AMENDMENTS TO SPOTSYLVANIA COUNTY CODE CHAPTER 12, ARTICLE VII

(TOWING ORDINANCE)



 SUBSECTION (B) ADDED TO PROVIDE THE BACKGROUND OF THE TOWING ADVISORY BOARD AND TOWING ORDINANCE;

• SUBSECTION (C) ADDED TO INCLUDE THE TOWING ADVISORY BOARD REQUIREMENTS WITHIN THE FIRST SECTION OF THE TOWING ORDINANCE RATHER THAN THE DEFINITION;

• CAPITALIZES THE FIRST LETTER OF EACH DEFINED TERM THROUGHOUT THE SECTION.

Towing Advisory Board

Purpose

The purpose of the Towing Advisory Board is to ensure storage, availability and service by persons and firms authorized to provide Towing Services at the request of the Sheriff's office or other law-enforcement personnel.

Structure:

3 law enforcement officers, 1 citizen and 3 towers (one from each zone with at least one being a heavy-duty tower).

Day and Time of Meetings: April, July, September and December-Time is to be determined and posted

Location: 9119 Dean Ridings Ln. Spotsylvania, VA 22553 Community Meeting Room at the Public Safety Building.

Additional Links

Members

Tow Rotation List and Tow Rates

Contact Information

Mailing Address:

P.O. Box 124 Spotsylvania, Va. 22553

Physical Address:

9119 Dean Ridings Ln. Spotsylvania, Va. 22553

Contact: First Sergeant Tim

Bryner

Main: (540) 507-7129

ADDS OR SUBSTANTIALLY REVISES THE DEFINITIONS OF SEVERAL TERMS TO IMPROVE NON-TOWER AWARENESS OF CONTENTS AND INCREASE ENFORCEABILITY.









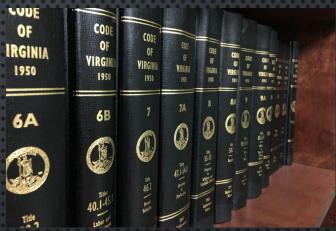


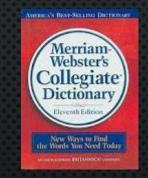
WHERE DO TOWING DEFINITIONS COME FROM?

- EXISTING TOWING ORDINANCE
- CODE OF VIRGINIA
- Towing ordinances of other localities
- ESTABLISHED TOWING PRACTICES/STANDARDS
- DICTIONARIES (LEGAL AND STANDARD)









TERMS ADDED/SUBSTANTIALLY REVISED:

ABC FIRE EXTINGUISHER DUMP TRAILER OR DUMP CONTAINER

APPLICATION DUMP TRUCK

AUTHORIZED TOWER OR

AUTHORIZED HEAVY-DUTY TOWER FORKLIFT

AUXILIARY TOW LIGHTS GROSS WEIGHT OR GROSS VEHICLE WEIGHT

BOOM HEAVY-DUTY TOW, HEAVY-DUTY TOWS OR

HEAVY-DUTY TOWING

BOX TRAILER

Brake caging Heavy-duty towed vehicle

DECK RATING HEAVY-DUTY ROAD TRACTOR

TERMS ADDED/SUBSTANTIALLY REVISED:

HEAVY-DUTY TOWING & RECOVERY TRUCK OR LAW ENFORCEMENT OFFICER

HEAVY-DUTY TOW TRUCK

HEAVY-DUTY TOWING & RECOVERY UNIT LAW ENFORCEMENT PERSONNEL OR

LAW ENFORCEMENT AGENCY

HEAVY-DUTY TOWER

LAW ENFORCEMENT REQUESTED

TOWING SCENE

HEAVY-DUTY TOWING FEES

LAW ENFORCEMENT TOW OR LAW

ENFORCEMENT REQUESTED TOWING

HIGHWAY

HOIST LIENHOLDER

HYDRAULIC WHEEL-LIFT LIFT ARMS

TERMS ADDED/SUBSTANTIALLY REVISED:

LIFT BAR OWNER

LOG PICKUP TRUCK OR PANEL TRUCK

MINOR TRAFFIC INFRACTION RECEIPT

MOTOR CARRIER INSPECTOR ROADWAY

MOTOR VEHICLE ROLLBACK

National Fire Protection Association Road Tractor

(NFPA) 10

OFF ROAD RECOVERY UNIT ROTATOR

OPERATOR SAFETY CHAINS

<u>AMENDMENTS - CHAPTER 12, ARTICLE VII, SECTION 227</u>

TERMS ADDED/SUBSTANTIALLY REVISED:

SHOULDER TOW TRUCK OPERATOR

Skid steer loader Towed vehicle

SHRP2 Tower

STANDARD TOWING FEES TOWER IDENTIFICATION CARD OR

Tower ID card

STORAGE SITE TOWING ADVISORY BOARD

Tow, Tows, Towing or Towed Towing Business

Tow sling Towing Equipment

Tow truck or Regular wrecker Towing ordinance

TERMS ADDED/SUBSTANTIALLY REVISED:

TOWING SERVICE AGREEMENT VEHICLE

Towing Vehicle VSA-41

TRACTOR TRUCK WHEEL LOADER

TRAILER WHEEL STRAPS

TRUCK WINCH OR WINCHING

- ADDS HEAVY-DUTY TOWING LANGUAGE THROUGHOUT THE SECTION;
- CHANGES THE TERM "STORAGE LOT" TO "STORAGE SITE" THROUGHOUT THE SECTION;
- Makes word changes to match other new or revised definitions and reflect the stage of the process;
- CAPITALIZES THE FIRST LETTER OF EACH DEFINED TERM THROUGHOUT THE SECTION.





STORAGE SITES - YES









STORAGE SITES - NO!









 SUBSECTION (1) CLARIFIES THAT A NEW APPLICATION FOR TOWING SERVICE SHALL BE SUBMITTED ANNUALLY;

• Subsection (2) removes possible immediate suspension Language, with no listed decision-maker, and places violation under procedures of Sections 12-242 & 243;

DUE PROCESS

- SUBSECTION (3) IS AMENDED TO ADD AN EXECUTED STATEMENT OF INDEMNIFICATION, WHICH HAS BEEN AN INSURANCE REQUIREMENT;
 - SUBSECTION (3)(A) & (B) REQUIRES TIME IN BUSINESS AND TIME AT BUSINESS ADDRESS INFORMATION IN APPLICATION, ETC.;



• Subsection 12-228(3)(M) adds written indemnity statement to Application requirements.



- FORMER SUBSECTION (4) HAS BEEN MOVED FOR INCLUSION AS AN APPLICATION REQUIREMENT TO NEW SUBSECTION 12-228(3)(M);
- SUBSECTION (5) HAS BEEN CHANGED TO SUBSECTION (4), WHICH CLARIFIES THAT APPLICANTS DO NOT NEED TO COMPLETE THE REQUIREMENTS UNLESS OR UNTIL THEIR APPLICATIONS ARE APPROVED.
- Uses proper terminology;
- CAPITALIZES THE FIRST LETTER OF EACH DEFINED TERM THROUGHOUT THE SECTION;
- Makes minor wording changes to match other new or revised definitions;

• Subsections (b) and (c) detail the requirements to be determined a Towing business upon submission of an Application for Towing services agreement;



- CHANGES THE TERM "STORAGE LOT" TO "STORAGE SITE" THROUGHOUT THE SECTION;
- CAPITALIZES THE FIRST LETTER OF EACH DEFINED TERM THROUGHOUT THE SECTION;
- Makes minor wording changes to match other new or revised definitions;

 ADDS AUTHORIZED HEAVY-DUTY TOWERS THROUGHOUT THE SECTION;



- CAPITALIZES THE FIRST LETTER OF EACH DEFINED TERM THROUGHOUT THE SECTION;
- Makes minor wording changes to match other new or revised definitions.

• Subsection (g) specifies a maximum one-hour Law enforcement requested towing scene arrival time limit for Authorized heavy-duty towers;

1 Hour

• Subsection (h) removes the Sheriff's complete subjectivity by placing the matter in the complaint and hearing process set forth in the provisions of Sections 12-240 through 12-243.





SUBSECTION (S):

- INCREASES PERCENTAGE OF TOW TRUCK OPERATORS FROM EVERY
 TOWING BUSINESS REQUIRED TO ATTEND A NATIONALLY ACCREDITED
 TOWING COURSE FROM 50 % TO 75 %;
- ADDS TOWING CERTIFICATION MAINTENANCE REQUIREMENTS;
- ADDS REQUIREMENT THAT EFFECTIVE JULY 1, 2018, ALL AUTHORIZED
 TOWERS AND AUTHORIZED HEAVY-DUTY TOWERS REGISTERED WITH THE
 COUNTY WILL BE REQUIRED TO ATTEND SHRP2 (STRATEGIC HIGHWAY
 RESEARCH PROGRAM 2) TRAINING (FREE TRAFFIC INCIDENT
 MANAGEMENT RESPONDER TRAINING BY VIRGINIA STATE POLICE);

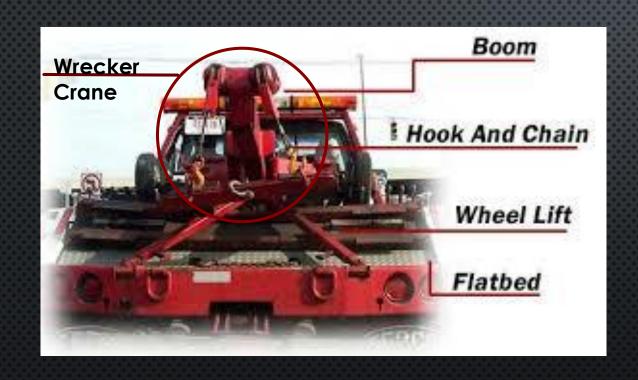


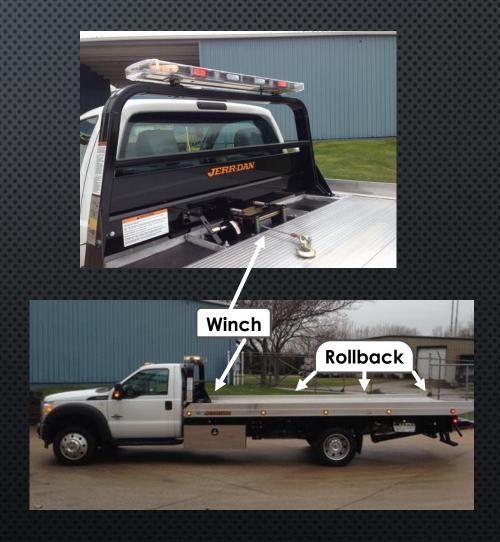


<u>AMENDMENTS - CHAPTER 12, ARTICLE VII, SECTION 232</u>

- ADDS AUTHORIZED HEAVY-DUTY TOWER LANGUAGE THROUGHOUT SECTION;
- CAPITALIZES THE FIRST LETTER OF EACH DEFINED TERM THROUGHOUT THE SECTION;
- Makes minor wording changes to match other new or revised definitions;
- Subsection (a) revises certain standard Authorized tower Vehicle requirements;
- Subsection (b) adds requirements for Authorized Heavy-Duty Towers, including all of the Heavy-Duty Towing & recovery Units and Towing equipment required to be on the Heavy-Duty tow Rotation List.

TOW TRUCKS 101





MINIMUM VEHICLE REQUIREMENTS FOR AUTHORIZED TOWERS:

• 1 Tow truck/Regular wrecker, equipped with a wrecker crane capable of <u>Lifting</u> at least 7,500 <u>Lifting</u> and capable of <u>Towing</u> 7,500 <u>— 10K lbs</u>. Must also have <u>wheel lift</u> capable of <u>Lifting</u> at least <u>1,500 lbs</u>; <u>AND</u>



• 1 ROLLBACK, WITH AT LEAST AN 8,000 LB. WINCH AND A MINIMUM DECK RATING OF 8,000 LBS.

WHY THESE REQUIREMENTS ARE NECESSARY











- 1) Designed and equipped to lift, pull or carry another Vehicle by Hoist or other mechanical apparatus, **AND**
- 2) HAVE A MANUFACTURER'S GVWR OF AT LEAST 10,000 POUNDS.



AMENDMENTS - CHAPTER 12, ARTICLE VII, SECTION 232(B)(1)

MINIMUM VEHICLE REQUIREMENTS FOR AUTHORIZED HEAVY-DUTY TOWERS:

- 2 HEAVY-DUTY TOWING & RECOVERY TRUCKS; AND
- 1 Heavy-duty road tractor.





One shall have a minimum 50-ton (100,000 lbs.) Rotator, and that unit shall have Winches rated a minimum of 40,000 lbs. Another Heavy-duty towing & recovery unit shall have a minimum 25-ton (50,000 lbs.) fixed Boom, and it shall have Winches rated at a minimum of twenty-five thousand (25,000) pounds. The total combined rating of the three (3) required units is a minimum of 75 tons (150,000 lbs.).

ALL HEAVY-DUTY TOWING & RECOVERY TRUCKS HAVE A MINIMUM TOWING CAPACITY OF 80,000 LBS.

AMENDMENTS - CHAPTER 12, ARTICLE VII, SECTION 232(B)(2)

EQUIPMENT/PERSONNEL REQUIREMENTS FOR AUTHORIZED HEAVY-DUTY TOWERS:

- HYDRAULIC- OPERATED TRAILER (MIN. 45 FT. LENGTH) CAPABLE OF TRANSPORTING A WRECKED/DISABLED ROAD TRACTOR AND/OR DEBRIS;
- TRAILER/BOX TRAILER; (MIN. 45 FT. LENGTH);
- DUMP TRUCK, DUMP TRAILER OR DUMP CONTAINER;
- Skid steer loader, Forklift or Wheel loader capable of moving cargo and/or debris from Highway; <u>AND</u>
- ADEQUATE PERSONNEL TO OFF-LOAD CARGO.







ADDS REQUIREMENT THAT ALL TOWING EQUIPMENT, ITS SIZE AND CAPACITY, SHALL
 BE MAINTAINED AND REGISTERED PER COUNTY REQUIREMENTS



<u>AMENDMENTS - CHAPTER 12, ARTICLE VII, SECTION 233</u>

- ADDS AUTHORIZED HEAVY-DUTY TOWER LANGUAGE THROUGHOUT SECTION;
- Capitalizes the first letter of each defined term throughout the section;
- Changes the term "storage lot" to "Storage site" throughout the section;
- Make minor wording changes to match other new or revised definitions;
- SUBSECTION (E) REMOVES SHERIFF'S SOLE SUBJECTIVE DISCRETION BY ALLOWING ADJACENT LOCALITY/MUNICIPALITY STORAGE SITES WHERE AUTHORIZED TOWER/AUTHORIZED HEAVY-DUTY TOWER'S TOWING BUSINESS IS LOCATED.



- ADDS AUTHORIZED HEAVY-DUTY TOWER LANGUAGE THROUGHOUT SECTION;
- CAPITALIZES THE FIRST LETTER OF EACH DEFINED TERM THROUGHOUT THE SECTION;
- Makes minor wording changes to match other new or revised definitions;
- CLARIFICATION LANGUAGE REGARDING INSPECTIONS ADDED TO SUBSECTIONS (A) & (B).

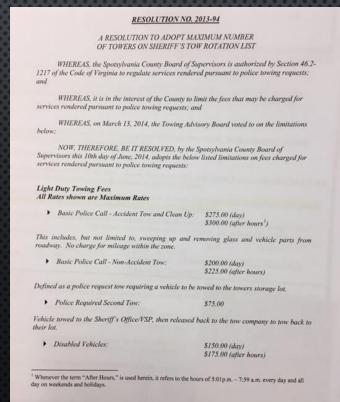


- ADDS AUTHORIZED HEAVY-DUTY TOWER LANGUAGE THROUGHOUT SECTION;
- CAPITALIZES THE FIRST LETTER OF EACH DEFINED TERM THROUGHOUT THE SECTION;
- Makes minor wording changes to match other new or revised definitions;
- SUBSECTIONS (A) & (B):
 - CLARIFIES WHO MAY PICK UP TOWED VEHICLES FROM STORAGE SITES;
 - ADDS LIENHOLDERS TO THOSE AUTHORIZED TO PICK UP TOWED VEHICLES;

 Subsection (B) Incorporates Towing fees authorized in Resolution No. 2013-94 into Towing ordinance;

• Subsection © Adds authorization to charge a fee for use of credit cards according to law. ▲







AMENDMENTS - CHAPTER 12, ARTICLE VII, SECTION 236(B)(1)

STANDARD TOWING FEES (LISTED ARE THE MAXIMUM ALLOWABLE RATES):

- BASIC LE CALL-ACCIDENT TOW & CLEAN UP: \$275.00/DAY, \$300.00/AFTER HOURS
 (INCLUDES SWEEPING UP & REMOVING GLASS & VEHICLE PARTS FROM ROADWAY);
- BASIC LE CALL-NON-ACCIDENT TOW: \$200:00/DAY, \$225:00/AFTER HOURS
 (VEHICLE TOWED TO TOWER'S STORAGE SITE);
- LE Required 2ND Tow: \$75.00 (Vehicle Towed to Tower's Storage Site after Towed to Sheriff's Office/VSP);
- DISABLED VEHICLES: \$150.00/DAY, \$175.00/AFTER HOURS;
- Additional Clean Up: \$25.00 (PER EACH EXTRA 5 GALLONS)
 (INCLUDES, EXTRA ABSORBENT, OR REMOVAL OF TREES OR OTHER ITEMS);
- Release of Vehicle After Hours/Gate Fee: \$45.00
 (5:01 p.m. 7:59 a.m., Monday thru Friday & all day Saturday, Sunday & Holidays);
- 3RD + VISIT FOR VEHICLE: \$20.00 PER VISIT (1ST & 2ND VISITS DURING NORMAL BUSINESS HOURS ARE FREE);

AMENDMENTS - CHAPTER 12, ARTICLE VII, SECTION 236(B)(1)

STANDARD TOWING FEES (LISTED ARE THE MAXIMUM ALLOWABLE RATES):

- SECOND TOW REQUIRED: \$100.00
 (UNLESS FOR 2ND VEHICLE REQUIRING ADDITIONAL VSA-41);
- Daily Storage Fee: \$50.00 (NO STORAGE FEE ASSESSED IF PICKED UP WITHIN THE FIRST 24-HOURS);
- Cutting Off Locks (Boat/Trailer): \$25.00;
- TARP FEES: \$35.00;
- Administration Fees: \$150.00 (AFTER 3RD BUSINESS DAY WITH PROOF OF WORK);
- WINCHING/RECOVERY (20-74 FEET): \$85.00;
- ADVANCED WINCHING/RECOVERY (75 FEET AND UP): \$150.00 (OVERTURNED VEHICLES, CUTTING OF TREES);

AMENDMENTS - CHAPTER 12, ARTICLE VII, SECTION 236(B)(1)

STANDARD TOWING FEES (LISTED ARE THE MAXIMUM ALLOWABLE RATES):

- Police Out of Zone Towing Mileage: \$3.50 per mile (FROM BORDER OF ASSIGNED ZONE TO DROP OFF POINT);
- STANDBY FEE: \$75.00 PER HOUR (\$300.00 MAX) AFTER THE FIRST HOUR;
- OFF ROAD RECOVERY UNIT FEE: TBD

 (PRICES SET AT REASONABLE RATE COMPARED TO OTHER LOCAL TOWERS).

AMENDMENTS - CHAPTER 12, ARTICLE VII, SECTION 236(B)(2)

HEAVY-DUTY TOWING FEES (LISTED ARE THE MAXIMUM ALLOWABLE RATES):

- Basic LE Heavy-duty Tow (HDT): \$450.00 FOR THE FIRST 2 HOURS
 - CHARGE AFTER FIRST 2 HOURS: \$200.00/HOUR
 - CHARGE PER TRUCK (IF MORE THAN 1) AFTER FIRST 2 HOURS: \$125.00/HOUR
- DAILY STORAGE FEE: \$75.00/UNIT (NO STORAGE FEE ASSESSED IF PICKED UP WITHIN THE FIRST 24-HOURS);
- ADMINISTRATION FEE: \$150.00 PER UNIT

 (AFTER THREE BUSINESS DAYS AND MUST SHOW PROOF OF WORK);
- AFTER HOURS RELEASE FEE: \$50.00/HOUR (FEES BEGIN WHEN THE GATES ARE OPENED);
- BRAKE CAGING FEE: \$65.00;
- EXTRA MANPOWER (LABORER) RECOVERY: \$65.00/HOUR PER NON-OPERATOR EMPLOYEE;

AMENDMENTS - CHAPTER 12, ARTICLE VII, SECTION 236(B)(2)

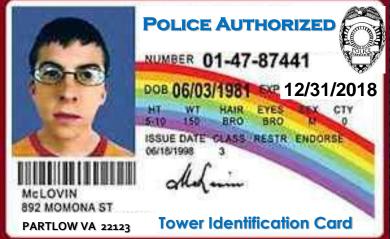
HEAVY-DUTY TOWING FEES (LISTED ARE THE MAXIMUM ALLOWABLE RATES):

- AIR BAGS (PER HOURS OR PRICE BY POUND): \$1,200.00 MAXIMUM (COMPANY MAY SUB-CONTRACT BUT NOT EXCEED THE MAXIMUM RATE);
- LAND-ALL STYLE TRAILER FEE: \$450.00/HOUR;
- OTHER EQUIPMENT STANDBY FEE: \$150.00/HOUR;
- Recovery Unit (HDT) Standby Fee: \$150.00/HOUR AFTER THE FIRST 2 HOURS;
- RECOVERY PRICE PER POUND: BASED ON ACCEPTABLE INDUSTRY STANDARDS;
- SPECIALIZED EQUIPMENT: BASED ON ACCEPTABLE INDUSTRY STANDARDS (ALL CHARGES MUST BE DOCUMENTED).

- ADDS AUTHORIZED HEAVY-DUTY TOWER LANGUAGE;
- FOR PUBLIC SAFETY PURPOSES, ADDS ADDITIONAL LAW ENFORCEMENT TOW REQUIREMENTS:

Subsection (a) adds requirement that all Tow truck operators have Tower identification card (Tower ID card). Included are

REQUIREMENTS, ETC.



 SUBSECTION (B) INCLUDES ADDITIONAL TRAFFIC SAFETY AND LIGHTING REQUIREMENTS FOR LAW ENFORCEMENT REQUESTED TOWING SCENES.

- ADDS AUTHORIZED HEAVY-DUTY TOWER LANGUAGE THROUGHOUT SECTION;
- CAPITALIZES THE FIRST LETTER OF EACH DEFINED TERM THROUGHOUT THE SECTION;
- Makes minor wording changes to match other new or revised definitions.

AMENDMENTS - CHAPTER 12, ARTICLE VII, SECTION 239 & SECTION 240

- ADDS AUTHORIZED HEAVY-DUTY TOWER LANGUAGE THROUGHOUT SECTION;
- CAPITALIZES THE FIRST LETTER OF EACH DEFINED TERM THROUGHOUT THE SECTION;
- Makes minor wording changes to match other new or revised definitions;
- CORRECTS VAGUE WORDING.





- ADDS AUTHORIZED HEAVY-DUTY TOWER LANGUAGE THROUGHOUT SECTION;
- Capitalizes the first letter of each defined term throughout the section;
- Makes minor wording changes to match other new or revised definitions;
- CORRECTS ASSUMPTION THAT ALL TOWERS ARE MALE.





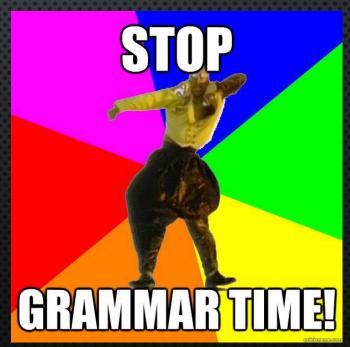




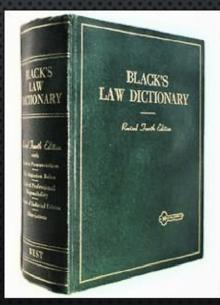


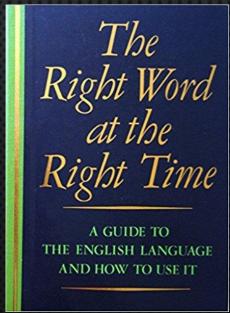


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- CAPITALIZES THE FIRST LETTER OF EACH DEFINED TERM THROUGHOUT THE SECTION;
- Makes minor wording changes to match other new or revised definitions;
- CORRECTS IMPROPER GRAMMAR.

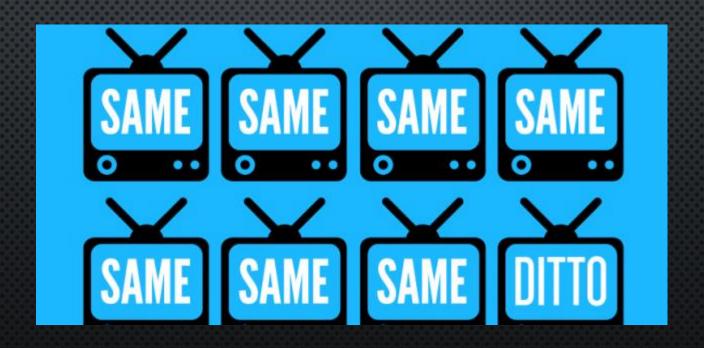


- ADDS AUTHORIZED HEAVY-DUTY TOWER LANGUAGE THROUGHOUT SECTION;
- CAPITALIZES THE FIRST LETTER OF EACH DEFINED TERM THROUGHOUT THE SECTION;
- Makes minor wording changes to match other new or revised definitions;
- INCORPORATES LEGAL TERMS COMPLAINANT (BRINGS ACTION) AND COMPLAINEE (TOWER AGAINST WHOM ACTION IS BROUGHT) IN SUBSECTIONS RE: HEARING PROCESS;
 - NOT JUST LAWYER WORDS
 - CLARIFIES PROCESS, LESS WORDY.





- ADDS AUTHORIZED HEAVY-DUTY TOWER LANGUAGE THROUGHOUT SECTION;
- CAPITALIZES THE FIRST LETTER OF EACH DEFINED TERM THROUGHOUT THE SECTION;
- Makes minor wording changes to match other new or revised definitions;



AMENDMENTS TO SPOTSYLVANIA COUNTY CODE CHAPTER 12, ARTICLE VII (TOWING ORDINANCE)

STEPS:

- Tonight Requesting authorization to advertise for Public Hearing on 6/26;
- If Approved, ad runs 2 consecutive weeks prior to 6/26 Meeting;
- 6/26/18 MEETING PUBLIC HEARING AND VOTE ON AMENDMENTS;
 - IF AMENDMENTS PASS, THEY WILL APPLY IMMEDIATELY.





AMENDMENTS TO SPOTSYLVANIA COUNTY CODE CHAPTER 12, ARTICLE VII

(TOWING ORDINANCE)



QUESTIONS/COMMENTS?