



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

New Business - Miscellaneous

J.1.

1/11/2022

Subject:

Request adoption of Towing Rate Resolution establishing new towing rates.

Fiscal Impact:

None

Dept/Office:

District Commissioner 4

Requested Action:

It is requested that the Board of County Commissioners consider the adoption of a new Towing Rate Resolution setting forth the maximum towing rates. The new Towing Rate Resolution will replace the current Resolution 2008-150.

Summary Explanation and Background:

Section 106-5 of the Brevard County Code of Ordinances authorizes the establishment of fees to be charged by any Towing Service operating within the entire area of Brevard County. On July 29, 2008, the Board of County Commissioners adopted Resolution No. 2008-150 setting forth a schedule of the maximum rates which may be charged for removing, towing, and storing vehicles. Although Resolution 2008-150 provided for a possible increase in rates as approved by the Board of County Commissioners, the rates have never been increased since 2008. The new Resolution contains updated rates for the removal, towing, and storing of vehicles and includes rates for new technology and services developed since 2008. In addition, the new Resolution provides that beginning on January 1, 2023 and on January 1st thereafter, the rates are to be automatically increased based on the actual change in the Consumer Price Index based on the average of the index from the previous twelve (12) months (November to November) or 3% whichever is lower.

Clerk to the Board Instructions:



Kimberly Powell, Clerk to the Board, 400 South Street • P.O. Box 999, Titusville, Florida 32781-0999

Telephone: (321) 637-2001
Fax: (321) 264-6972
Kimberly.Powell@brevardclerk.us

January 12, 2022

M E M O R A N D U M

TO: Curt Smith, Commissioner District 4

RE: Item J.1., Towing Rate Resolution Establishing New Towing Rates

The Board of County Commissioners, in regular session on January 11, 2022, tabled towing rate resolution, setting forth the maximum towing rates to the January 25, 2022, Board meeting.

Your continued cooperation is greatly appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
RACHEL M. SADOFF, CLERK

A handwritten signature in cursive script, appearing to read "Kimberly Powell", is written over the printed name of the clerk.

Kimberly Powell, Clerk to the Board

/ds

cc: Each Commissioner
County Manager
County Attorney

RESOLUTION No. 202

A RESOLUTION OF THE BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS SETTING FORTH A SCHEDULE ESTABLISHING MAXIMUM FEES WHICH MAY BE CHARGED ON THE TOWING OF VEHICLES FROM OR IMMOBILIZATION OF VEHICLES ON PRIVATE PROPERTY, REMOVAL AND STORAGE OF WRECKED OR DISABLED VEHICLE FROM ACCIDENT SCENES FOR THE REMOVAL AND STORAGE OF VEHICLES, IN THE EVENT THE OWNER OR OPERATOR IS INCAPACITATED, UNAVAILABLE, LEAVES THE PROCUREMENT OF WRECKER SERVICE TO THE LAW ENFORCEMENT OFFICER AT THE SCENE, OR OTHERWISE DOES NOT CONSENT TO THE REMOVAL OF THE VEHICLE.

WHEREAS, Section 106-5 of the Brevard County Code of Ordinances authorizes the establishment of fees to be charged by any Towing Service operating within the entire area of Brevard County; and

WHEREAS, the Board of County Commissioners of Brevard County, Florida previously adopted Resolution 2008-105 establishing fees for Towing Services; and

WHEREAS, Section 106-5 further provides that Resolution 2008-105 may be amended from time to time, as required, to maintain maximum fees which are consistent with wrecking and towing services charged within the entire area of the county; and

WHEREAS, the Board of County Commissioners of Brevard County, Florida now desires to amend said fees as set forth in this Resolution; and

WHEREAS, the Board of County Commissioners of Brevard County Florida has determined that the fees set forth herein are reasonable; and

WHEREAS, this Resolution also provides that upon adoption of the fees set forth herein this Resolution likewise provides an annual increase of 3% or the published Consumer Price Index (CPI), whichever is lower.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, that:

Section 1. Establishment of Schedule of Fees. The schedule of fees established and adopted maximum fees for towing of vehicles is set forth as follows:

CLASS "A" WRECKERS

Gross vehicle weight less than or equal to 10,000 pounds or vehicle carrying a vessel 15 feet or less in length.

MAXIMUM BASE RATE	\$ 238.78
MILEAGE RATE (per mile)	\$ 6.00
FUEL SUR-CHARGE – (per mile to include en route and tow)	\$.75
HOURLY RATE – (billed per truck per hour)	\$ 225.00
DAILY OUTSIDE STORAGE	\$ 55.00
INSIDE STORAGE	\$ 75.00
TARPING (per tarp, size 8'x10')	\$ 23.78
SHRINK WRAP (CAR – per small window)	\$ 35.00
SHRINK WRAP (CAR – front/rear windshield)	\$ 75.00
SHRINK WRAP (CAR – entire vehicle)	\$ 175.00
EXTRA MANPOWER (per man, per hour)	\$ 71.38
SERVICE CALL NOT INVOLVING AN ACTUAL TOW (to include en route miles at current mileage rate of \$6.00/mile plus man power and labor)	\$ 71.38
OIL-DRI ABSORBENT (per bag)	\$ 30.00
ADMINISTRATIVE FEE/NOTICE (MAXIMUM FLAT FEE)	\$ 50.00

CLASS "B" WRECKERS

Gross vehicle weight 10,001 pounds or more but less than 19,500 pounds or vehicle carrying vessel more than 15 feet but less than or equal to 22 feet in length.

MAXIMUM BASE RATE	\$ 375.60
MILEAGE RATE (per mile)	\$ 8.25
FUEL SUR-CHARGE – (per mile to include en route and tow)	\$ 1.50
HOURLY RATE – (billed per truck per hour)	\$ 425.00
DAILY OUTSIDE STORAGE	\$ 78.00
INSIDE STORAGE	\$ 115.00
TARPING (per tarp, size 8'x10')	\$ 23.78
SHRINK WRAP (entire vehicle)	\$ 200.00
EXTRA MANPOWER (per man, per hour)	\$ 118.98
SERVICE CALL NOT INVOLVING ACTUAL TOW (to include en route miles at current mileage rate of \$8.25/mile plus man power)	\$ 103.10
OIL-DRI ABSORBENT (per bag)	\$ 30.00
ADMINISTRATIVE FEE/NOTICE (MAXIMUM FLAT FEE)	\$ 50.00

CLASS "C" WRECKERS

Gross vehicle weight 19,500 or more pounds but less than 25,000 pounds or vehicle carrying a vessel more than 22 feet in length.

MAXIMUM BASE RATE	\$ 550.34
MILEAGE RATE	\$ 10.25

FUEL SUR-CHARGE – (per mile to include en route and tow)	\$ 2.50
HOURLY RATE – (billed per, truck per hour)	\$ 625.00
DAILY OUTSIDE STORAGE	\$ 95.00
INSIDE STORAGE	\$ 250.00
TARPING (heavy duty truck)	\$1200.00
(actual cost of tarp to fit a vehicle this size)	
SHRINK WRAP (entire vehicle)	\$ 225.00
EXTRA MANPOWER	\$ 126.87
(per man, per hour)	
SERVICE CALL NOT INVOLVING AN ACTUAL TOW	\$ 134.83
(to include en route miles at current mileage rate of \$10.25/mile plus man power)	
OIL-DRI ABSORBENT (per bag)	\$ 30.00
ADMINISTRATIVE FEE/NOTICE (MAXIMUM FLAT FEE)	\$ 50.00

CLASS "D" WRECKERS

Gross Vehicle weight 25,000 or more pounds.	
MAXIMUM BASE RATE	\$ 634.55/hr.
MILEAGE RATE	\$ 12.50
FUEL SUR-CHARGE – (per mile to include en route and tow)	\$ 3.00
HOURLY RATE – (billed per truck, per hour)	\$ 548.88/hr.
DAILY OUTSIDE STORAGE	\$ 125.00
INSIDE STORAGE	\$ 275.00
TARPING (heavy duty vehicle)	\$ 1200.00
(actual cost of tarp to fit a vehicle this size)	
EXTRA MANPOWER (per man, per hour)	\$ 126.88
Rotator/50 Ton: Hourly rate (minimum of 2 hours)	\$ 1, 250.00/hr.
OIL-DRI ABSORBENT (per bag)	\$ 30.00
ADMINISTRATIVE FEE/NOTICE (MAXIMUM FLAT FEE)	\$ 50.00

Section 2. SEPARATE CHARGES (May only be charged for Class B, C, & D Wreckers). The schedule of fees established and adopted maximum fees for towing of vehicles is set forth as follows:

A.	REMOVAL OF DRIVE SHAFT AND REINSTALL	\$ 75.00/ea.
B.	AIR HOOK-UP	\$ 75.00
C.	REMOVE <u>AND REINSTALL</u> /PULL AXLE	\$ 125.00
D.	REMOVE BUMPER	\$ 32.50
E.	REMOVE AIR FOILS	\$ 32.50
F.	LAN DOLL TRAILER- Semi roll back or drop-back	\$ 225.47/hr

trailer or truck
G. AIR BAGS (per hour- 4 hrs. minimum) \$ 450.97

Section 3. Storage fees. No storage fees shall be charged if such vehicle is stored for less than six (6) hours (713.78 F.S.). Storage fees shall be charged on twenty-four (24) hour increments and not on calendar days.

Section 4. Law enforcement. Law Enforcement officials making calls to Towing Services to arrange for towing are encouraged to make such request in a manner that will minimize costs to consumers and to ensure that inordinate waiting times do not occur while Towing Service personnel are awaiting to perform their services at a scene at which such services are necessary.

Section 5. Bona-Fide Extra Equipment/Labor Time. When special circumstances have arisen, the amount of time that is reasonably needed above and beyond the initial thirty (30) minutes at the scene to safely effect the removal of a vehicle or its load from the scene of an accident or other incident requiring a tow. All special circumstances requiring additional equipment/time must be approved by the officer at the scene. Travel time shall not be included.

Section 6. Bona-Fide Waiting Time. The actual time at the site of the vehicle to be towed consistent with the directions received to arrive at the scene and during which time the presence of the Towing Service has been requested, but, due to circumstances beyond the control of the Towing Service, work cannot diligently commence to the vehicle. Travel time shall not be included.

Section 7. Mileage rates. Mileage rates apply to miles traveled to and from point of pickup.

Section 8. Collection of Fees and Charges.

A. The Towing Company providing service shall collect all fees.

B. The Towing Company shall reserve the right to accept credit card as a method of payment.

C. A detailed receipt shall be issued the payer at the time of the payment of fees, which shall specify the type of wrecker utilized (Class) and which shall itemize all separate charges, to include storage fees, mileage charges and additional hourly cost. A maximum of \$50.00 may be charged to owner/driver of a vehicle towed or stored for preparation, filing or mailing of any forms required by Florida Statutes, local ordinance or the Division, if a vehicle is in storage for more than 24 hours. This paragraph does not apply to any action initiated by a wrecker operator to foreclose a lien recognized by Florida law (321.02 F.S.). An additional \$37.13 only may be charged if the towing company has

actually complied fully with all of the requirements of F.S. §713.78, and shall apply only after 48 hours.

Section 9. Access fee. The tower is not required to open after hours, weekends or holidays, an access fee of \$75.00 may be charged should it become necessary for the Towing Service personnel to respond to open the business to allow personal property to be removed from the vehicle or a vehicle to be released outside normal business hours. Outside of normal business hours the owner of the vehicle shall have 15 minutes to retrieve personal items from the vehicle. Any time exceeding the 15 minutes allotted, the owner of the vehicle SHALL be subject to an additional charge of the hourly rate for that particular vehicle class. Normal business hours are considered to be Monday through Friday, 8:00a.m. to 5:00p.m.; excluding State legal holidays. Per Florida Statute 715.07 (2) (a) 1.a., towing companies engaged in private property towing must be open for the purpose of redemption of vehicles on any day that the person or firm towing such vehicle or vessel is open for towing purposes, from 8:00 a.m. to 5:00 p.m. Upon receipt of a phone request to open the site to redeem a vehicle or vessel, the operator shall return to the site within 1 hour as required by Section 106-5, Code of Ordinances of Brevard County, Florida. Appropriate state, county or municipal law enforcement officers shall have authority to enforce the provisions of this section

Section 10. Consumer complaints. All consumer complaints directed to Brevard County concerning excessive charges or violations of this resolution or Chapter 106-5 of the Brevard County Code of Ordinances shall be referred for investigation and resolution by the law enforcement agency having jurisdiction.

Section 11. Increase in Rates. Effective January 1, 2023 and on January 1 each subsequent year thereafter, the Towing Service fees shall be automatically increased based on the actual change in the Consumer Price Index based on the average of the index from the previous twelve (12) months (November to November) or 3% whichever is lower. A copy of the Resolution and most recent Towing Service Schedule of Fees shall be on file with the Planning Department.

Section 12. Service call-out. When a law enforcement officer requests a wrecker for a non- consensual tow and the tow truck operator is able to make repairs at the scene, making the vehicle drivable and not requiring the vehicle to be towed, the tow truck operator shall be entitled to the applicable service fee, plus labor and parts, if any.

Section 13. Schedule of Fees. The schedule of fees as established herein may be amended or repealed, in whole or in part, by resolution of the Board of County Commissioners of Brevard County, Florida, when required to support the adequate rendition of the services provided for Chapter 106, Article (1), Code of Brevard County, Florida.

RESOLUTION No. 2021 -

A RESOLUTION OF THE BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS SETTING FORTH A SCHEDULE ESTABLISHING MAXIMUM FEES WHICH MAY BE CHARGED ON THE TOWING OF VEHICLES FROM OR IMMOBILIZATION OF VEHICLES ON PRIVATE PROPERTY, REMOVAL AND STORAGE OF WRECKED OR DISABLED VEHICLE FROM ACCIDENT SCENES FOR THE REMOVAL AND STORAGE OF VEHICLES, IN THE EVENT THE OWNER OR OPERATOR IS INCAPACITATED, UNAVAILABLE, LEAVES THE PROCUREMENT OF WRECKER SERVICE TO THE LAW ENFORCEMENT OFFICER AT THE SCENE, OR OTHERWISE DOES NOT CONSENT TO THE REMOVAL OF THE VEHICLE.

WHEREAS, Section 106-5 of the Brevard County Code of Ordinances authorizes the establishment of fees to be charged by any Towing Service operating within the entire area of Brevard County; and

WHEREAS, the Board of County Commissioners of Brevard County, Florida previously adopted Resolution 2008-105 establishing fees for Towing Services; and

WHEREAS, Section 106-5 further provides that Resolution 2008-105 may be amended from time to time, as required, to maintain maximum fees which are consistent with wrecking and towing services charged within the entire area of the county; and

WHEREAS, the Board of County Commissioners of Brevard County, Florida now desires to amend said fees as set forth in this Resolution; and

WHEREAS, the Board of County Commissioners of Brevard County Florida has determined that the fees set forth herein are reasonable; and

WHEREAS, this Resolution also provides that upon adoption of the fees set forth herein this Resolution likewise provides an annual increase of 3% or the published Consumer Price Index (CPI), whichever is lower.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, that:

Section 1. Establishment of Schedule of Fees. The schedule of fees established and adopted maximum fees for towing of vehicles is set forth as follows:

CLASS "A" WRECKERS

Gross vehicle weight less than or equal to 10,000 pounds or vehicle carrying a vessel 15 feet or less in length.

MAXIMUM BASE RATE	\$ 114.23 <u>238.78</u>
MILEAGE RATE (per mile)	\$ 3.12 <u>6.00</u>
FUEL SUR-CHARGE – (per mile to include en route and tow)	\$.50 <u>.75</u>
HOURLY RATE – (billed per truck per hour)	\$ 75.32 <u>225.00</u>
DAILY OUTSIDE STORAGE	\$ 22.80 <u>55.00</u>
INSIDE STORAGE	\$ 28.53 <u>75.00</u>
TARPING (per tarp, size 8'x10')	\$ 17.11 <u>23.78</u>
SHRINK WRAP (CAR – per small window)	\$ 35.00
SHRINK WRAP (CAR – front/rear windshield)	\$ 75.00
SHRINK WRAP (CAR – entire vehicle)	\$ 175.00
EXTRA MANPOWER (per man, per hour)	\$ 51.35 <u>71.38</u>
SERVICE CALL NOT INVOLVING AN ACTUAL TOW (to include en route miles at current mileage rate of \$6.00/mile plus man power and labor)	\$ 51.35 <u>71.38</u>
OIL-DRI ABSORBENT (per bag)	\$ 30.00
ADMINISTRATIVE FEE/NOTICE (MAXIMUM FLAT FEE)	\$ 30.00 <u>50.00</u>

CLASS "B" WRECKERS

Gross vehicle weight 10,001 pounds or more but less than 19,500 pounds or vehicle carrying vessel more than 15 feet but less than or equal to 22 feet in length.

MAXIMUM BASE RATE	\$ 199.71 <u>375.60</u>
MILEAGE RATE (per mile)	\$ 3.97 <u>8.25</u>
FUEL SUR-CHARGE – (per mile to include en route and tow)	\$.50 <u>1.50</u>
HOURLY RATE – (billed per truck per hour)	\$ 171.19 <u>425.00</u>
DAILY OUTSIDE STORAGE	\$ 31.94 <u>78.00</u>
INSIDE STORAGE	\$ 34.21 <u>115.00</u>
TARPING (per tarp, size 8'x10')	\$ 17.11 <u>23.78</u>
SHRINK WRAP (entire vehicle)	\$ 200.00
EXTRA MANPOWER (per man, per hour)	\$ 85.60 <u>118.98</u>
SERVICE CALL NOT INVOLVING ACTUAL TOW (to include en route miles at current mileage rate of \$8.25/mile plus man power)	\$ 74.17 <u>103.10</u>
OIL-DRI ABSORBENT (per bag)	\$ 30.00
ADMINISTRATIVE FEE/NOTICE (MAXIMUM FLAT FEE)	\$ 30.00 <u>50.00</u>

CLASS "C" WRECKERS

Gross vehicle weight 19,500 or more pounds but less than 25,000 pounds or vehicle carrying a vessel more than 22 feet in length.

MAXIMUM BASE RATE	\$ 302.40 <u>550.34</u>
MILEAGE RATE	\$ 5.37 <u>10.25</u>

FUEL SUR-CHARGE – (per mile <u>to include en route and tow</u>)	\$.50 <u>2.50</u>
HOURLY RATE – (billed per, truck per hour)	\$ 250.87 <u>625.00</u>
DAILY OUTSIDE STORAGE	\$ 66.06 <u>95.00</u>
INSIDE STORAGE	\$ 53.62 <u>250.00</u>
TARPING (per tarp, size 8' x 10') (<u>heavy duty truck</u>)	\$ 17.11 <u>1200.00</u>
(actual cost of tarp to fit a vehicle this size)	
SHRINK WRAP (entire vehicle)	\$ 225.00
EXTRA MANPOWER	\$ 91.27 <u>126.87</u>
(per man, per hour)	
SERVICE CALL NOT INVOLVING AN ACTUAL TOW	\$ 97.00 <u>134.83</u>
(to include en route miles at current mileage rate	
of \$10.25/mile plus man power)	
OIL-DRI ABSORBENT (per bag)	\$ 30.00
ADMINISTRATIVE FEE/NOTICE (<u>MAXIMUM FLAT FEE</u>)	\$ 30.00 <u>50.00</u>

CLASS "D" WRECKERS

Gross Vehicle weight 25,000 or more pounds.	
MAXIMUM BASE RATE	\$ 456.51 <u>634.55/hr.</u>
MILEAGE RATE	\$ 6.82 <u>12.50</u>
FUEL SUR-CHARGE – (per mile <u>to include en route and tow</u>)	\$.50 <u>3.00</u>
HOURLY RATE – (<u>billed per truck, per hour</u>)	\$ 394.88 <u>548.88/hr.</u>
DAILY OUTSIDE STORAGE	\$ 68.45 <u>125.00</u>
INSIDE STORAGE	\$ 68.45 <u>275.00</u>
TARPING (per tarp, size 8' x 10') (<u>heavy duty vehicle</u>)	\$ 17.11 <u>1200.00</u>
(actual cost of tarp to fit a vehicle this size)	
EXTRA MANPOWER (<u>per man, per hour</u>)	\$ 91.28 <u>126.88</u>
Rotator/50 Ton: Hourly rate (minimum of 2 hours)	\$ <u>1, 250.00/hr.</u>
OIL-DRI ABSORBENT (per bag)	\$ 30.00
ADMINISTRATIVE FEE/NOTICE (<u>MAXIMUM FLAT FEE</u>)	\$ 30.00 <u>50.00</u>

Section 2. SEPARATE CHARGES (May only be charged for Class B, C, & D Wreckers). The schedule of fees established and adopted maximum fees for towing of vehicles is set forth as follows:

A.	REMOVAL OF DRIVE SHAFT <u>AND REINSTALL</u>	\$ 28.79 <u>75.00/ea.</u>
B.	AIR HOOK-UP	\$ 28.79 <u>75.00</u>
C.	REMOVE <u>AND REINSTALL/PULL</u> AXLE	\$ 28.79 <u>125.00</u>
D.	REMOVE BUMPER	\$ 28.79 <u>32.50</u>
E.	REMOVE AIR FOILS	\$ 28.79 <u>32.50</u>
F.	LAN DOLL TRAILER- Semi roll back or drop-back	\$ 199.71 <u>225.47/hr</u>

trailer or truck
G. AIR BAGS (per hour- 4 hrs. minimum) \$ 399.44 450.97

Section 3. Storage fees. No storage fees shall be charged if such vehicle is stored for less than six (6) hours (713.78 F.S.). Storage fees shall be charged on twenty-four (24) hour increments and not on calendar days.

Section 4. Law enforcement. Law Enforcement officials making calls to Towing Services to arrange for towing are encouraged to make such request in a manner that will minimize costs to consumers and to ensure that inordinate waiting times do not occur while Towing Service personnel are awaiting to perform their services at a scene at which such services are necessary.

Section 5. Bona-Fide Extra Equipment/Labor Time. When special circumstances have arisen, the amount of time that is reasonably needed above and beyond the initial thirty (30) minutes at the scene to safely effect the removal of a vehicle or its load from the scene of an accident or other incident requiring a tow. All special circumstances requiring additional equipment/time must be approved by the officer at the scene. Travel time shall not be included.

Section 6. Bona-Fide Waiting Time. The actual time at the site of the vehicle to be towed consistent with the directions received to arrive at the scene and during which time the presence of the Towing Service has been requested, but, due to circumstances beyond the control of the Towing Service, work cannot diligently commence to the vehicle. Travel time shall not be included.

Section 7. Mileage rates. Mileage rates apply to miles traveled to and from point of pickup.

Section 8. Collection of Fees and Charges.

A. The Towing Company providing service shall collect all fees.

B. The Towing Company shall reserve the right to accept credit card as a method of payment.

C. A detailed receipt shall be issued the payer at the time of the payment of fees, which shall specify the type of wrecker utilized (Class) and which shall itemize all separate charges, to include storage fees, mileage charges and additional hourly cost. A maximum of \$50.00 may be charged to owner/driver of a vehicle towed or stored for preparation, filing or mailing of any forms required by Florida Statutes, local ordinance or the Division, if a vehicle is in storage for more than 24 hours. This paragraph does not apply to any action initiated by a wrecker operator to foreclose a lien recognized by Florida law (321.02 F.S.). An additional \$37.13 only may be charged if the towing company has

actually complied fully with all of the requirements of F.S. §713.78, and shall apply only after 48 hours.

Section 9. Access fee. The tower is not required to open after hours, weekends or holidays, an access fee of ~~\$53.04~~ 75.00 may be charged should it become necessary for the Towing Service personnel to respond to open the business to allow personal property to be removed from the vehicle or a vehicle to be released outside normal business hours. Outside of normal business hours the owner of the vehicle shall have 15 minutes to retrieve personal items from the vehicle. Any time exceeding the 15 minutes allotted, the owner of the vehicle SHALL be subject to an additional charge of the hourly rate for that particular vehicle class. Normal business hours are considered to be Monday through Friday, 8:00a.m. to 5:00p.m.; excluding State legal holidays. Per Florida Statute 715.07 (2) (a) 1.a., towing companies engaged in private property towing must be open for the purpose of redemption of vehicles on any day that the person or firm towing such vehicle or vessel is open for towing purposes, from 8:00 a.m. to 5:00 p.m. Upon receipt of a phone request to open the site to redeem a vehicle or vessel, the operator shall return to the site within 1 hour as required by Section 106-5, Code of Ordinances of Brevard County, Florida. Appropriate state, county or municipal law enforcement officers shall have authority to enforce the provisions of this section

Section 10. Consumer complaints. All consumer complaints directed to Brevard County concerning excessive charges or violations of this resolution or Chapter 106-5 of the Brevard County Code of Ordinances shall be referred for investigation and resolution by the law enforcement agency having jurisdiction.

Section 11. Increase in Rates. ~~All towing companies working under this resolution may be entitled to an annual increase of 3% or the published Consumer Price Index (CPI), whichever is lower, with the approval of the Board of County Commissioners~~ Effective January 1, 2023 and on January 1 each subsequent year thereafter, the Towing Service fees shall be automatically increased based on the actual change in the Consumer Price Index based on the average of the index from the previous twelve (12) months (November to November) or 3% whichever is lower. A copy of the Resolution and most recent Towing Service Schedule of Fees shall be on file with the Planning Department.

Section 12. Service call-out. When a law enforcement officer requests a wrecker for a non- consensual tow and the tow truck operator is able to make repairs at the scene, making the vehicle drivable and not requiring the vehicle to be towed, the tow truck operator shall be entitled to the applicable service fee, plus labor and parts, if any.

Section 13. Schedule of Fees. The schedule of fees as established herein may be amended or repealed, in whole or in part, by resolution of the Board of County Commissioners of Brevard County, Florida, when required to support the adequate

rendition of the services provided for Chapter (106), Article (1), Code of Brevard County, Florida.

Section 14. Effective Date. This Resolution shall take effect on

_____.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA

Rachel Sadoff, Clerk

Kristine Zonka, Chair

(SEAL)

As approved by the Board of County
Commissioners on _____

J.1.
1.2

Section 14. Effective Date. This Resolution shall take effect on

_____.

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ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA

Rachel Sadoff, Clerk

Kristine Zonka, Chair

(SEAL)

As approved by the Board of County
Commissioners on _____

J. I.
2/2

Section 14. Effective Date. This Resolution shall take effect on _____.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA

Rachel Sadoff, Clerk

Kristine Zonka, Chair

(SEAL)

As approved by the Board of County
Commissioners on _____