

ORDINANCE NO. 238

**AN ORDINANCE PROVIDING FOR TOWING SERVICES ON
HIGHWAYS WITHIN EAST NORRITON TOWNSHIP**

WHEREAS, the Board of Supervisors of East Norriton Township desire to insure the free flow of vehicular traffic on highways within East Norriton Township in the event of a traffic accident or a vehicle breakdown.

NOW, THEREFORE, the Board of Supervisors of East Norriton Township, Montgomery County, Pennsylvania, under and by the authority granted by the Second Class Township Code do hereby enact and ordain:

Section 1. The Board of Supervisors shall establish a call list of approved towing service establishments, which list shall be utilized by the East Norriton Township Police Department to engage a towing service establishment for the purpose of expediting the clearing of highways within the Township in the event of a vehicular accident for the breakdown of a vehicle.

Section 2. Towing service establishments shall be assigned on a rotating monthly basis to be on call twenty-four (24) hours a day, seven (7) days a week during the assigned month. Establishments shall respond to a call through the East Norriton Township Police Department itself or through the Montgomery County Radio Center within twenty (20) minutes from the time of the call.

Section 3. A backup towing service establishment shall be on call on a rotating monthly basis. If the primary assigned towing service establishment fails to respond within twenty (20)

minutes from the time of the call, the backup operator shall be notified and will have the primary responsibility of towing if the backup towing service establishment responds within twenty (20) minutes from the time of the backup call.

Section 4. The towing service establishment shall be responsible for reasonable security of the towed vehicle and its contents during the towing of the vehicle and during the storage of the vehicle. Nothing herein shall be construed to impose upon East Norriton Township liability for the conduct of the towing service establishment, its agents, servants, workmen or employees. Towing service establishments shall at no time be the agent of the Township nor shall they in any manner be compensated by the Township.

Section 5. In all events, the owner/operator of a vehicle which must be towed shall have the first option to select a towing service establishment to tow the disabled vehicle so long as such selection is reasonable under the circumstances. The East Norriton Township Police Department shall have authority under this Ordinance to call the towing service establishment only if the owner/operator of a disabled vehicle is unwilling or unable to select a towing service establishment.

Section 6. Abandoned vehicles shall be towed and stored only by authorized salvagers which have been issued a certificate of authorization from the Pennsylvania Department of Transportation.

Section 7. All towing establishments on the call list shall maintain current liability insurance policies in effect. Towing establishments shall furnish to the Township evidence of current coverage prior to be entered on the call list and at such other times as the Township shall request evidence of coverage.

Section 8. The Board of Supervisors shall establish regulations concerning the qualification criteria for towing service establishments to be included on the call list and the ^{maximum} rates to be charged by such towing service establishments.

ENACTED AND ORDAINED by the Board of Supervisors of the Township of East Norriton, Montgomery County, Pennsylvania, this 15th day of September, 1986.

BOARD OF SUPERVISORS OF
EAST NORRITON TOWNSHIP

By: John W. Duhlt

Chairman

Attest:

Helmut J. Bannwald
Secretary

EAST NORRITON TOWNSHIP TOWING SERVICE
ESTABLISHMENT CALL LIST REGULATIONS

SECTION 101

These regulations are issued by the East Norriton Township Police Department (the "Department") pursuant to Ordinance No. 238 approved September 15, 1986. The Ordinance provides for the establishment of a towing service ~~establishment~~ call list to be used to clear disabled vehicles from highways within the Township in the event of a traffic accident or a vehicle breakdown.

SECTION 102

The Department is charged with the administration and enforcement of the Ordinance. All questions about the Ordinance should be sent to the Department.

SECTION 103

Towing service establishments placed upon the call list shall be equipped to clear the roadway of debris and remove the debris from the scene in a suitable container. Such establishments shall be knowledgeable as to proper procedures and operations and shall have proper and safe tow trucks and tow equipment.

SECTION 104

Rates:

- (a) The towing fee rates shall be as follows:
1. Daytime (between 7:00 A.M. and 7:00 P.M.)
- Thirty Dollars (\$30.00);

11/17/86
Paul [Signature]
11/17-86

2. Nighttime (between 7:00 P.M. and 7:00 A.M.) - Thirty Five Dollars (\$35.00).

(b) Special tow situations involving heavy equipment, use of flatbeds, and other special circumstances shall be subject to fee rates which are reasonable and customary in Montgomery County.

(c) The storage rate for towed vehicles shall be Ten Dollars (\$10.00) per day after the first twenty-four (24) hours.

SECTION 105

(a) Violations of these regulations shall be investigated by the Department. Warnings as to violations of these regulations may be issued by the Chief of Police. If the Chief of Police deems the violation to be substantial, notice of such violation shall be forwarded to the Township Manager of East Norriton Township for adjudication and shall be subject to the approval of the Board of Supervisors.

(b) Substantial violations may be enforced by suspension from the call list for a limited period of time or removal from the call list.

(c) Any person aggrieved by an adjudication made by the Township Manager and approved by the Board of Supervisors may, within thirty (30) days after receipt of notice of such adjudication, request a Hearing before the Board of Supervisors. The Board of Supervisors shall arrange promptly for such a hearing.