



Legislation Details (With Text)

File #: O-401-22 **Version:** 1 **Name:**
Type: Ordinance **Status:** Approved
File created: 7/20/2022 **In control:** Police Operations Department
On agenda: 8/16/2022 **Final action:** 8/16/2022
Title: Repealing Toledo Municipal Code Sections 765.11, "Fees for police ordered tows", enacting new Toledo Municipal Code Sections 765.11, "Fees for police ordered tows"; and declaring an emergency.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
8/16/2022	1	City Council	Suspension	Pass
8/16/2022	1	City Council	Emergency	Pass
8/16/2022	1	City Council	Passage	Pass

Police Tow Lot Fees
Toledo Police Department
Lt. James Brown (x3203)
Revised

Repealing Toledo Municipal Code Sections 765.11, "Fees for police ordered tows", enacting new Toledo Municipal Code Sections 765.11, "Fees for police ordered tows"; and declaring an emergency.

SUMMARY & BACKGROUND:

Chapter 765 was originally adopted in Ord 77-98 and amended in 2005, 2007, 2008 and 2018. Fees associated with police ordered tows are set by TMC Section 765.11. The fees were last adjusted in 2018.

NOW, THEREFORE, Be it ordained by the Council of the City of Toledo:

SECTION 1. That Toledo Municipal Code, Chapter 765.11, "Fees for police ordered tows", which reads:

765.11. Fees for police ordered tows.

Owners of towed vehicles shall pay the City one hundred forty-five dollars (\$145.00) towing fee per vehicle pursuant to the current fee schedule prior to the release of said vehicle. This fee is exclusive of any storage fee, fee for extraordinary services or pursuant to the heavy duty vehicle schedule, if applicable, and is subject to periodic review by the Director of Public Safety.

The maximum fee paid by the City to any licensee hereunder for removing a vehicle in response to a police call shall be as follows:

- (a) For the tow of any passenger car, motorcycle, stake, panel or dump truck, loaded or empty, up to and including one-half ton, the charge shall be eighty-five dollars (\$85.00), subject to periodic

review by the Director of Public Safety.

(b) Additional related expenses to accommodate extraordinary circumstances including but not limited to weather, environmental or tactical emergencies which involve extra time and labor may be paid at the discretion of the Director of Public Safety to a licensee and chargeable to the owner of such vehicle. A schedule of fees may be utilized. Additional cost incurred by contracting for other equipment or services not required by this Chapter shall be passed on and billed to the owner of a vehicle.

(c) Heavy Duty Towing and Recovery. A fee may be charged by any licensee and may be paid by the City hereunder for towing and/or recovering a heavy duty vehicle in response to a police call may be paid at the discretion of the Director of Public Safety. A schedule of fees for towing/recovery of vehicles with Gross Vehicle Weight Rating from 7000 pounds may be adopted, maintained and subject to periodic review by the Director of Public Safety.

(d) For the purpose of this chapter, routine hooking up shall include using dollies, tying the steering wheel, disengaging linkage and any other operation that is normally done prior to towing a vehicle.

(e) For purposes of this chapter, all fees paid to licensees will be made at such times as determined by the City and after periodic reconciliation of invoices submitted by licensees.

is hereby repealed.

SECTION 2. That a new Toledo Municipal Code, Chapter 765.11, "Fees for police ordered tows" is enacted to read as follows:

765.11. Fees for police ordered tows.

Owners of towed vehicles shall pay the City one hundred sixty dollars (\$160.00) towing fee per vehicle pursuant to the current fee schedule prior to the release of said vehicle. This fee is exclusive of any storage fee, fee for extraordinary services or pursuant to the heavy duty vehicle schedule, if applicable, and is subject to periodic review by the Director of Public Safety.

The maximum fee paid by the City to any licensee hereunder for removing a vehicle in response to a police call shall be as follows:

- (a) For the tow of any passenger car, motorcycle, stake, panel or dump truck, loaded or empty, up to and including one-half ton, the charge shall be one hundred dollars (\$100.00), subject to periodic review by the Director of Public Safety.
- (b) Additional related expenses to accommodate extraordinary circumstances including but not limited to weather, environmental or tactical emergencies which involve extra time and labor may be paid at the discretion of the Director of Public Safety to a licensee and chargeable to the owner of such vehicle. A schedule of fees may be utilized. Additional cost incurred by contracting for other equipment or services not required by this Chapter shall be passed on and billed to the owner of a vehicle.
- (c) Heavy Duty Towing and Recovery. A fee may be charged by any licensee and may be paid by the City hereunder for towing and/or recovering a heavy duty vehicle in response to a police call may be paid at the discretion of the Director of Public Safety. A schedule of fees for towing/recovery of vehicles with Gross Vehicle Weight Rating from 7000 pounds may be adopted, maintained and subject to periodic review by the Director of Public Safety.

(d.) Towing outside the boundaries of the City of Toledo: A licensee may be contacted to transport a vehicle located outside of the City of Toledo boundaries to the Toledo Police Impound Lot. Additional related expenses to cover the additional time needed for the assignment may be paid at the discretion of the Director of Public Safety to a licensee and chargeable to the owner of such vehicle. A schedule of fees may be utilized. All rules, regulations, and policies dictated by the Ohio Revised Code and this chapter of the Toledo Municipal Code will govern the response by the licensee to an outside jurisdiction as long as the outside jurisdiction does not have conflicting rules, regulations, and policies regarding towing regulations.

(1) For any vehicle towed within the City of Toledo limits (including those ordered by the Toledo Police Department), or a jurisdiction within the boundaries of the City of Toledo limits (e.g. Ottawa Hills, UTPD, Washington Twp.) the maximum fee paid by the City to any licensee hereunder for removing a vehicle in response to a police call shall be as follows: (a) For the tow of any passenger car, motorcycle, stake, panel or dump truck, loaded or empty, up to and including one-half ton, the charge shall be one hundred dollars (\$100.00).

(2) For any vehicle towed from a jurisdiction in Lucas County that borders the City of Toledo limits, or is in close proximity of the City of Toledo limits (e.g. Sylvania, Sylvania Twp., Springfield Twp., Holland, Monclova Twp., Maumee, Oregon) the maximum fee paid by the City to any licensee hereunder for removing a vehicle in response to a police call shall be as follows: (a) For the tow of any passenger car, motorcycle, stake, panel or dump truck, loaded or empty, up to and including one-half ton, the charge shall be one hundred twenty-five dollars (\$125.00).

(3) For any vehicle towed from a jurisdiction in Lucas County that does not directly border the City of Toledo limits, or is not in close proximity of the City of Toledo limits (e.g. Berkey, Richfield Twp., Spencer Twp., Harding Twp., Swanton Twp., Providence Twp., Whitehouse, Waterville Twp., Waterville, Jerusalem Twp.) the maximum fee paid by the City to any licensee hereunder for removing a vehicle in response to a police call shall be as follows: (a) For the tow of any passenger car, motorcycle, stake, panel or dump truck, loaded or empty, up to and including one-half ton, the charge shall be one hundred fifty dollars (\$150.00).

(4) For any Law Enforcement agency that may order a Police tow from multiple jurisdiction throughout Lucas County (e.g. LCSO, Port Authority, Metroparks, Maumee Bay Park Rangers) the fee shall be set from the information above depending on which jurisdiction the tow is performed in.

(5) Subsections (b) and (c) of TMC 765.11 "Fees for police ordered tows" will be followed in regards to additional related expenses and heavy duty towing and recovery when a licensee is sent outside of the City of Toledo boundaries and transports a vehicle to the TPD Impound Lot for processing.

(e) For the purpose of this chapter, routine hooking up shall include using dollies, tying the steering wheel, disengaging linkage and any other operation that is normally done prior to towing a vehicle.

(f) For purposes of this chapter, all fees paid to licensees will be made at such times as determined by the City and after periodic reconciliation of invoices submitted by licensees.

SECTION 3. That this Ordinance hereby is declared to be an emergency measure and shall be in force and effect from and after its passage. The reason for the emergency lies in the fact that this Ordinance is necessary for the immediate preservation of the public peace, health, safety and property and to enable the City effectively implement the Vehicle Towing Services rules and regulations.

Vote on emergency clause: yeas 12, nays 0.

Passed: August 16, 2022 as an emergency measure: yeas 12, nays 0.

Attest:

Gerald E. Dendinger
Clerk of Council

Matt Cherry
President of Council

Approved:

August 16, 2022
Wade Kapszukiewicz
Mayor