

To: Display Advertising (Classified Section)

Please run the following ad on **Friday, June 15, 2018 and Friday, June 22, 2018**, in the **Free Lance Star** with the usual format: bold border; Spotsylvania County seal; 2 columns wide; underline as shown; larger, darker print for underlined portions.

NOTICE OF PUBLIC HEARING

The Spotsylvania County Board of Supervisors will hold a public hearing at **6:00 pm** on **June 26, 2018**, located at the **Holbert Building, Board of Supervisors Board Room, 9104 Courthouse Road, Spotsylvania, Virginia 22553**, to receive public comment on proposed amendments to County Code Chapter 12, Article VII, Sections 226-244 (Towing Ordinance).

The proposed amendments to County Code Chapter 12, Article VII (Towing Ordinance), reflect revisions to: Section 226 to capitalize the first letter of each defined term; (b) to provide the background of the Towing advisory board and Towing ordinance, and (c) to include the Towing advisory board requirements within the first section of the Towing ordinance rather than the board's definition. Section 227 to add or substantially revise the definitions of ABC fire extinguisher, Application, Authorized tower or Authorized Heavy-duty tower, Auxiliary tow lights, Boom, Box trailer, Brake caging, Deck rating, Dump trailer or Dump container, Dump truck, Forklift, Gross weight or Gross vehicle weight, Heavy-duty tow, Heavy-duty tows or Heavy-duty towing, Heavy-duty road tractor, Heavy-duty towed vehicle, Heavy-duty towing & recovery truck or Heavy-duty tow truck, Heavy-duty towing & recovery unit, Heavy-duty tower, Heavy-duty towing fees, Highway, Hoist, Hydraulic wheel-lift, Law enforcement officer, Law enforcement personnel or Law enforcement agency, Law enforcement requested towing scene, Law enforcement tow or Law enforcement requested towing, Lienholder, Lift arms, Lift bar, Log, Minor traffic infraction, Motor carrier inspector, Motor vehicle, National Fire Protection Association (NFPA) 10, Off road recovery unit, Operator, Owner, Pickup truck or Panel truck, Receipt, Roadway, Rollback, Road tractor, Rotator, Safety chains, Shoulder, Skid steer loader, SHRP2, Standard towing fees, Storage site, Tow, Tows, Towing or Towed, Tow sling, Tow truck or Regular wrecker, Tow truck operator, Towed vehicle, Tower, Tower identification card or Tower ID card, Towing advisory board, Towing business, Towing equipment, Towing ordinance, Towing service agreement, Towing vehicle, Tractor truck, Trailer, Truck, Vehicle, VSA-41, Wheel loader, Wheel straps and Winch or Winching. Section 228(1) clarifies that a new Application for Towing service shall be submitted annually; (2) removes possible immediate suspension language, with no listed decision-maker, and places violation under procedures of Sections 12-242 and 243; (3) is amended to add an executed statement of indemnification, which has been an insurance requirement; (3)(a) & (b) requires time in business and time at business address information in Application, (3)(m) adds written indemnity statement to Application requirements. Section 229(4) has been moved for inclusion as an Application requirement to new subsection 12-228(3)(m); Section 229(5) has been changed to (4), which clarifies that applicants do not need to complete the requirements unless or until their Applications are approved. Section 230(b)&(c) to detail the requirements for a Towing business upon submission of an Application for Towing services agreement. Section 231(g) specifies a maximum one-hour Law enforcement requested towing scene arrival time limit for Authorized heavy-duty towers; (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; and (s) to increase the percentage of Tow truck operators of every Towing business required to attend a nationally accredited Towing course from 50 to 75 percent, adds Towing certification maintenance requirements, and adds 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, which is traffic incident management responder training offered free of charge by the Virginia State Police. Section 232(a) revises certain standard Authorized tower vehicle requirements; (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; (e) adds the requirement that all towing equipment, its size and capacity, shall be maintained and registered per requirements of the County. Section 233(e) to remove the Sheriff's sole subjective discretion by allowing adjacent locality/municipality Storage sites where an Authorized tower/Authorized heavy-duty tower Towing business is located. Section 234(a)&(b), to clarify vague language regarding inspections. Section 235(a)&(b), to clarify vague language regarding who may pick up Towed vehicles, including adding Lienholders (would allow repossessions from Storage sites). Section 236 to add Towing and storage fees, along with authorization to charge a fee for use of credit cards according to law, within the Towing ordinance, specifically the fees presently authorized by Resolution No. 2013-94: Standard Towing Fees (Maximum Rates): Basic Police Call-Accident Tow and Clean Up: \$275.00/day, \$300.00/after hours, which includes, but is not limited to, sweeping up and removing glass and vehicle parts from roadway; Basic Police Call-Non-Accident Tow: \$200.00/day, \$225.00/after hours, which is defined as a police request tow requiring a vehicle to be towed to the towers storage lot; Police Required Second Tow: \$75.00, which is a vehicle towed to the Sheriff's Office/VSP, then released back to the tow company to tow back to their lot; Disable Vehicles: \$150.00/day, \$175.00/after hours; Additional Clean Up: \$25.00 per each extra 5 gallons, including but not limited to, a need for more than 5 gallons of absorbent, or removal of trees, or other items; Release of Vehicle After Hours/Gate Fee: \$45.00, between the 5:01 p.m. – 7:59 a.m. Monday through Friday, all day on Saturday, Sunday or a Holiday; Third Plus Visit for Vehicle: \$20.00 per visit, first and second visits during normal business hours are free; Second Tow Required: \$100.00 except if a second Tow truck is for a second Vehicle requiring an additional VSA-41; Daily Storage Fee: \$50.00, which is calculated by a 24-hour period, and no storage fee will be 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 the third business day with proof of work; Winching/Recovery (20-74 Feet): \$85.00; Advance Winching/Recovery (75 Feet and Up): \$150.00 (overturned Vehicles, cutting of trees); Police Out of Zone Towing Mileage: \$3.50 per mile from the 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; Heavy-duty Towing Fees, All Rates are Maximum Rates: Basic Policy Heavy-duty Tow (HDT): \$450.00 for the first two hours; Charge Per Hour for HDT: \$200.00 after the first two hours per truck; Service Truck Per Hour: \$125.00; Daily Storage Fee: \$75.00 per unit calculated by 24 hours after pick up and no charge for the first 24 hours; Administration Fee: \$150.00 per unit after the first three business days and must show proof of work; After Hours Release Fee: \$50.00 per hour (fees begin when the gates are opened); Brake Caging Fee: \$65.00; Extra Manpower (Laborer) Recovery: \$65.00 per hour per non-operator employee; 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 per hour; Other Equipment Standby Fee: \$150.00 per

hour; Recovery Unit (HDT) Standby Fee: \$150.00 per hour but not to be charged first two hours; Recovery Price Per Pound: Based on acceptable industry standards; and Specialized Equipment: Based on acceptable industry standards and all charges must be documented); Section 237 to add Authorized heavy-duty towers and, for public safety purposes, additional Law enforcement tow requirements; (a) adds the requirement that all Tow truck operators have a Tower identification card (Tower ID card). Included are all requirements to obtain a Tower ID card, fees for initial issuance, renewal and replacement, expiration, denial, suspension, and revocation information; (b) includes additional traffic safety and lighting requirements at Law enforcement requested towing scenes. Sections 241 to correct the assumption all Towers are male. Section 243 to incorporate legal terms into subsections regarding hearing process. Sections 228 through 235 and 238 through 244 are additionally amended to use correct wording, capitalize the first letter of each defined term, and make minor wording changes to match other new or revised definitions, and Sections 238 through 243 are further amended to include language regarding Authorized heavy-duty towers

Persons affected may appear and present their views at the public hearing described above. A copy of the full text of the proposed amendments is on file in the Office of the County Administrator, located at 9104 Courthouse Road, Spotsylvania, Virginia, 22553, and may be inspected between 8:00 a.m. and 4:30 p.m., Monday through Friday.

The Board of Supervisors encourages the participation of all interested county citizens. For those with special needs, please notify the County Administrator of any accommodations you may require at least five days before the meeting you wish to attend.

BY ORDER OF THE SPOTSYLVANIA COUNTY BOARD OF SUPERVISORS

MARK B. TAYLOR, COUNTY ADMINISTRATOR