADDRESS: _____
(Required) Street Number Street Name

PO Box _____ City _____ State _____ Zip Code _____ County _____

Attach Copy of Title and/or Certificate of Origin, Vehicle Registration & Insurance Card for Each Vehicle/Equipment

PLEASE NOTE:

This Towing Application Will Not Be Processed If The Required Documentation Is Not Attached: The following Checklist Has Been Provided For Your Convenience:

1. ___ \$500.00 Non-Refundable License Fee (Two Year License)
2. ___ Attach Copy of State of New Jersey Business Registration Certificate
3. ___ Attach Copy of State of New Jersey Certificate of Authority for Sales and Use Tax
4. ___ Attach Copy of Company Insurance Policy
5. ___ Attach Copy of Vehicle Insurance Policy
6. ___ Attach Copy of Each Towing Vehicle Registration & Insurance Card
7. ___ Attach Copy of Each Driver's Or Operator's Current Driver's License
8. ___ Attach a Current and Complete Criminal History of Towing Operator and Each Driver employed by or otherwise associated with the towing operator
9. ___ Attach a Current and Complete State of NJ Certified Motor Vehicle Abstract of Towing Operator and Each Driver employed by or otherwise associated with the towing operator
10. ___ Attach Letter of Compliance of Land Use Ordinance from the Zoning Official representing the Municipality having jurisdiction of the Towing Operator's base of service, dispatch and/or storage facilities, Planning Board Site Plan Approval (if applicable) and a Plot Plan
11. ___ Attach Letter of Compliance of applicable property maintenance and health codes from the City Clerk of the Municipality having jurisdiction of the Towing Operator's base of service, dispatch and/or storage facilities
12. ___ Attach Copy of Certificate of Liability Insurance Naming City of Millville as Certificate Holder
13. ___ Attach Schedule of Storage and Towing Fees
14. ___ Attach List of Fees for Non-basic Towing, if applicable, in accordance with Section 52.66L

CERTIFICATION OF APPLICANT FOR TOWING OPERATOR LICENSE:

The City shall in no way be responsible for the acts of the licensed towing operator in performing the services contemplated by the regulations pursuant to Chapter 52, Article 13. Accordingly, the licensed towing operator hereby agrees to save and hold harmless the City of Millville from all manner of liability as a result of its actions whether of a negligent or intentional nature.

I, _____, hereby certify that I understand the terms, definitions and conditions of the Municipal Code of the City of Millville Chapter 52, Article 13, and agree to operate under said terms and conditions.

SIGNATURE OF APPLICANT: _____
Signature Date

SIGNATURE OF NOTARY: _____
Signature Date

FOR OFFICIAL USE ONLY

ZONING OFFICE:

*APPLICATION WAS RECEIVED BY MY OFFICE ON _____ Date _____ Received By _____

APPROVED: DENIED: Zoning Officer _____ Signature _____ Date _____

A brief explanation, if license was denied: _____

FIRE SUBCODE OFFICIAL AND/OR FIRE INSPECTOR:

*APPLICATION WAS RECEIVED BY MY OFFICE ON _____ Date _____ Received By _____

APPROVED: DENIED: Fire Official _____ Signature _____ Date _____

A brief explanation, if license was denied: _____

CONSTRUCTION OFFICIAL:

*APPLICATION WAS RECEIVED BY MY OFFICE ON _____ Date _____ Received By _____

APPROVED: DENIED: Construction Official _____ Signature _____ Date _____

A brief explanation, if license was denied: _____

CHIEF OF POLICE:

*APPLICATION WAS RECEIVED BY MY OFFICE ON _____ Date _____ Received By _____

APPROVED: DENIED: Police Chief _____ Signature _____ Date _____

A brief explanation, if license was denied: _____

***INSURANCE AGENCY:**

*APPLICATION WAS RECEIVED BY MY OFFICE ON _____
Date Received By

APPROVED: DENIED: Insurance Agent _____
Signature Date

A brief explanation, if license was denied: _____

CITY CLERK/ADMINISTRATOR:

*APPLICATION WAS RECEIVED BY MY OFFICE ON _____
Date Received By

APPROVED: DENIED: City Clerk/Adm. _____
Signature Date

A brief explanation, if license was denied: _____

ATTACHMENT A

§ 52-62 Services to be performed by licensed towing operators.

- A. Licensed towing operators agree to provide the following services on an around-the-clock basis:
- (1) Removal and transporting of motor vehicles involved in a motor vehicle accident where the owner or operator of the motor vehicle has not made a preference for the towing of the vehicle.
 - (2) Removal and transporting of a motor vehicle from private or public property as may be authorized by the Police Department or the City Zoning Officer.
 - (3) Removal and disposal from City or private property motor vehicles which, pursuant to state law and regulations, would be subject to the jurisdiction of the Millville Police Department. Such vehicles shall be moved to such location as specified by the Millville Police Department.
 - (4) The storage of a motor vehicle removed and transported from the scene of a motor vehicle accident.
- B. Cleanup.
- (1) A towing operator responding to a tow shall be responsible for all site cleanup related to a motor vehicle accident, including the pickup and removal of all debris from the scene of the accident and containment of any hazardous fluids from the vehicle prior to tow, in accordance with the laws of the State of New Jersey, and all services as defined by state regulations and this Article (Article XIII of Chapter 52 of the Millville City Code).
 - (2) It is understood that the responsibility of the tow operator as established above in no way relieves the vehicle owner of his responsibility for the cleanup and removal of any debris or spilled fluids coming from his vehicle.
- C. A towing operator shall provide either one boom tow truck with a wheel lift or winch rollback or one boom tow truck with a wheel lift, capable of transporting the vehicle to be removed without additional damage. The transported vehicle shall not exceed the carry weight or capacity of the carrying vehicle.
- D. The towing operator shall ensure the proper utilization and deployment of safety devices as more particularly defined in § 55-63, herein.
- E. If a licensed towing operator is unable to handle a particular situation for whatever reason, the City shall have the right to use whatever means necessary to accomplish the removal, transporting and storage of motor vehicles.
- F. No towing operator shall subcontract any work to be performed pursuant to this chapter without having first obtained prior written approval from City Commission. Any towing operator to whom approval to subcontract work has been given shall be responsible for the services performed by and the acts and omissions of the subcontractor and shall remain liable for any violation of this chapter by the subcontractor.

§ 52-63 Responsibility of towing operators on list.

- A. The towing operator shall provide a towing facility of sufficient size to accommodate not less than 25 passenger vehicles and one tractor and trailer, and not less than 800 square feet of inside storage facilities to hold and protect "police hold" vehicles. At no time shall any automobiles towed by a towing operator be stored at any other location, except where a vehicle is towed at the request of the owner to a specific location. Vehicles shall have a maximum of sixty-day storage life with the exception of vehicles awaiting repair or in the process of being repaired at authorized body shops, in which case vehicles shall have a maximum of six months' storage life, or vehicles taken to authorized junkyards.
- B. The towing facility shall be staffed by the licensed towing operator during normal business hours and include twenty-four-hour telephone service seven days per week during the week in which the licensed facility is on call.
- C. The towing operator shall provide tow vehicles capable of handling the transporting of motor vehicles as defined in § 52-52 and equipped to provide regular towing service. Gross vehicular weight of 14,000 pounds to 15,000 pounds is "regular towing service." Gross vehicular weight of 15,000 pounds and above is "heavy towing service." Carry weight shall not be less than 4,000 pounds or less than that needed to carry the transported vehicle safely.
- D. Each tow vehicle or flatbed vehicle shall be equipped with towing and safety equipment, warning devices such as lights, flares and flags to warn other automobile operators of the presence of a disabled automobile, and mechanics tools to perform complete emergency work, including but not limited to the following:
- (1) At least one amber rotating beacon or strobe light mounted on the highest practical location of the vehicle, which when in use shall be visible from 360° at a distance of not less than 500 feet during daylight hours.
 - (2) One snatch block per winch.
 - (3) Safety tow lights or magnetic tow lights for towing vehicles at night. Safety tow lights, red in color, shall be mounted in the rear of the vehicle being towed.
 - (4) Ample chains and cable for pulling or securing a towed vehicle. The working limit of cable shall be noted.
 - (5) At least one heavy-duty broom, shovel, crowbar or pry bar, jumper cables, flashlight, fire extinguisher of dry chemical type having capacity of not less than two pounds, one dozen flares or similar warning devices for placement at the scene of an accident or behind a disabled vehicle, not less than 10 pounds of dry sand or a drying compound for gasoline and oil spilled onto the roadway, and tools sufficient to enable the tow vehicle operator to perform proper and adequate emergency repair services for the tow.
 - (6) Backup alarms.
- E. All wrecked vehicles must be in compliance with all safety equipment requirements as listed in N.J.S.A. 39:3-1 et seq. and 49 CFR 393.

F. No changes may be made to tow vehicles or equipment without prior written approval of the Millville Police Department.

G. Each tow vehicle shall display a sticker issued by the City Clerk on the upper left side of the driver's door panel and shall have the name and number of the licensed tow operator displayed on the vehicle in such manner and of such lettering as to conform to the provisions of N.J.S.A. 39:4-46.

H. Towing operators and their employees shall provide all services required by this chapter at all times and shall be subject to the following requirements:

(1) Possess sufficient knowledge, skill and ability to provide minimum road services for disabled vehicles and to adequately remove a vehicle from an accident scene without causing additional damage to the vehicle.

(2) Possess a valid driver's license and/or a commercial driver's license with no restrictions or conditional endorsements except for the wearing of eyeglasses.

(3) Be mentally alert and present a neat appearance at all times.

(4) Obey all traffic laws, statutes, regulations and ordinances promulgated by the State of New Jersey and the City of Millville.

(5) Be subject to inspection by the City Clerk and/or the Millville Police Department prior to rendering any services pursuant to this article.

(6) Have no criminal convictions and not be subject to driving privilege suspensions or revocations within one year from the date of the application or renewal.

I. The tow vehicles provided by the towing operator shall be of such type and design to properly and safely perform all towing services required by this chapter and shall at all times comply with New Jersey statutes and regulations and be subject to inspection by the Millville Police Department.

J. All drivers of tow vehicles shall possess at all times a valid New Jersey driver's license and a commercial driver's license, where applicable, which shall be subject to inspection by the Millville Police Department. Said operator shall respect all traffic laws and shall comply with all statutes and regulations of the State of New Jersey and of the City of Millville.

K. The tow vehicles provided by the towing operator shall be geographically located so as to permit a response time within 20 minutes.

L. The towing fees and storage fees established by the towing operator shall be conspicuously posted at the towing facility owned or operated by the towing operator, which fees shall not exceed the maximum fees set forth in this chapter.

M. At all times the towing operator shall maintain the towing facility in a clean and orderly fashion. Reasonable measures shall be taken by the towing operator to prevent vandalism, theft or damage to automobiles stored therein.

N. In the event that automobiles which are towed and stored by the towing operator are abandoned or unclaimed by the owners thereof, the towing operator shall make no claim against the City, its agents or employees. Only those vehicles towed from private property or public right-of-way under authorization of either the City Zoning Officer or the Police Department, not including accident vehicles, shall be disposed of by the City pursuant to N.J.S.A. 39:10A-1 et seq., or other appropriate state statutes or state regulations.

O. The towing operator operating pursuant to these regulations is an independent contractor and in no sense an agent, servant or employee of the City. Said operator shall at all times maintain direct supervision, management and control over all its employees and personnel engaged in the operation or services performed pursuant to these regulations.

P. The City shall not be responsible for the acts of the towing operator in performing the services contemplated by this chapter. The towing operator agrees to save and hold harmless the City from all manner of liability as a result of its actions or omissions, whether of a negligent or intentional nature.

Q. Towing operators approved for tow list eligibility shall be required to fulfill tow requests of the Millville Police Department. Failure or refusal to remove a vehicle pursuant to directive of the Millville Police Department shall be cause for removal from the list.

R. The tow operator shall be responsible for ensuring the proper, safe and secure storage of all vehicles towed. The tow operator shall be liable for any and all damage incurred by such vehicles while in transit to or while stored in or at the facilities of the operator.

S. The tow operator shall record all vehicles towed in a book kept for such purposes. The details of each disabled vehicle towed, serviced or transported, together with full information of the towed vehicle and name and address of the owner and the charges paid for his services, shall be recorded. Full information of the towed vehicle shall include, but not be limited to, the vehicle's license number, VIN registration number, make, model, color and year. The record book herein described shall be kept open for inspection at all times by any duly authorized representative of the City of Millville. A quarterly towing record containing the information herein stated above shall be filed with the Millville Police Department and the City Clerk setting forth the details of all tows by vehicle type, date, time of day, sector and whether additional services were required.