

ORDINANCE NO. C-22-08

AN ORDINANCE OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING SUBSECTION 26-8(b) OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE TO PROVIDE FOR THE IMPOSITION AND COLLECTION OF A REASONABLE ADMINISTRATIVE FEE TO COVER THE COST OF ENFORCEMENT, INCLUDING PARKING ENFORCEMENT, BY THE CITY OF FORT LAUDERDALE WHEN A VEHICLE IS TOWED FROM PUBLIC PROPERTY, AND PROVIDING FOR SEVERABILITY, REPEAL OF CONFLICTING ORDINANCE PROVISIONS, AND AN EFFECTIVE DATE.

WHEREAS, Subsection 166.04465(b), Florida Statutes (2021), provides that a municipality may

[i]mpose and collect a reasonable administrative fee or charge on the registered owner or other legally authorized person in control of a vehicle or vessel, not to exceed 25 percent of the maximum towing rate, to cover the cost of enforcement, including parking enforcement, by the municipality when the vehicle or vessel is towed from public property. An authorized wrecker operator or towing business may impose and collect the administrative fee or charge on behalf of the municipality and shall remit such fee or charge to the municipality only after it is collected; and

WHEREAS, the maximum and allowable rates for nonconsent towing in Broward County, Florida, are established by resolution of the Board of County Commissioners of Broward County, Florida, pursuant to Section 20-176.22, Broward County Code ordinances;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

SECTION 1. That Subsection 26-8(b) of the Code of Ordinances of the City of Fort Lauderdale, Florida, is hereby amended to provide as follows:

- (1) The charge for towing or removal of any vehicle under this section and storage charges shall be fixed by the city commission, the city manager or other appropriate city official, such charges to be based upon a computation of all actual expenses entering into the current cost of such

CODING: Words, symbols, and letters ~~stricken~~ are deletions; words, symbols, and letters underlined are additions.

services. Such charge or charges shall be posted for public inspection in the police department of the city and in any authorized garage.

(2) The registered owner or other legally authorized person in control of a vehicle towed by an authorized wrecker operator or towing business from public property within the geographic bounds of the city shall pay the city twenty-five percent of the maximum towing rate in Broward County, which fee may be collected by the authorized wrecker operator or towing business and remitted to the city.

SECTION 2. That if any clause, section or other part of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby, but shall remain in full force and effect.

SECTION 3. That all ordinances or parts of ordinances in conflict herewith, be and the same are hereby repealed to the extent of such conflict.

SECTION 4. That this ordinance shall be in full force and effect upon final passage.

PASSED FIRST READING this 1st day of March, 2022.

PASSED SECOND READING this _____ day of _____, 2022.

ATTEST:

Mayor
DEAN J. TRANTALIS

City Clerk
DAVID R. SOLOMAN

CODING: Words, symbols, and letters ~~stricken~~ are deletions; words, symbols, and letters underlined are additions.