

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, INCLUDING TO PERMIT AN AFTER-HOURS ACCESS FEE AND AN ADDITIONAL FEE FOR CLASS A TOWS THAT REQUIRE SPECIAL EQUIPMENT; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE ADMINISTRATIVE CODE, AND AN EFFECTIVE DATE.

WHEREAS, towing companies are currently permitted to charge a fee for after-hours pickups for tows directed by a government entity, but not for other nonconsent tows;

WHEREAS, towing companies performing certain private property nonconsent tows of specialized vehicles are currently unable to charge a labor fee even though these tows are more labor intensive due to the special equipment required; and

WHEREAS, the Board of County Commissioners of Broward County 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:

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

1 **40.50. Environmental and Consumer Protection Fee Schedule.**

2 ...

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

6 ...

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

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

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

- 13 a) Towing Fee: \$126.72-
- 14 b) Storage Fee: \$25.35 per twenty-four (24) hours.
- 15 c) Administrative Fee: \$31.68-
- 16 d) Research Fee: Actual, reasonable costs incurred in
17 obtaining vehicle ownership information and providing
18 notice may be charged to the person retrieving the
19 vehicle.
- 20 e) After-hours Access Fee: \$100.00 for a government
21 tow, or \$50.00 for a private property tow, if the tow
22 company is called to retrieve a vehicle Monday through
23 Friday between 6:00 p.m. and 8:00 a.m. for a
24 government tow, or between 10:00 p.m. and 7:00 a.m.

1 for a private property tow, or on a Saturday or Sunday,
2 or on a holiday observed by Broward County
3 government, and the tow company is required to open
4 the site during such time in order for the vehicle to be
5 retrieved.

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

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

10 a) Towing Fee: \$184.79. If a flatbed is used, the fee is
11 \$205.92.

12 b) Storage Fee: \$45.41 per twenty-four (24) hours.

13 c) Administrative Fee: \$31.68-

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 e) Labor Fee: \$184.79 per hour (starting when the person
19 arrives at the scene of the vehicle and ending when
20 such person leaves the scene), per person.

21 f) After-hours Access Fee: The applicable fee permitted
22 under subsection c.4.(a)(1)(e).

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(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-
- 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.
- f) After-hours Access Fee: The applicable fee permitted under subsection c.4.(a)(1)(e).

(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-
- d) Research Fee: Actual, reasonable costs incurred in obtaining vehicle ownership information and providing notice may be charged to the person retrieving the vehicle.

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

4 f) After-hours Access Fee: The applicable fee permitted
5 under subsection c.4.(a)(1)(e).

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

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

9 a) Towing Fee:

10 1) First fifteen (15) minutes: \$137.28

11 2) Each additional thirty (30) minutes or fraction
12 thereof: \$58.08.

13 b) Storage Fee:

14 1) Indoor Storage: \$31.68 per twenty-four (24)
15 hours.

16 2) Outdoor Storage: \$25.35 per twenty-four (24)
17 hours.

18 c) Administrative Fee: \$50.00

19 d) Research Fee: Actual, reasonable costs incurred in
20 obtaining vehicle ownership information and providing
21 notice may be charged to the person retrieving the
22 vehicle.

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

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