

PROPOSED

RESOLUTION NO. 2021-

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PERTAINING TO MAXIMUM NONCONSENT RATES FOR TOWING; AMENDING SECTION 40.50 OF THE BROWARD COUNTY ADMINISTRATIVE CODE ("ADMINISTRATIVE CODE") TO MODIFY THE MAXIMUM NONCONSENT RATES FOR PRIVATE TOWS; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE ADMINISTRATIVE CODE, AND AN EFFECTIVE DATE.

WHEREAS, Broward County limits the maximum fees permitted to be charged by towing companies;

WHEREAS, the Board of County Commissioners of Broward County ("Board") has determined that it is appropriate to modify the maximum fees that may be charged for certain services; and

WHEREAS, the Board has determined that these fees are fair and will improve the ability of towing companies to provide towing services, NOW, THEREFORE,

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA:

Section 1. Section 40.50 of the Broward County Administrative Code is hereby amended to read as follows:

40.50. Environmental and Consumer Protection Fee Schedule.

...

1 c. *Towing and Immobilization Rates and Fees.* The Broward County Board of
2 County Commissioners hereby determines, establishes, and fixes the following rates and
3 fees:

4 . . .

5 4. *Maximum Nonconsent Rates:* Maximum and allowable rates for
6 nonconsent towing and immobilization, as defined in the Broward County
7 Code of Ordinances, shall be as follows based upon the towing class
8 required for the particular tow:

9 (a) *Tows From Private Property ("Private Property Tows"):*

10 (1) *Class A ~~Vehicle Towed~~:*

- 11 a) Towing Fee: \$126.72- 160.00
12 b) Storage Fee: \$25.35 per twenty-four (24) hours.
13 c) Administrative Fee: \$31.68- 50.00
14 d) Research Fee: Actual, reasonable costs incurred in
15 obtaining vehicle ownership information and providing
16 notice may be charged to the person retrieving the
17 vehicle.

18 (2) *Class B ~~Vehicle Towed~~:*

- 19 a) Towing Fee: \$184.79. If a flatbed is used, the fee is
20 \$205.92.
21 b) Storage Fee: \$45.41 per twenty-four (24) hours.
22 c) Administrative Fee: \$31.68- 50.00
23 d) Research Fee: Actual, reasonable costs incurred in
24 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.

(3) *Class C ~~Vehicle Towed~~:*

- a) Towing Fee: \$316.79. If a flatbed is used, the fee is \$340.02.
- b) Storage Fee: \$52.80 per twenty-four (24) hours.
- c) Administrative Fee: ~~\$31.68~~ 50.00
- 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: \$316.79 per hour (starting when the person arrives at the scene of the vehicle and ending when such person leaves the scene), per person.

(4) *Class D ~~Vehicle Towed~~:*

- a) Towing Fee: \$422.40. If a flatbed or lowboy is used, the fee is \$340.02.
- b) Storage Fee: \$52.80 per twenty-four (24) hours.
- c) Administrative Fee: ~~\$31.68~~ 50.00
- d) Research Fee: Actual, reasonable costs incurred in obtaining vehicle ownership information and providing

Coding:

Words in ~~struck-through~~ type are deletions from existing text. Words in underscored type are additions.

notice may be charged to the person retrieving the vehicle.

- e) Labor Fee: \$105.59 per ¼ hour (starting when the person arrives at the scene of the vehicle and ending when such person leaves the scene), per person.

(b) *Tows Directed Or Performed By Government Agencies ("Government Tows"):*

(1) *Class A ~~Vehicle Towed~~:*

a) Towing Fee:

- 1) First fifteen (15) minutes: \$137.28
- 2) Each additional thirty (30) minutes or fraction thereof: \$58.08-

b) Storage Fee:

- 1) Indoor Storage: \$31.68 per twenty-four (24) hours.
- 2) Outdoor Storage: \$25.35 per twenty-four (24) hours.

c) Administrative Fee: \$50.00

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) After-hours Access Fee: \$100.00, if the tow company is called to retrieve a vehicle Monday through Friday

between 6:00 p.m. and 8:00 a.m., or on a Saturday or Sunday, or on a holiday observed by Broward County government.

(2) ~~Class B Vehicle Towed:~~

- a) Towers may charge the same rates charged for Class B Private Property Tows, ~~except that the Administrative Fee shall be \$50.00.~~

(3) ~~Class C Vehicle Towed:~~

- a) Towers may charge the same rates charged for Class C Private Property Tows, ~~except that the Administrative Fee shall be \$50.00.~~

(4) ~~Class D Vehicle Towed:~~

- a) Towers may charge the same rates charged for Class D Private Property Tows, ~~except that the Administrative Fee shall be \$50.00.~~

...

Section 2. Severability.

If any portion of this Administrative Code Resolution is determined by any court to be invalid, the invalid portion will be stricken, and such striking will not affect the validity of the remainder of this Administrative Code Resolution. If any court determines that this Administrative Code Resolution, in whole or in part, cannot be legally applied to any individual, group, entity, property, or circumstance, such determination will not affect the applicability of this Administrative Code Resolution to any other individual, group, entity, property, or circumstance.

Section 3. Inclusion in the Broward County Administrative Code.

It is the intention of the Board of County Commissioners that the provisions of this Administrative Code Resolution become part of the Broward County Administrative Code as of the effective date. The sections of this Administrative Code Resolution may be renumbered or relettered and the word "resolution" may be changed to "section," "article," or such other appropriate word or phrase to the extent necessary in order to accomplish such intention.

Section 4. Effective Date.

This Administrative Code Resolution is effective upon adoption.

ADOPTED this day of , 2021. **PROPOSED**

Approved as to form and legal sufficiency:
Andrew J. Meyers, County Attorney

By /s/ Scott Andron 05/26/2021
Scott Andron (date)
Assistant County Attorney

By /s/ René D. Harrod 05/26/2021
René D. Harrod (date)
Deputy County Attorney

SA/jl
Towing Fee Schedule Reso
06/02/2021
537924 18

Coding: Words in ~~struck-through~~ type are deletions from existing text. Words in underscored type are additions.