## **PROPOSED**

1	RESOLUTION NO. 2021-						
2	A RESOLUTION OF THE BOARD OF COUNTY						
3	COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PERTAINING TO MAXIMUM NONCONSENT RATES FOR						
4	TOWING; AMENDING SECTION 40.50 OF THE BROWARD COUNTY ADMINISTRATIVE CODE ("ADMINISTRATIVE						
5	CODE") TO PERMIT AN AFTER-HOURS ACCESS FEE FOR NONCONSENT PRIVATE TOWS AND AN ADDITIONAL						
6	FEE FOR CLASS A TOWS THAT REQUIRE SPECIAL EQUIPMENT; AND PROVIDING FOR SEVERABILITY,						
7	INCLUSION IN THE ADMINISTRATIVE CODE, AND AN EFFECTIVE DATE.						
8							
9	WHEREAS, towing companies are currently permitted to charge a fee for						
10	after-hours pickups for tows directed by a government entity, but not for other nonconsent						
11	tows;						
12	WHEREAS, towing companies performing certain private property nonconsent						
13	tows of specialized vehicles are currently unable to charge a labor fee even though these						
14	tows are more labor intensive due to the special equipment required; and						
15	WHEREAS, the Board of County Commissioners of Broward County has						
16	determined that these fees are fair and will improve the ability of towing companies to						
17	provide towing services, NOW, THEREFORE,						
18							
19	BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF						
20	BROWARD COUNTY, FLORIDA:						
21							
22	Section 1. Section 40.50 of the Broward County Administrative Code is hereby						
23	amended to read as follows:						
24	40.50. Environmental and Consumer Protection Fee Schedule.						
	Coding: Words in struck-through type are deletions from existing text. Words in underscored type are additions.						

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2	C.	Towing	g and	d Immob	ilization Rates a	nd Fees. Ti	he Brow	ard Count	y Board of
3	County Com	mission	ers h	nereby d	etermines, estab	olishes, and	fixes the	e following	rates and
4	fees:								
5									
6	4.	Maxim	um	Noncor	sent Rates:	Maximum	and a	llowable	rates for
7		noncor	nsen	t towing	and immobiliza	tion, as def	ined in t	he Browa	rd County
8					es, shall be as				·
9					ticular tow:		-		<del></del>
10		<u> </u>		-	Private Property	("Private Pi	roperty T	Tows"):	
11		, ,	(1)		A <del>Vehicle Towe</del>		CP C. Cy	<i></i>	
12			( · )	a)	Towing Fee: \$				
13				b)	Storage Fee: \$		wenty-fo	our (24) ha	nure
14				c)	Administrative	·	•	741 (Z 1) 110	Jul 0.
15				d)	Research Fee:			le costs i	ncurred in
16				u)		·			
					obtaining vehic		•		
17					notice may be	charged	o ine pe	erson reu	ieving the
18				,	vehicle.	_	<b>.</b>		
19				<u>e)</u>	After-hours Ac				
20					tow, or \$50.00	for a priva	ate prop	<u>erty tow,</u>	if the tow
21					company is cal	led to retriev	ve a vehi	icle Monda	ay through
22					<u>Friday</u> betwee	en 6:00 p.	m. and	8:00 a	.m. for a
23					government to	w, or betwe	en 10:00	p.m. and	7:00 a.m.
24					for a private pro	operty tow,	or on a S	Saturday o	or Sunday,
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or on a holiday observed by Broward County government, and the tow company is required to open the site during such time in order for the vehicle to be retrieved.

f) Labor Fee: \$30.00, if a flatbed, rollback, or tow dolly is required and used due to the specifications of the towed vehicle, such as an all-wheel drive vehicle.

## (2) Class B Vehicle Towed:

- a) Towing Fee: \$184.79. If a flatbed is used, the fee is \$205.92.
- b) Storage Fee: \$45.41 per twenty-four (24) hours.
- c) Administrative Fee: \$31.68.
- d) Research Fee: Actual, reasonable costs incurred in obtaining vehicle ownership information and providing notice may be charged to the person retrieving the vehicle.
- e) Labor Fee: \$184.79 per hour (starting when the person arrives at the scene of the vehicle and ending when such person leaves the scene), per person.
- f) After-hours Access Fee: The applicable fee permitted under subsection c.4.(a)(1)(e).

Coding:

1		(3)	Class	s C <del>Vehicle Towed</del> :
2			a)	Towing Fee: \$316.79. If a flatbed is used, the fee is
3				\$340.02.
4			b)	Storage Fee: \$52.80 per twenty-four (24) hours.
5			c)	Administrative Fee: \$31.68-
6			d)	Research Fee: Actual, reasonable costs incurred in
7				obtaining vehicle ownership information and providing
8				notice may be charged to the person retrieving the
9				vehicle.
10			e)	Labor Fee: \$316.79 per hour (starting when the person
11				arrives at the scene of the vehicle and ending when
12				such person leaves the scene), per person.
13			<u>f)</u>	After-hours Access Fee: The applicable fee permitted
14				under subsection c.4.(a)(1)(e).
15		(4)	Class	s D <del>Vehicle Towed</del> :
16			a)	Towing Fee: \$422.40. If a flatbed or lowboy is used,
17				the fee is \$340.02.
18			b)	Storage Fee: \$52.80 per twenty-four (24) hours.
19			c)	Administrative Fee: \$31.68-
20			d)	Research Fee: Actual, reasonable costs incurred in
21				obtaining vehicle ownership information and providing
22				notice may be charged to the person retrieving the
23				vehicle.
24				
	Coding:			k-through type are deletions from existing text. Words in per are additions.

1	e	<del>:</del> )	Labor Fe	e: \$105.	.59 pe	r 1⁄4	hour (startin	g when the
2			person a	rrives at th	ne sce	ne c	of the vehicle	and ending
3			when su	ch person l	leaves	the	scene), per ¡	person.
4	<u>f</u>	)	After-hou	ırs Access	Fee:	The	applicable fe	ee permitted
5			<u>under su</u>	bsection c	.4.(a)(	1)(e	<u>).</u>	
6	(b) Tows	Direc	ted Or	Perform	ed E	3 <i>y</i>	Government	Agencies
7	("Gover	nmen	t Tows"):					
8	(1)	Class /	4 <del>Vehicle</del>	Towed:				
9	а	1)	Towing F	ee:				
10			1) Fi	rst fifteen (	(15) mi	inute	es: \$137.28	
11			2) E	ach additio	onal th	nirty	(30) minutes	or fraction
12			th	ereof: \$58	3.08 <del>.</del>			
13	b	)	Storage	Fee:				
14			<u>1)</u> In	door Stora	age:	\$31	.68 per twer	ity-four (24)
15			ho	ours.				
16			<u>2)</u> O	utdoor Sto	rage:	\$25	5.35 per twer	nty-four (24)
17			ho	ours.				
18	c	:)	Administ	rative Fee:	: \$50.0	00		
19	d	l)	Researc	n Fee: Ad	ctual, r	reas	onable costs	incurred in
20			obtaining	vehicle o	wnersł	hip i	nformation a	nd providing
21			notice m	ay be cha	arged	to t	he person re	etrieving the
22			vehicle.					
23	е	<del>:</del> )	After-hou	ırs Access	Fee:	<del>\$10</del>	0.00, if the to	<del>w company</del>
24			<del>is called</del>	to retrieve	e a vel	hicle	Monday thr	ough Friday
	,		<del>through</del> ty e are addi		ons fron	n exi	sting text. Word	ds in

1				between 6:00 p.m. and 8:00 a.m., or on a Saturday or
2				Sunday, or on a holiday observed by Broward County
3				government The applicable fee permitted under
4				subsection c.4.(a)(1)(e).
5		(2)	Class	B <del>Vehicle Towed</del> :
6			a)	Towers may charge the same rates charged for
7				Class B Private Property Tows, except that the
8				Administrative Fee shall be \$50.00.
9		(3)	Class	C <del>Vehicle Towed</del> :
10			a)	Towers may charge the same rates charged for
11				Class C Private Property Tows, except that the
12				Administrative Fee shall be \$50.00.
13		(4)	Class	D <del>Vehicle Towed</del> :
14			a)	Towers may charge the same rates charged for
15				Class D Private Property Tows, except that the
16				Administrative Fee shall be \$50.00.
17				
18	Section 2.	Seve	<u>rability</u> .	
19	If any portio	n of this	s Admir	nistrative Code Resolution is determined by any court to
20	be invalid, the inva	lid port	ion will	be stricken, and such striking will not affect the validity
21	of the remainder of	this A	dministr	ative Code Resolution. If any court determines that this
22	Administrative Cod	le Res	olution,	in whole or in part, cannot be legally applied to any
23	individual, group, e	ntity, p	roperty	, or circumstance, such determination will not affect the
24				
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1	applicability of this Administrative Code Resolution to any other individual, group, entity,								
2	property, or circumstance.								
3	Section 3. <u>Inclusion in the Broward County Administrative Code</u> .								
4	It is the intention of the Board of County Commissioners that the provisions of this								
5	Administrative Code Resolution become part of the Broward County Administrative Code								
6	as of the effective date. The sections of this Administrative Code Resolution may be								
7	renumbered or relettered and the word "resolution" may be changed to "section," "article,"								
8	or such other appropriate word or phrase to the extent necessary in order to accomplish								
9	such intention.								
10	Section 4. <u>Effective Date</u> .								
11	This Administrative Code Resolution is effective upon adoption.								
12									
13	ADOPTED this day of , 2021. <b>PROPOSED</b>								
14	Approved as to form and legal sufficiency:								
15	Andrew J. Meyers, County Attorney								
16	D / / O // A /								
17	By <u>/s/ Scott Andron 03/19/2021</u> Scott Andron (date)								
18	Assistant County Attorney								
19	By <u>/s/ René D. Harrod</u> 03/19/2021								
20	René D. Harrod (date)								
21	Deputy County Attorney								
22									
23	SAJI								
24	Towing Fee Schedule Reso 03/19/2021 537924_12								
	Coding: Words in struck-through type are deletions from existing text. Words in underscored type are additions.  7								