

ORDINANCE NO. 2023-03
AN ORDINANCE OF THE TOWNSHIP OF BENSALEM
AMENDING THE BENSALEM TOWNSHIP CODE
CHAPTER 229. "VEHICLES FOR HIRE"
AT SECTION 229-27. "DUTIES OF LICENSEES";
REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND
ESTABLISHING AN EFFECTIVE DATE HEREFOR

WHEREAS, the Township of Bensalem is a duly organized township of the second class, existing and operating in accordance with the laws of the Commonwealth of Pennsylvania; and

WHEREAS, in accordance with the Second Class Township Code of Pennsylvania, Act May 1, 1933, P.L. 103, No. 69., reenacted and amended by the Act of November 9, 1995, P.L. 350, No. 60, as amended, 53 P.S. 66001, et seq., the Township is vested with various corporate powers, including but not limited to the adoption and enactment of such ordinances and regulations necessary for the proper care, management, and control of the Township; and

WHEREAS, the Township has enacted, from time to time amended, the Code of the Township of Bensalem, for the promotion, protection and facilitation of the health, safety, morals and general welfare of the Township and its residents; and

WHEREAS, the Council of the Township of Bensalem has determined that the health, safety and general welfare of the residents of Township of Bensalem will be served by amending the Township Code of Ordinances, Chapter 229 – "Vehicles for Hire" at Section 27– "Duties of Licensees."

NOW THEREFORE, BE IT ORDAINED by the Council of the Township of Bensalem, County of Bucks, Commonwealth of Pennsylvania, that the Township's Code of Ordinances shall be amended as follows:

I. AMENDMENT

- A. Part II. "General Legislation", Chapter 229. "Vehicles for Hire", Article II. "Towing Services", Section 229-27. "Duties of Licensees", Subsection (d) is amended to modify fees charged, which shall be amended to read as follows, with the underlined portion of the text indicating the revised portion of the Code:

(d) Fees charged by the licensee, when towing as an independent contractor to the Township shall at all times be reasonable and shall in no case exceed rates set forth below, or such rates which may from time to time be established by resolution of the Township Council.

- 1) Wrecker/flatbed: \$175.00 per tow for service during any day of the week and any time of the day.
- 2) Heavy duty wrecker: \$265.00 per towing service during any day of the week and any time of the day.
- 3) Storage: \$75.00 per day outside storage, \$100.00 per day inside storage. These rates will also apply to vehicles stored at Bensalem Township Municipal Facilities.
- 4) Unusual circumstances: Additional fees at reasonably prevailing rates may be applied in the case of any unusual circumstances, i.e., seriously wrecked vehicles, vehicles in remote or inaccessible areas, clean-up of an exceptional amount of debris, or like situations.

II. REPEALED PROVISIONS

All Ordinances and/or parts of Ordinances of the Township that are inconsistent with this Ordinance are hereby repealed.

III. SEVERABILITY, INCONSISTENCIES, EFFECTIVE DATE

The provisions of this Ordinance are severable. If any section, clause, sentence, part or provision of this Ordinance shall be determined to be illegal or invalid by any court of competent jurisdiction, such decision shall not impair or affect the remaining terms, sections and clauses of this Ordinance. If there are any inconsistencies between the provisions of the Ordinance and any other section of the Zoning Ordinance in effect, the terms and provision of this Ordinance shall control. This Ordinance shall be effective five (5) days after it has been approved by the Mayor, or in default thereof, five (5) days after it is deemed approved by operation of law.

ORDAINED AND ENACTED this 9th day of January, 2023.

Ed Kisselback
ED KISSELBACK, COUNCIL PRESIDENT

Joseph Pilieri
JOSEPH PILIERI, COUNCIL VICE PRESIDENT

Joseph Knowles
JOSEPH KNOWLES, COUNCIL SECRETARY

Attested to:

Debora F. McBreen
Debora F. McBreen
Clerk of Council

Michelle Benitez
MICHELLE BENITEZ, COUNCIL MEMBER

Stacey Champion
STACEY CHAMPION, COUNCIL MEMBER

THE FOREGOING ORDINANCE IS APPROVED ON THE 9th DAY OF
January, 2023.

Joseph V. DiGirolamo
JOSEPH V. DIGIROLAMO, MAYOR