

## Charter Officer Referral Trespass Towing

A City Commission Referral  
from May 29, 2001

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## Introduction

Charter Officers response to "trespass" towing related concerns from:

- City Commission Meetings of December 11, 2000 and May 29, 2001
- Various Public Safety and Audit and Finance Committee meetings

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## Towing Referral Issues

Several unresolved issues referred to the Charter Officers for development and consideration including:

- Strengthening community outreach, education and relations related to towing
- Annual User Fee
- Towing Advisory Board
- Federal and State Legislative Issues
- Towing ordinance enforceable under civil citation process

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## Options for Addressing Towing Issues

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Status      Option      Option

Quo          One          Two

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## Status Quo

Assumes the current system can sufficiently deal with towing related issues.

**Action:** Maintain current system for addressing towing related issues

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## Option One

Enhance Public Outreach and Reporting

**Action:**

- Provide towing information on Website
- Periodic Public Service Announcements
- Periodic towing related reports to the City Commission

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## Option Two

Strengthen outreach, education and relations

**Action:**

- Develop Web Page
- Broadcast Public Service Announcements
- Create Towing Advisory Board

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## Option Two (Continued)

Implement User Fee  
Periodic Reporting

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## Develop Web Page

<p><b>A. Web Page</b></p> <p>B. PSAs</p> <p>C. Towing Advisory Board</p> <p>D. User Fee</p> <p>E. Periodic Reporting</p> <p>F. Other Issues</p>	<ol style="list-style-type: none"> <li>1. <b>Community Outreach on both City and GPD Interactive Website</b></li> <li>2. <b>Encourage similar outreach efforts by UF, SFCC, Apartment complexes and neighborhoods</b></li> </ol>
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## Broadcast Public Service Announcements (PSA's)

<p>A. Web Page</p> <p><b>B. PSAs</b></p> <p>C. Towing Advisory Board</p> <p>D. User Fee</p> <p>E. Periodic Reporting</p> <p>F. Other Issues</p>	<ol style="list-style-type: none"> <li>1. Channel 12</li> <li>2. TV 20</li> <li>3. Gainesville Sun</li> <li>4. Alligator</li> <li>5. Gator Times</li> <li>6. GPD Public Information Office</li> <li>7. Cable Stations</li> <li>8. Other Local Media</li> </ol> <p>During the year and at a minimum at the beginning of each semester</p>
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## Create Towing Advisory Board

<p>A. Web Page</p> <p>B. PSAs</p> <p><b>C. Towing Advisory Board</b></p> <p>D. User Fee</p> <p>E. Periodic Reporting</p> <p>F. Other Issues</p>	<p style="text-align: center;"><u>Purpose</u></p> <ol style="list-style-type: none"> <li>1. Monitor towing activity and complaints</li> <li>2. Compile information for public distribution</li> <li>3. Evaluate rate increases and trends (number and type of complaints)</li> <li>4. Strengthen public outreach, education and liaison</li> </ol>
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## Create Towing Advisory Board (Continued)

<p>A. Web Page</p> <p>B. PSAs</p> <p><b>C. Towing Advisory Board</b></p> <p>D. User Fee</p> <p>E. Periodic Reporting</p> <p>F. Other Issues</p>	<p style="text-align: center;"><u>Mission</u></p> <ol style="list-style-type: none"> <li>1. Develop Strategic Plan for outreach, public relations, liaison and public education</li> <li>2. Provide a forum for citizens to bring forth issues and concerns related to towing</li> <li>3. Receive reports from GPD</li> <li>4. Provide Public Education related to Towing</li> </ol>
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## Create Towing Advisory Board (Continued)

<ul style="list-style-type: none"> <li>A. Web Page</li> <li>B. PSAs</li> <li><b>C. Towing Advisory Board</b></li> <li>D. User Fee</li> <li>E. Periodic Reporting</li> <li>F. Other Issues</li> </ul>	<ul style="list-style-type: none"> <li>5. Develop system for distribution of a Towing "Bill of Rights" for citizens towed</li> <li>6. Resolve ambiguities on the placement of signage</li> <li>7. Explore Opportunities for property owners to strengthen their role in the process</li> <li>8. Compile, review and report to the City Commission</li> </ul>
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## Create Towing Advisory Board (Continued)

Composition

<ul style="list-style-type: none"> <li>A. Web Page</li> <li>B. PSAs</li> <li><b>C. Towing Advisory Board</b></li> <li>D. User Fee</li> <li>E. Periodic Reporting</li> <li>F. Other Issues</li> </ul>	<ul style="list-style-type: none"> <li>Property Owners</li> <li>GDOT/other related advisory boards</li> <li>University Student Senate</li> <li>UF Administration</li> <li>Neighborhood Association member</li> <li>Interested Citizen</li> </ul>
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## Implement Annual User Fee

<ul style="list-style-type: none"> <li>A. Web Page</li> <li>B. PSAs</li> <li>C. Towing Advisory Board</li> <li><b>D. User Fee</b></li> <li>E. Periodic Reporting</li> <li>F. Other Issues</li> </ul>	<ul style="list-style-type: none"> <li>Property owner/operator user fee associated with implementation of referral recommendations</li> <li>User Fee designed to offset the costs of enforcement of the City's ordinance related to towing</li> <li>Further analysis required to determine an appropriate fee structure</li> </ul>
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## Periodic Reporting

<ul style="list-style-type: none"> <li>A. Web Page</li> <li>B. PSAs</li> <li>C. Towing Advisory Board</li> <li>D. User Fee</li> <li><b>E. Periodic Reporting</b></li> <li>F. Other Issues</li> </ul>	<p>Periodic Reports related to towing to the Public Safety Committee and City Commission regarding:</p> <ul style="list-style-type: none"> <li>■ Towing activity and complaints</li> <li>■ Rate increase requests</li> <li>■ Progress on mission, goals and objectives</li> </ul>
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## Other Issues

<ul style="list-style-type: none"> <li>A. Web Page</li> <li>B. PSAs</li> <li>C. Towing Advisory Board</li> <li>D. User Fee</li> <li>E. Periodic Reporting</li> <li><b>F. Other Issues</b></li> </ul>	<ul style="list-style-type: none"> <li>Modifications to Federal and State Legislation strengthening towing industry regulations</li> <li><u>Status:</u> City Attorney has sought federal legislative assistance from U.S. Senator Nelson's Office. No avenues exist to pursue changes or additions to State legislation.</li> <li>Amend towing ordinance to comply with federal law and include enforcement by civil citation.</li> <li><u>Status:</u> Complete</li> </ul>
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## Conclusion

The Charter Officers recognize the impact of towing on community relations as well as the importance it plays in ensuring that private property owners maintain their lawful ability to enforce off street parking.

We are committed to raising the level of community awareness so that towing related issues and concerns can be channeled in a productive manner that satisfies the demands of both the property owner and the community.

Options presented are provided as a framework for discussion.

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# **City of Gainesville**

*City Hall  
200 East University Avenue  
Gainesville, Florida 32601*



## **Meeting Minutes**

**Thursday, May 9, 2002**

**1:00 PM**

**City Hall, Room 016**

## **Public Safety Committee**

*Commissioner Chuck Chestnut, Chair  
Commissioner Warren Nielsen, Member*

## CALL TO ORDER

Present: Warren Nielsen and Chuck Chestnut

## ROLL CALL

## ADOPTION OF THE AGENDA

*Commissioner Nielsen moved and Commissioner Chestnut seconded adoption of the agenda as presented.*

## APPROVAL OF MINUTES

*Commissioner Nielsen moved and Commissioner Chestnut seconded approval of the minutes of the April 18, 2002 Public Safety Committee meeting.*

## DISCUSSION OF PENDING REFERRALS

### 000374      **Review of Trespass (Roam) Towing Fees - Rate Increase Request (B)**

*City Auditor Alan Ash provided a slide presentation to the committee of the following.*

*Approximately a year and a half ago, there was discussion concerning a request for a rate increase for trespass towing, and other issues that surfaced as a result of that request. On May 29, 2001 the City Commission heard a presentation by staff on trespass towing referrals. The CC approved a rate increase from \$70 to \$73, however several unresolved issues (five parts) were referred back to the Charter Officers for further consideration. The following represents the Charter's (City Manager, City Auditor and City Attorney) report back, and the three options in this proposal.*

*The options are:*

*Status Quo - maintain current system for addressing towing related issues.*

*Option One - Provide towing information on the city's website, periodic PSA's related to towing rules and provide the CC with periodic reports on calls, complaints and violations.*

*Option Two - Website and PSA's as above, and create a Towing Advisory Board, implement a user fee charged to property owners to fund the Board, and direct the Board to make presentations to the PSC and the CC on towing related information.*

*With regard to the website, C/Nielsen suggested an interactive site enabling citizens to make complaints online, and linked to other sites, such as UF, SFCC, apartment complexes, Alachua County, neighborhood sites, etc. Additionally, he suggested the PSA's be used in all forms of media (Channel 12, TV 20, Sun, Alligator, Gator Times, Cable) and develop radio spots providing the web addresses.*

*Mr. Ash proposed that the Towing Advisory Board receive reports/complaints from*

GPD, provide public education, evaluate the increase requests and report to the CC to strengthen public outreach, education and liaison related to towing issues. The proposed board would be comprised of one representative from the towing industry, property owners, GDOT or other related board, University Student Senate and one citizen. C/Nielsen also suggested a neighborhood association and UF administrative member serve on the board. C/Nielsen suggested the board could provide trend analyses, such as the number and type of complaints received and actual charges incurred by violators. Although the City can regulate only the \$73 rate, C/Nielsen suggested the city continue to engage federal and state governments.

In discussing the user fee, Mr. Ash indicated it would still need to be developed in terms of the actual rate and noted it is designed to offset the cost of enforcement of the ordinance and implementation of the final recommendations. Property owners who employ the towing companies would be charged the fee. Citizen, Debbie Martinez recommended that small businesses be notified of the proposed fee. Mr. Ash suggested the fee could be based on the number of parking spaces or a sliding scale based on the size of the lot.

With regard to the remaining Charter Officer referrals, Mr. Ash advised that the City Attorney is seeking federal legislative assistance from Senator Nelson and advised that according to the City Attorney there are no avenues to pursue through state legislation.

C/Nielsen suggested that since Gainesville has grappled with this issue for so long, once a good process is in place, he would like to share Gainesville's story with other communities in an effort to raise the standard of performance within the industry.

C/Nielsen and C/Chestnut recommended Option Two. Mr. Bowers suggested the recommendation to the City Commission be to create the Towing Advisory Board, including as part of the the board's charge, to develop a user fee rate structure. Additionally, the Commission will hear Mr. Ash's full presentation.

This matter will be placed on the June 10, 2002 CC agenda as a PSC discussion item.

**RECOMMENDATION:** The Public Safety Committee recommend that the City Commission 1) hear a presentation from the Charter Officers on the trespass towing referral of May 29, 2001, and 2) approve the recommendation of the Public Safety Committee on Option 2 of the Charter Officer's response to: a) provide towing information on the city's website, b) provide periodic PSA's related to towing c) create a Towing Advisory Board, including as part of the Board's charge to work on a rate structure for implementing a user fee charged to property owners to fund implementation of referral recommendations, and d) direct the Board to make annual presentations to the Public Safety Committee and the City Commission on towing related information.

**RECOMMENDATION** For the 5/29/01 CC Meeting

The Audit and Finance Committee recommend that the City Commission accept our report and consider recommendations on the following issues:

- 1) Pricing options for the current rate increase request;
- 2) Options for future rate adjustments;

- 3) Implementation of application and/or inspection fees; and
- 4) Enhancements to improve public information related to towing.

002382

**Extension of Boundaries for Alcohol Consumption During Events Downtown (NB)**

*The following spoke to this matter:*

*GPD Chief Norman Botsford, Lt. Ray Weaver, GPD; Mark Sexton, GDOT/DRAB; Rick Cain, DRAB, Fat Tuesday's and Hooters; Ron Combs; CAO, Lt. Book, GPD; Margie Maines, Cultural Affairs; Debbie Martinez; Tavis Glassman, UF/CADRC; Jeremy Kennard, UF/CADRC; Harold Saive; Jeffrey Roth, Hooters; Jack Hughes, GSOC*

*Lt. Weaver discussed the memo provided in the back up. As is currently in place in the special event policy, the event holders will be responsible for any increase in cost of services for the number of personnel (officers) needing to be assigned to the event. Although not in the current policy, GPD would recommend a limit on the number of times an individual or group could request this extension of boundaries permit and suggests that no one person/group be allowed to have more than one valid permit at a time. Additionally, he recommended no more than one event (requiring the extension) be scheduled on any given date and that no event incorporate the entire downtown area due to staffing issues. Further recommendations included a clearly defined secure perimeter that the permittee would be responsible for securing and for assigning their own security to monitor/card individuals entering the secured area. GPD would not be responsible for monitoring for age restrictions or payment. The event organizer would also be responsible for having a good method for ensuring accurate identifiers of underage drinkers, (wrist bands, etc.). Staffing guidelines will be in accordance with GPD's current guidelines and the approval/denial process with the limits on the number of annual permits included. Lt. Weaver stressed that GPD needs strong control over when these events will occur. He suggested that generally, any other time/date other than the UF home game days are ok.*

*Mr. Cain advised that he and Mr. Bailey had met with GSOC and the Convention Bureaus and are interested in putting on events the day before a home game, similar to what Tallahassee does, involving family events. Their focus is on bringing more of the game day participants downtown and away from the campus area. Mr. Sexton advised that he and Sara Cain did meet with Lt. Weaver earlier this week and that they are generally in agreement with each other and agreed that if GPD doesn't think the event is timely, they would understand. He added this is not about wild blowouts during football weekends, it's more family oriented, "wine on the plaza" type events. And further, that GDOT can assist in coordinating the dates, locations and notifications to other businesses- DRAB and GDOT both are in support of this and would not do anything that would bring any harm to downtown.*

*C/Chesnut asked about the city limiting this request to one area and not another, and was reminded that the University Context Area already has the additional \$300 tent permit requirement that was put into place last year.*

*Tavis Glassman asked how the city could measure the safety factor of allowing these extension of events to serve alcohol if this extension request is approved. Lt. Weaver advised that GPD does prepare after action reports to all events. Mr. Cain advised that the goal is not to have alcohol as the focus of these events.*

*Margie Maines, Cultural Affairs provided research on how other municipal, college towns handle open containers in closed street event areas. Information was provided for Chapel Hill, NC; Athens, GA; and Madison, Wisconsin. It was noted that all require the permit holder to pay for city services.*

*Lt. Book reiterated the need for DRAB/GDOT to engage the downtown area neighborhood associations in these discussions, including Pleasant Steet, Florida Court, Springhill, Duckpond and Union Street Station.*

*C/Chestnut asked how the city could regulate alcohol establishments from not advertising drink specials that encourage binge drinking. Mr. Combs suggested that as part of the permit application process the city could prohibit that type of advertising.*

*Mr. Glassman noted that UF has been successful in attempting to make game days safer with alcohol restrictions and enforcement and reiterated his concern with this issue.*

*Mr. Bailey asked GPD how they felt about event organizers hiring outside security firms. Chief Botsford advised that it is the city's position on public streets that the organizer must use GPD officers.*

*Mr. Hughes, GSOC suggested looking at Baton Rouge and how they handle their events.*

*Mr. Sexton will provide information on Tallahassee's events and it was requested that Ms. Cain or DRAB/GDOT provide Ocala's event information. As there is no June PSC meeting yet scheduled, this item will be placed on the next agenda and those interested notified. It was again noted that neighborhoods surrounding the downtown area be notified of this proposal.*

**RECOMMENDATION** *Community Redevelopment Agency to the City Commission: Request that the City Commission consider permitting an extension of boundaries for alcoholic beverages during special events.*

**Discussed**

**MEMBER COMMENT**

**CITIZEN COMMENT**

**NEW BUSINESS**



002662

**State LECFTF Funding for Reichert House New Construction Fund (NB)**

*The PSC approved the recommendation to forward this item to the full City Commission for their consideration.*

**RECOMMENDATION** *The City Commission approve the appropriation and expenditure of \$10,000 from the State Law Enforcement Contraband Trust Fund to the Black on Black Crime Task Force for construction of a new Reichert House facility.*

**Approved as Recommended**

**NEXT MEETING DATE**

*No meetings scheduled for June. Waiting for committee assignments and their schedules.*

**ADJOURNMENT**

*City of*  
**Gainesville**

*Inter-Office Communication*

May 9, 2002

**To:** Public Safety Committee

**From:** Wayne Bowers, City Manager  
Marion J. Radson, City Attorney  
Alan D. Ash, City Auditor

**Subject:** Charter Officer Response – Trespass Towing

**RECOMMENDATION**

The Charter Officers (City Manager, City Attorney and City Auditor) have reviewed the issues and offer the following recommendations (in referral order) for consideration.

1. Signage Change

Approve a change in all towing related signage from “Roam” Towing to “Trespass” Towing over a three-year phase in period.

2. Annual User Fee

Develop and implement a user fee on property owners/operators to recover costs associated with implementation of the recommendations described below.

3. Towing Advisory Board

Create a Towing Advisory Board to compile, review and report on related data and complaints, provide public education related to towing, resolve ambiguities on placement of signage, explore opportunities for property owners to strengthen their role in the process and provide an annual report to the City Commission related to concerns and complaints from citizens, property owners and the local towing industry.

4. Recommendation to Legislative Delegation

Refer to the Public Safety Committee the issue of developing recommendations for the Legislative Delegation to strengthen regulations related to the safety and practice of the trespass towing process.

**EXPLANATION**

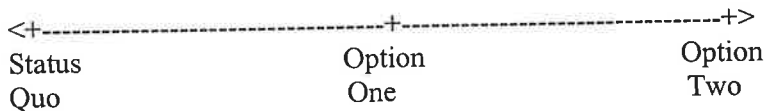
On December 11, 2000, the City Commission discussed a Public Safety Committee issue related to trespass towing, also known as “roam” towing. Several towing issues, including a September 2000 rate adjustment request, were previously reviewed by the Public Safety Committee without conclusion. The City Commission requested that the City Manager, City Attorney and City Auditor further evaluate the rate adjustment issue subject to final review by the Audit and

Finance Committee. The Public Safety Committee was requested to continue studying other non-fee related issues addressed in the towing ordinance.

On May 29, 2001, the City Manager, City Attorney and City Auditor presented reports on the trespass towing referrals to the City Commission. The Commission approved a rate increase from \$70 to \$73. However, several unresolved issues were referred to the Charter Officers for further development and consideration. Attachment 1 summarizes the issues referred to the Charter Officers on May 29, 2001.

### **Options for Addressing Towing Related Issues**

The options for resolving towing related issues and concerns and strengthening community outreach, education and relations can be viewed as options along a continuum.



**Status Quo:** Assumes that the current system can sufficiently deal with towing issues.

**Option One:** Provide towing information on the City's website, periodically make Public Service Announcements (PSA) related to towing rules, regulations and guidance throughout the year and provide the City Commission with periodic reports on towing calls, complaints and violations. These improvements can be made at a relatively low cost.

**Option Two:** Develop the web page and begin PSA broadcasts as in Option #1. In addition, create a Towing Advisory Board, implement a user fee charged to property owner/operators to fund the activities of the Board and direct the Board to make periodic presentations to the Public Safety Committee and City Commission on towing related information, programs and complaints.

The Charter Officers have reviewed the issues and offer the following explanation in referral order.

### **Part One**

#### **1. Signage and Document Change**

Changing the name from "Trespass" instead of "Roam" Towing on signs and City documents is a simple modification. The change will require property owners and towing companies to modify all current signs. We recommend a three-year phase in, similar to the recent CRA recommendation for current sign changes occurring in redevelopment districts. After a certain date, new signs would be required to reflect the new language.

## 2. Annual User Fee

Develop and implement a user fee on property owner/operators to recover costs associated with implementation of the recommendations described below.

During our discussion of community concerns related to towing practices, it became apparent that implementation of a program designed to offset the costs of enforcement of the city's ordinance related to towing would involve some expenditure of financial resources. The concept of initiating a user fee program was reviewed from several different perspectives.

After considering the options related to cost recovery, a user fee charged to property owner/operators appeared to be the most equitable. Property owner/operators are the primary beneficiaries of the service provided by towing companies and because they receive the service, should pay for the benefits. Further analysis is required to determine an appropriate fee structure for a user fee.

## 3. Towing Advisory Board

The establishment of a "Towing Advisory Board" for monitoring towing activity and complaints and compiling information for dissemination to the public for use in evaluating rate increases would assist in strengthening public outreach, education and liaison related to towing issues.

Currently, GPD receives an average of ten calls per month usually related to courtesy issues and alleged violations of the ordinance. In response to finding a violation of any section of the ordinance, GPD is authorized to issue civil citations to towing companies or authorized representatives and property owners or authorized representatives, however none of the complaints investigated by GPD have resulted in an ordinance violation. When staff review does not result in an ordinance violation, citizens who believe their vehicles have been towed in violation of the state statute, may contest the tow through civil remedies, which, if successful, would result in the return of their towing fee plus cost and attorney's fees.

Based on the fact that none of the calls related to towing have resulted in violations of the towing ordinance it would seem an obvious conclusion that there is no current need for a Towing Advisory Board or the related user fee. However, input received from members of the Community and a review of towing related calls and complaints to GPD indicate a need to strengthen outreach, public education, liaison, public relations and the City's enforcement program efforts between the local towing industry, property owners and the community.

The mission of the proposed Towing Advisory Board would be to establish programs for strengthening community relations related to towing through outreach, education, liaison and public relations. Proposed goals and objectives for the committee would include:

- Developing a strategic plan for outreach, public relations, liaison, and public education;
- Providing a forum for citizens to bring forth issues and concerns related to towing;

- Receiving reports from GPD on related information and data;
- Providing public education related to towing;
- Developing a system for distribution of a “Bill of Rights” for citizens who have been towed.
- Resolving ambiguities on the placement of signage;
- Exploring opportunities for property owners to strengthen their role in the process; and
- Compiling, reviewing and reporting to the City Commission on towing information and issues.

The proposed Towing Advisory Board would be comprised of representatives from the following:

- One representative from the towing industry
- One representative from property owners (e.g. apartment owners)
- One representative from GDOT and other related advisory boards
- One representative from the University Student Senate
- One interested citizen

#### **Other Considerations**

Citizen awareness of trespass towing can be strengthened. The concept of a citizen’s “Bill of Rights” has been considered as a valuable educational tool to strengthen awareness related to towing issues. Management is in the process of developing this concept and the final document should contain information similar to that contained in Attachment 2. GPD has prepared an educational website enhancement to be included on the home pages for both the City and GPD. The establishment of educational websites will provide citizens with necessary and useful information on towing, vehicle retrieval and complaint filing. Public Service Announcements (PSA) of the informational website could be provided through local media as well as the GPD public information officer, Channel 12, TV 20, Alligator, Gainesville Sun and other media outlets during the year but at a minimum, the beginning of each semester to ensure that students are informed.

Regarding Part Three, the City Attorney has sought assistance from U.S. Senator Nelson’s Office (or other congressional delegation members) to determine what, if any, modifications can be made to federal and/or state legislation to strengthen legislation related to towing industry practices. The City Attorney also requests that the revisions to federal legislation be included in the work plan of the City’s Federal lobbyist and on the list of items included for proposed legislative action.

As to Part Four of the referral (see Attachment 1) the City Commission adopted an amended towing ordinance on September 10, 2001 bringing it into compliance with federal law and included enforcement by civil citation.

**Conclusion**

The goal of strengthening towing related public outreach, education and liaison can be accomplished in many ways. The options presented are provided as a framework for discussion and we encourage a thorough discussion of all related issues, concerns and options before moving ahead with an implementation plan.

The Charter Officers recognize the impact of towing on community relations as well as the importance it plays in ensuring that private property owners maintain their lawful ability to enforce off street parking. We are committed to raising the level of community awareness so that towing related issues and concerns can be channeled in a productive manner that satisfies the demands of both the property owner and the community.

**Attachment 1**

**City Commission Referral  
Vehicle Towing Ordinance and Roam Towing Fees Review  
(See Legislative File #000374)**

At the May 29, 2001 the City Commission further referred the following issues to the Charter Officers for consideration and review:

**Part One:**

- 1) Change the name from "Roam" Towing to "Trespass" Towing
- 2) Establish an annual administrative contract fee for the property owners/towers, whatever staff recommends is appropriate as to who pays that fee;
- 3) And that fee be dedicated to a dedicated funding source to a Trespass Towing Oversight Board that could be made up of the following and we can add or change this list:
  - a) one representative from the towing industry;
  - b) one representative from property owners, perhaps the apartment associations;
  - c) at least three members of the various advisory boards, one of which would include the Downtown Advisory Board; and
  - d) one UF Student Senate representative; and
  - e) one member of the Gainesville Police Department.

**Part Two:**

The Trespass Towing Oversight Board's charge would be:

- 1) to compile and review data and complaints that occur over the year;
- 2) to publicize this data;
- 3) to engage in a public education process and advise the public of the circumstances of Roam Towing and generate whatever bill of rights that we can to the public and let them know what their rights are and what the procedures for making complaints and to whom the complaints can be made;
- 4) to resolve confusion on the placement and on the statements and the information that is given on signs and to further explore the responsibilities expected of property owners in this process; and
- 5) to have an annual performance review placed before the City Commission that hears the previous years experiences from the Trespass Towing Oversight Board in anticipation of a routine CPI adjustment each year, so that after hearing the performance report, the Commission then would have the option of consideration of the validity of that CPI increase.

**Part Three:**

Refer to the Public Safety Committee the item to develop a set of recommendations that this Commission could send forth to the State and Federal Legislators to modify and improve the regulations dealing with safety and practice and ethics of the towing process, particularly trespass towing.

**Part Four:**

Authorize the City Attorney to amend the Code to bring it into compliance with federal law and that the towing ordinance be enforceable under the civil citation process.

**Part Five:**

Refer this to the Charter Officers for them to sort out.

City of Gainesville  
(Home Page)

**PARKING AND TOWING**

As is true in many cities, it is never a good idea to park unauthorized – even after business hours - in the parking lot of any business establishment or other private property, such as an apartment complex. If you do not have legitimate business in a private parking lot, **YOUR AUTOMOBILE WILL PROBABLY BE TOWED!** [Click here](#) to find out more about parking and towing. (Click #1 takes you to a FAQ page and an opportunity for Click #2, which takes you to a consumer quiz.)

**Has your car been towed?** Having your vehicle towed and impounded is unpleasant, regardless of the reason. This information ([Click here](#)) will give you a better understanding of what to expect and how to recover your vehicle. (Click #3 takes you to detailed towing information.)



EXAMPLE ONLY

**FREQUENTLY ASKED QUESTIONS**  
**Parking and Towing**  
**(Click Option #1 - from Home Page)**

Can I park in any city owned lot after business hours or on the weekend?

Answer: Yes

For special events held downtown or throughout the City, whom should I call for parking information?

Answer: Event Coordinator at 334-5000, ext. 5526

Is it legal to park on the grass or sidewalk during the football season?

Answer: If the grass is private property, yes. You may never park on a sidewalk, thus blocking pedestrian traffic.

Can I park in a vacant lot where the establishment is out of business?

Answer: Only the property owner can authorize this.

Should I avoid all handicapped spaces during all times of the day and week?

Answer: Of course, unless you have a handicap parking permit

Is it legal to park in a reserved space on the weekend?

Answer: No, never.

To test your parking and other consumer savviness [Click here!](#) (Click #2 takes you to a Consumer Quiz.)

## What To Do When Your Car Gets Towed

(Click Option #3 – from Home Page)

(Click Option #1– from GPD Page)

### City of Gainesville

### Towing Information

Having your vehicle towed and impounded is unpleasant, regardless of the reason. The following information will give you a better understanding of what to expect and how to recover your vehicle. If you have any further questions, comments, or suggestions, please contact the Police Department front desk at (352) 334-2452.

Norman B. Botsford, Chief of Police

## How Do I Recover My Towed and Impounded Vehicle?

### General Information Applicable to All Towed Vehicles:

1. The Gainesville Police Department front desk is located at 721 NW 6<sup>th</sup> Street and open 24 hours/7 days a week. The telephone number is 352-334-2452.
2. Recover your vehicle as soon as possible, as impound fees accumulate on a daily basis, regardless of the reason that it was towed and impounded. Towing and impound fees are paid directly to the towing company. Fees and fines owed the City are paid directly to the City.
3. Cash and checks payable to the City of Gainesville drawn on local banks are the only accepted forms of payment for amounts due the City. The form of payment to towing companies is at their discretion. To make sure a non-cash payment will be accepted, call the towing company.
4. Approved towing companies are open 24 hours/7 days a week for recovering vehicles. *If you were towed from private property, call the towing company to make sure it is open.*
5. If you want to contest the towing of your vehicle, or the reasonableness of the towing and impound fees, you must file a form petition with the court requesting a hearing. Contact the 8th District Court for the form petition. It is located at the Alachua County Courthouse at 201 East University Avenue, Gainesville, FL 32601, phone 352-374-3636). To obtain immediate release of your vehicle, you must still pay the amount of any outstanding parking tickets, and all towing and impound fees.
6. Attach the receipt you receive from the towing company for the towing and impound fees to the form petition you file with the court. The receipt serves as your bond; you will be reimbursed to the extent the court rules in your favor.
7. You must also file with the court a form "Motion to Set Aside Default Judgment(s) and/or Execution Traffic/Parking" if your vehicle was towed because you had four or more tickets on which default judgments had been issued against you and the court had issued a writ of execution. This form is also available from the court.
8. Depending on the circumstances, you may be able to recover towing and impound fees from your insurance company. Contact your insurance company for further information.

**To Recover a Vehicle Towed From Private Property and Impounded:**

It is unlawful to park a vehicle on private property without the property owner's consent ("vehicle trespass"). If you have done this and you find your vehicle missing, the private property owner may have authorized a towing company to tow and impound your vehicle. If so, the towing company must report the vehicle identification information to the Gainesville Police Department for entry into the computerized Law Enforcement Information Network to ensure its status and location can be determined when the vehicle owner appears to recover the vehicle.

1. Call the Communications Center -955-1818. If your vehicle was towed from private property at the property owner's request, it is not necessary to appear in person at the police front desk nor do you make any payments to the City. Deal directly with the tow company.
2. Communications staff will inform you where your vehicle is impounded and how to get there.
3. Take enough money with you to the towing company to pay all the towing and impound fees to recover your vehicle. You will also need your driver's license, vehicle registration and insurance card.

**To Recover a Vehicle Towed and Impounded For Outstanding Parking Tickets:**

1. Bring your payment receipt, driver's license, vehicle registration and proof of insurance to the police front desk.
2. Pay the amount shown on the complaint for outstanding parking tickets (this may be done at GPD, City Hall or the Thomas Center). Once you have a receipt for payment of the outstanding parking tickets, go to GPD where police staff will complete and provide a Vehicle Release Form.
3. Police staff will give you directions to the towing company. Take the completed Vehicle Release form, and enough money with you to the towing company to pay all towing and impound fees to recover your vehicle.

**To Recover a Recovered Stolen Vehicle:**

1. Bring your driver's license, vehicle registration and insurance to the police front desk.
2. Police staff will give you directions to the towing company. Take the completed Vehicle Release Form, and enough money with you to the towing company to pay all towing and impound fees.

**To Recover a Vehicle Towed and Impounded Under Other Circumstances:**

1. Bring your driver's license, vehicle registration and insurance to the police front desk.
2. Police staff will give you directions to the towing company. Take the receipt, the completed Vehicle Release Form, and enough money with you to the towing company to pay all towing and impound fees.

## How Do I Get To My Impounded Vehicle?

**By Personal Vehicle:** Police staff will provide you with directions.

**By Taxi:** Refer to phone directory.

**By Bus:** Copies of the RTS route map schedule are located in the lobby of GPD. Buses may be boarded at the Downtown Plaza or various locations throughout the City.

RTS Price: \$1.00 each way (subject to change)

Hours: Monday-Friday 7:00 AM – 9:00 PM

Saturday & Sunday 7:00 AM – 6:00 PM

## Locations of Several Local Impound Lots:

**Watson's Towing**  
516 SW 1 Street  
Gainesville, FL 32601  
373-7475

**Elite Towing**  
907 SW 3<sup>rd</sup> Street  
Gainesville, FL 32601  
335-7799

**Ultimate Towing & Recovery**  
4131 NW 6th Street  
Gainesville, FL 32609  
331-6942

**University Towing**  
2546 NW 74 Place  
Gainesville, FL 32609  
373-4671

**Northwood Towing**  
1540 NW 53 Ave  
Gainesville, FL 32653  
373-6445

**Tom's Towing**  
PO Box 916  
Archer FL 32618  
495-9155

**Gainesville Towing**  
1308 South Main Street  
Gainesville, FL 32601  
379-3533

**Refer to Yellow Pages of Alachua County for Others Not Listed.**

## Gainesville Police Department Site Frequently Asked Questions

**Question:** How do I find out if my vehicle was towed?

**Answer:** Dial our 24-hour communications center at 352-955-1818. If your vehicle was towed off private property, you would be advised which towing company has your vehicle. You must go to that location to pay the towing fees. Methods of payment are at the discretion of the towing company. If your vehicle was towed for other reasons such as abandoned, recovered stolen, etc. go to the police department. Then you would be sent to the towing company to pay the towing release fees. If the vehicle was towed for outstanding parking fines, you may pay at City Hall, Thomas Center or GPD. You would still need to bring a receipt to GPD for the vehicle release. (GPD Front Desk 352-334-2452). Recover your vehicle as soon as possible, as impound fees accumulate on a daily basis. Towing fees vary and generally include storage fees. [Click here](#) for more information. (Click #1 takes you to detailed towing information)