PROPOSED

1	RESOLUTION NO. 2021-									
2	A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA,									
3	PERTAINING TO MAXIMUM NONCONSENT RATES FOR TOWING; AMENDING SECTION 40.50 OF THE BROWARD									
4	COUNTY ADMINISTRATIVE CODE ("ADMINISTRATIVE CODE") TO MODIFY THE MAXIMUM NONCONSENT									
5	RATES FOR PRIVATE TOWS, INCLUDING TO PERMIT AN AFTER-HOURS ACCESS FEE AND AN ADDITIONAL FEE									
6	FOR CLASS A TOWS THAT REQUIRE SPECIAL EQUIPMENT; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE ADMINISTRATIVE CODE, AND AN EFFECTIVE DATE.									
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10	WHEREAS, towing companies are currently permitted to charge a fee for									
11	after-hours pickups for tows directed by a government entity, but not for other nonconsent									
12	tows;									
13	WHEREAS, towing companies performing certain private property nonconsent									
14	tows of specialized vehicles are currently unable to charge a labor fee even though these									
15	tows are more labor intensive due to the special equipment required; and									
16	WHEREAS, the Board of County Commissioners of Broward County has									
17	determined that these fees are fair and will improve the ability of towing companies to									
18	provide towing services, NOW, THEREFORE,									
19										
20	BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF									
21	BROWARD COUNTY, FLORIDA:									
22										
23	Section 1. Section 40.50 of the Broward County Administrative Code is hereby									
24	amended to read as follows:									
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1	40.50	. Envii	onm	ental ar	nd Consumer Protection Fee Schedule.
2					
3	C.	Towin	g and	l Immob	ilization Rates and Fees. The Broward County Board of
4	County Com	missior	ners h	nereby d	etermines, establishes, and fixes the following rates and
5	fees:				
6					
7	4.	Maxin	num	Noncor	nsent Rates: Maximum and allowable rates for
8		nonco	nsen	t towing	and immobilization, as defined in the Broward County
9		Code	of O	rdinanc	es, shall be as follows <u>based upon the towing class</u>
10		require	ed for	r the par	ticular tow:
11		(a)	Tow	s 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				<u>e)</u>	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.
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for a private property tow, or on a Saturday or Sunday, 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.
- <u>f)</u> After-hours Access Fee: The applicable fee permitted under subsection c.4.(a)(1)(e).

Coding:

1		(3)	Class	C Vehicle Towed :
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	D Vehicle Towed :
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				
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I	County.			ne are additions

1		e)	Labo	r Fee:	\$105.59	per 1	∕₄ hour (startin	g when the	
2			person arrives at the scene of the vehicle and ending						
3			wher	such	person lea	aves th	ne scene), per	person.	
4		<u>f)</u>	<u>After</u>	-hours	Access F	ee: Th	ne applicable fe	ee permitted	
5			unde	r subs	ection c.4.	.(a)(1)(<u>e).</u>		
6	(b) Tows	Dire	cted	Or	Performed	н Ву	Government	Agencies	
7	("Gov	rernme	nt Tou	/s"):					
8	(1)	Class	A Vel	hicle T	owed:				
9		a)	Towi	ng Fee	e:				
10			1)	First	fifteen (15	ō) minu	ites: \$137.28		
11			2)	Each	n addition	al thirt	y (30) minutes	s or fraction	
12				there	eof: \$58.0	8 .			
13		b)	Stora	age Fe	e:				
14			<u>1)</u>	Indo	or Storag	e: \$3	1.68 per twer	nty-four (24)	
15				hour	s.				
16			<u>2)</u>	Outo	loor Stora	ge: \$2	25.35 per twei	nty-four (24)	
17				hour	S.				
18		c)	Admi	inistrat	ive Fee: \$	\$50.00			
19		d)	Rese	earch F	ee: Actu	ıal, rea	asonable costs	incurred in	
20			obtai	ning v	ehicle owr	nership	information a	nd providing	
21			notic	e may	be charg	ged to	the person re	etrieving the	
22			vehic	de.					
23		e)	After	-hours	Access F	ee: \$1	00.00, if the to	ow company	
24			is ca	lled to	retrieve a	vehic	le Monday thr	ough Friday	
		in strucl scored ty				s from e	xisting 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 Vehicle Towed:
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 Vehicle Towed :
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 Vehicle Towed:
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>ability</u> .	
19	If any portion	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 Ac	lministr	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
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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. PROPOSED							
14	Assumes also to forms and longlorefficion on							
15	Approved as to form and legal sufficiency: Andrew J. Meyers, County Attorney							
16								
17	By <u>/s/ Scott Andron 04/30/2021</u> Scott Andron (date)							
18	Assistant County Attorney							
19	Dv. /a/ Daná D. Haward 04/20/2024							
20	By <u>/s/ René D. Harrod 04/30/2021</u> René D. Harrod (date)							
21	Deputy County Attorney							
22								
23	SA/jl							
24	Towing Fee Schedule Reso 04/30/2021 537924_16							
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