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 MODIFY THE MAXIMUM NONCONSENT RATES FOR PRIVATE TOWS, INCLUDING TO PERMIT AN							
6	AFTER-HOURS ACCESS FEE AND AN ADDITIONAL FEE FOR CLASS A TOWS THAT REQUIRE SPECIAL							
7	EQUIPMENT; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE ADMINISTRATIVE CODE, AND AN							
8	EFFECTIVE DATE.							
9								
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:							
	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 Comr	nissioners 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: \$ <mark>126.72.</mark> <u>160.00</u>
14		b) Storage Fee: \$25.35 per twenty-four (24) hours.
15		c) Administrative Fee: \$ 31.68. <u>50.00</u>
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.
	Coding:	Words in struck-through type are deletions from existing text. Words in <u>underscored</u> type are additions.

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. <u>50.00</u>
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			<u>f)</u>	After-hours Access Fee: The applicable fee permitted
22				under subsection c.4.(a)(1)(e).
23				
24				
	Coding:			k-through type are deletions from existing text. Words in pe are additions.

1		(3)	Class	s 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. 50.00
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 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. 50.00
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 /pe are additions.

4

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	<u>f)</u> <u>After-hours Access Fee: The applicable fee permitted</u>
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	<u>1)</u> 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
	Coding: Words in struck-through type are deletions from existing text. Words in <u>underscored</u> type are additions.
	5

1			ł	petween 6:00 p.m. and 8:00 a.m., or on a Saturday or
2			ç	Sunday, or on a holiday observed by Broward County
3			ę	government The applicable fee permitted under
4			5	subsection c.4.(a)(1)(e).
5		(2)	Class E	3 Vehicle Towed :
6			a) -	Towers may charge the same rates charged for
7			(Class B Private Property Tows, except that the
8			ŀ	Administrative Fee shall be \$50.00.
9		(3)	Class C	C Vehicle Towed :
10			a) -	Towers may charge the same rates charged for
11			(Class C Private Property Tows, except that the
12			ŀ	Administrative Fee shall be \$50.00.
13		(4)	Class E	Vehicle Towed:
14			a) -	Towers may charge the same rates charged for
15			(Class D Private Property Tows, except that the
16			ļ	Administrative Fee shall be \$50.00.
17				
18				
19	Section 2.	<u>Seve</u>	<u>ability</u> .	
20	If any portion	n of this	s Adminis	strative Code Resolution is determined by any court to
21	be invalid, the inva	lid port	ion will b	e stricken, and such striking will not affect the validity
22	of the remainder of	this Ac	Iministrat	tive Code Resolution. If any court determines that this
23	Administrative Coc	le Res	olution, i	n whole or in part, cannot be legally applied to any
24	individual, group, e	ntity, p	roperty, o	or circumstance, such determination will not affect the
	Coding:	Words	in struck-t	hrough type are deletions from existing text. Words in

Coding:

Words in struck-through type are deletions from existing text. Words in $\underline{underscored}$ type are additions.

applicability of this Administrative Code Resolution to any other individual, group, entity, 1 2 property, or circumstance.

3 4 5

11

Inclusion in the Broward County Administrative Code. Section 3.

It is the intention of the Board of County Commissioners that the provisions of this 6 Administrative Code Resolution become part of the Broward County Administrative Code 7 as of the effective date. The sections of this Administrative Code Resolution may be 8 renumbered or relettered and the word "resolution" may be changed to "section," "article," 9 or such other appropriate word or phrase to the extent necessary in order to accomplish 10 such intention.

12 Section 4. Effective Date. 13 This Administrative Code Resolution is effective upon adoption. 14 15 ADOPTED this day of , 2021. **PROPOSED** 16 Approved as to form and legal sufficiency: 17 Andrew J. Meyers, County Attorney 18 04/30/2021 By /s/ Scott Andron 19 Scott Andron (date) 20 Assistant County Attorney 21 04/30/2021 By <u>/s/ René D Harrod</u> 22 René D. Harrod (date) Deputy County Attorney 23 SA/jl Towing Fee Schedule Reso 24 04/30/2021 564076 3 Words in struck-through type are deletions from existing text. Words in Coding: underscored type are additions. 7