

**BOROUGH OF BUENA
COUNTY OF ATLANTIC**

ORDINANCE NO. 758

**AN ORDINANCE AMENDING ORDINANCE 709, AS AMENDED,
CHAPTER 223 OF THE CODE OF THE BOROUGH OF BUENA,
ENTITLED VEHICLE TOWING AND STORAGE**

WHEREAS, the Council of the Borough of Buena has determined that in order to assure and to provide for the health, safety and welfare of the residents of the Borough of Buena it is necessary to establish a licensing procedure for businesses operating tow vehicles that may be towed by law enforcement for the quick removal and storage of abandoned, illegal and/or inoperable vehicles on public and private property in the Borough of Buena; and

WHEREAS, on June 13, 2022, the Council of the Borough of Buena adopted Ordinance 709, Chapter 223 of the Code of the Borough of Buena, setting forth the process for owners and operators of such facilities to be so licensed, however, as a result of the police services now being provided by the Township of Franklin, Gloucester County (Franklin), it is necessary to amend Chapter 223, Section 223-14 to reflect the operation of police services by Franklin and to adopt a uniform fee schedule to coincide with that of Franklin Township.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Borough of Buena that Chapter 223, Section 223-14 entitled **Rates and fees for service** of the Code of the Borough of Buena be amended as follows:

Section 223- 14 entitled **Rates and fees for service** shall be deleted in its entirety and replaced as follows:

Section 223-14 Rates and fees for service

- A. When performing services under the Police Tow List to tow and/or store a motor vehicle, the towing charge and storage charge shall not exceed those charges as set forth in this chapter. These are maximum fees that may be charged.
- B. The fee schedule effective at the time of adoption of this chapter is as follows:
 - (1) Towing.
 - (a) Days:
 - [1] First mile or less: regular duty, \$150; heavy duty, \$450 (per hour) (payable in fifteen-minute increments).
 - [2] Each additional mile: \$5.
 - (b) Nights, weekends and New Jersey state holidays:
 - [1] First mile or less: regular duty, \$175; heavy duty, \$450 (per hour).
 - [2] Each additional mile: \$5.
 - (2) Storage - will be billed per calendar day.
 - (a) Inside building.
 - [1] Per vehicle/per day: regular; \$60/heavy duty; \$125/oversized; \$200.
 - (b) Outside secured.
 - [1] Per vehicle/per day: regular; \$45/heavy duty; \$100/oversized; \$150.

- (3) Additional fees.
- (a) Cleanup: \$50 (per hour).
 - (b) Oil dry: \$25 (per bag).
 - (c) Administrative fee: \$50.
 - (d) Winching fee: basic, day: \$100; night: \$150;
 - (e) Vehicle rollover: day: \$150; night: \$200.
 - (f) Heavy-duty laborer: \$90 (per man per hour).
 - (g) Heavy-duty support vehicle: \$160 (per hour).
- C. The fees set forth on the schedules for towing rates are the maximum charges that shall apply to a motor vehicle for basic towing services. Fees related to other than basic towing services will be calculated on an incident by incident basis and at a standard estimated prevailing rate.
- D. The towing rates shall be calculated based on the total distance traveled from the tow vehicle's base of service to the job site and return by way of the shortest available route. Fractions shall be rounded up to the nearest whole mile.
- E. Tow vehicles transporting multiple motor vehicles at one time may charge the applicable fee for each such vehicle transported.
- F. When towing services are otherwise required, the day rate shall apply when the vehicle is transported (pickup and delivery) entirely between the hours of 8:00 a.m. and 6:00 p.m., Monday through Friday, except New Jersey state holidays. The night, weekend and holiday rate shall otherwise apply.
- G. The Chief of Police shall post fees, available to the public, during normal business hours along with a copy of this chapter and the fee schedules of licensed towing operators.
- H. Payment from the public shall include credit cards.

BE IT FURTHER ORDAINED that the balance of Ordinance 709 not amended hereby shall remain in full force and effect.

BE IT FURTHER ORDAINED that any Ordinance or portion thereof that is inconsistent with the terms of this Ordinance shall be repealed to the extent of such inconsistency.

BE IT FURTHER ORDAINED that should any portion of this Ordinance be deemed void by a Court of competent jurisdiction, the balance hereof shall remain in full force and affect.

Passed First Reading: July 15, 2024

Passed Second Reading: August 12, 2024

ATTEST:
By: [Signature]
Borough of Buena- Acting Clerk
PAMELA JOHNSTON

By: [Signature]
Council President
DOUGLAS ADAMS

APPROVED on this 12th day of August 2024, by the Mayor of the Borough of Buena.

ATTEST:
By: [Signature]
Borough of Buena- Acting Clerk
PAMELA JOHNSTON

By: [Signature]
Mayor
JOSEPH BARUFFI

ORDINANCE NO.

758

Introduced: July 15, 2024

Adopted: August 12, 2024

Councilmember	By	2 nd	Yes	No	Abstain	Absent
GIOVINAZZI						✓
ALVAREZ						✓
ADAMS	✓		✓			
BARSUGLIA		✓	✓			
ANDALORO			✓			
DESTEFANO			✓			

Councilmember	By	2 nd	Yes	No	Abstain	Absent
GIOVINAZZI			✓			
ALVAREZ			✓			
ADAMS	✓		✓			
BARSUGLIA			✓			
ANDALORO		✓	✓			
DESTEFANO			✓			