

1 Introduced by Council Member Gay:  
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4 ORDINANCE 2026-358

5 AN ORDINANCE REGARDING TOWING AND STORAGE OF  
6 VEHICLES OR VESSELS; REPEALING PART 12 (WRECKER  
7 FACILITIES AND CHARGES) AND PART 13 (TOWING ON  
8 PRIVATE PROPERTY), CHAPTER 804 (JACKSONVILLE  
9 TRAFFIC CODE), *ORDINANCE CODE*; CREATING A NEW  
10 PART 12 (TOWING AND STORAGE OF VEHICLES AND  
11 VESSELS FROM PUBLIC PROPERTY), CHAPTER 804  
12 (JACKSONVILLE TRAFFIC CODE), *ORDINANCE CODE*, TO  
13 UPDATE AND CLARIFY PROVISIONS RELATED TO  
14 NONCONSENSUAL TOWING AND STORAGE OF VEHICLES AND  
15 VESSELS FROM PUBLIC PROPERTY; CREATING A NEW  
16 PART 13 (TOWING AND STORAGE OF VEHICLES AND  
17 VESSELS FROM PRIVATE PROPERTY), CHAPTER 804  
18 (JACKSONVILLE TRAFFIC CODE), *ORDINANCE CODE*, TO  
19 UPDATE AND CLARIFY PROVISIONS RELATED TO  
20 NONCONSENSUAL TOWING AND STORAGE OF VEHICLES AND  
21 VESSELS FROM PRIVATE PROPERTY; PROVIDING FOR  
22 CODIFICATION INSTRUCTIONS; PROVIDING AN  
23 EFFECTIVE DATE.  
24

25 **BE IT ORDAINED** by the Council of the City of Jacksonville:

26 **Section 1. Repealing Part 12 (Wrecker Facilities and**  
27 **Charges) and Part 13 (Towing on Private Property), Chapter 804**  
28 **(Jacksonville Traffic Code), *Ordinance Code*.** Part 12 (Wrecker  
29 Facilities and Charges) and Part 13 (Towing on Private Property),  
30 Chapter 804 (Jacksonville Traffic Code), *Ordinance Code*, copies of  
31 which are **On File** with the Legislative Services Division, are hereby

1 repealed in their entirety.

2           **Section 2.           Creating a new Part 12 (Towing and Storage of**  
3 **Vehicles and Vessels from Public Property), Chapter 804 (Jacksonville**  
4 **Traffic Code), *Ordinance Code*.** A new Part 12 (Towing and Storage of  
5 Vehicles and Vessels from Public Property), Chapter 804 (Jacksonville  
6 Traffic Code), *Ordinance Code*, is hereby created to read as follows:

7                           **CHAPTER 804 - JACKSONVILLE TRAFFIC CODE**

8   \* \* \*

9                   **PART 12. - TOWING AND STORAGE OF VEHICLES AND VESSELS**  
10   **FROM PUBLIC PROPERTY**

11 **Sec. 804.1201. - Definitions.**

12 For the purposes of this Part, the following terms shall have the  
13 meaning given below.

14       (a) *City* as used herein shall refer to the City of Jacksonville.

15       (b) *Owner or legally authorized person* as to a vehicle or vessel  
16 means a person who has a property interest in the vehicle or  
17 vessel as evidenced by any of the following documents:

- 18       1. An electronic title.
- 19       2. A paper title.
- 20       3. A contract between a lender and the owner of the  
21       vehicle or vessel.
- 22       4. A contract between a lessor and the lessee of the  
23       vehicle or vessel.
- 24       5. Credentials establishing the person as an employee or  
25       contract agent of an insurance company along with  
26       documentation identifying the vehicle by the vehicle  
27       identification number or vessel by the hull  
28       identification number.
- 29       6. A written agreement evidencing that the person is an  
30       agent of the vehicle or vessel owner or lienholder.

31 Pursuant to Section 713.78(17), Florida Statutes, a

1 towing-storage operator must accept an original or a copy of any  
2 of the above listed documents as evidence of a person's interest  
3 in a vehicle or vessel. Presenting one form of current  
4 government-issued photo identification constitutes sufficient  
5 identity verification for the purposes of this subsection. A  
6 towing-storage operator may not require any of the documents  
7 listed in this subsection to be notarized, except for the  
8 agreement in subparagraph 6., if such agreement is presented for  
9 the purpose of releasing the vehicle or vessel.

10 Notwithstanding subparagraph 6., a rental vehicle or  
11 vessel agreement is not evidence that the person who rented a  
12 vehicle or vessel is an agent of the rental vehicle or vessel  
13 owner for the purpose of releasing the vehicle or vessel.  
14 However, a towing-storage operator must release to the renter of  
15 a rental vehicle or vessel all personal property belonging to the  
16 renter which is not affixed to the rental vehicle or vessel  
17 within 1 hour after the renter's arrival.

18 (c) *Payment* means as provided in Section 713.78(19), Florida  
19 Statutes. A towing-storage operator acting under this Part  
20 must accept payment for accrued charges in any form from at  
21 least two of the following subparagraphs:

- 22 1. Cash, cashier's check, money order, or traveler's  
23 check.
- 24 2. Bank, debit, or credit card.
- 25 3. Mobile payment service, digital wallet, or other  
26 electronic payment system.

27 (d) *Tow* shall mean as defined in Section 320.01, Florida Statutes,  
28 as amended from time to time, to include to pull or draw any  
29 vehicle or vessel with a power unit by means of a direct  
30 attachment, drawbar, or other connection or to carry a vehicle  
31 or vessel on a power unit designed to transport such vehicle

1 or vessel from one location to another.

2 (e) *Towing-storage operator* shall mean as defined in Section  
3 713.78, Florida Statutes, as amended from time to time.

4 (f) *Vehicle* shall mean as defined in Section 715.07, Florida  
5 Statutes, as amended from time to time.

6 (g) *Vessel* shall mean as defined in Section 715.07, Florida  
7 Statutes, as amended from time to time. As used in this  
8 section the term "vessel" is limited to vessels on land above  
9 the mean high water line.

10 (h) *Wrecker* shall mean as defined in Section 713.78, Florida  
11 Statutes, as amended from time to time.

12 **Sec. 804.1202. - Establishment of rotating wrecker call list.**

13 (a) The Sheriff is authorized to establish standards and rules  
14 for the administration of a rotating wrecker call list to  
15 provide safe and dependable wrecker service to the Sheriff's  
16 Office, or a Department or Agency of the City of Jacksonville.  
17 This rotating wrecker call list of eligible towing-storage  
18 operators, as described in this subsection is referred to as  
19 the "rotating wrecker call list", "Top Of the List", or "TOL",  
20 in this Part. Annually, Departments or Agencies of the City  
21 using towing-storage operator services noted herein shall  
22 obtain the current TOL, from the Jacksonville Sheriff's  
23 Office, the updated fees, and updated policies and  
24 procedures. In promulgating the rules governing the TOL, the  
25 Sheriff shall require public liability insurance coverage by  
26 participating firms in amounts of not less than \$100,000 for  
27 damages arising from bodily injury or death to any one person,  
28 not less than \$300,000 for damages arising from bodily injury  
29 or death of more than one person in any one accident and  
30 \$50,000 for all property damage in any one accident issued by  
31 an insurance company authorized to write liability insurance

1 in the State having a B policyholder's rating and a class X  
2 financial rating or better from Alfred M. Best Company,  
3 approved by the Office of General Counsel and the Sheriff and  
4 possessing a certificate duly issued by the State Treasurer or  
5 another officer specified by the laws of the State, in the  
6 required amounts for each wrecker owned or controlled by the  
7 towing-storage operator. Where the towing-storage operator is  
8 unable to procure a policy from an insurance company which  
9 meets the policyholder rating requirements of this Section  
10 because of unavailability in the insurance market, the  
11 towing-storage operator may submit for consideration to the  
12 Sheriff a policy having a cut-through reinsurance agreement  
13 from an insurance company which meets the policyholder rating  
14 provisions of this Section. To be considered for approval, a  
15 cut-through reinsurance agreement must create a direct  
16 contractual relationship between the insurance company and  
17 the City. The reinsurance's obligation to the towing-storage  
18 operator's insurance company must run directly to the City.  
19 Alternatively, the towing-storage operator may submit a  
20 policy meeting the requirements of this Section purchased  
21 through the Florida Joint Underwriters Association.

22 (b) At least 30 days prior to the expiration of an existing  
23 policy, a renewal binder for a period of 60 days shall be  
24 filed with the Sheriff. If the policy is being purchased  
25 through the Florida Joint Underwriters Association, a 30-day  
26 binder may be submitted if it contains a declaration that the  
27 binder will be extended for an additional 30 days in the event  
28 that a new policy has not been issued prior to expiration date  
29 of the prior policy. If a binder or new policy has not been  
30 received by the Sheriff prior to expiration of the previous  
31 policy or in the event of cancellation or expiration of a

1 renewal binder, the Sheriff shall notify the towing-storage  
2 operator to cease and desist operations in the City, pending a  
3 hearing before the Council committee of reference tasked with  
4 reviewing and making recommendations on measures addressing  
5 towing. The policy or policies shall include an endorsement to  
6 the effect that it or they cannot be altered or canceled for  
7 any cause without notice of cancellation or alteration being  
8 served on the Sheriff and the Office of General Counsel at  
9 least 30 days prior to the date of cancellation or alteration.  
10 All binders and insurance policies shall be submitted by the  
11 Sheriff to the Office of General Counsel to ascertain whether  
12 they comply with the policy rating requirements of this  
13 Section.

14 **Sec. 804.1203. - Application for rotating wrecker call list; fees and**  
15 **grounds for removal from rotating wrecker call list; suspension from**  
16 **list.**

17 (a) All towing-storage operators licensed to conduct business  
18 within the City may apply annually on or before October 1 for  
19 a listing by the Sheriff's Office on the rotating wrecker call  
20 list, also referred to as the Top of List or "TOL". A fee as  
21 found in [www.jaxsheriff.org/fees](http://www.jaxsheriff.org/fees), shall accompany the  
22 application, renewable annually, together with an annual  
23 permit fee as found in [www.jaxsheriff.org/fees](http://www.jaxsheriff.org/fees), for each  
24 wrecker. Each towing-storage operator approved for the TOL  
25 shall be charged a flat fee as found in  
26 [www.jaxsheriff.org/fees](http://www.jaxsheriff.org/fees), for each vehicle or vessel towed at  
27 the request of the Sheriff's Office. All of these fees and  
28 charges shall be utilized by the Sheriff's Office to  
29 administer this Part. The Sheriff's Office shall promulgate  
30 guidelines for qualifications to be on the TOL, so as to  
31 protect the public interest. Qualified applicants may be

1 placed on the TOL, at the discretion of the Sheriff. The  
2 Sheriff is authorized to limit the number of towing-storage  
3 operators authorized to conduct business within each zone  
4 established by the Sheriff, as described in Section 1207, of  
5 this Part.

6 (b) If the Sheriff's Office determines that an applicant does  
7 not meet the qualifications to be on the TOL, it shall notify  
8 the applicant in writing stating the reasons for such  
9 disqualification and shall forward a copy of that letter to  
10 the Council Secretary.

11 (c) Any applicant that has been notified of such  
12 disqualification shall have the right to appeal that decision  
13 to the Council by sending a letter requesting an appeal to the  
14 Council Secretary within ten days of receipt of the  
15 disqualification letter from the Sheriff's Office.

16 (d) Upon receipt of such appeal request, the Council Secretary  
17 shall cause a resolution to be introduced into the Council,  
18 sponsored by the Council committee of reference tasked with  
19 reviewing and making recommendations on measures addressing  
20 towing to determine whether the applicant should be placed on  
21 the TOL. The Council committee of reference shall hold a  
22 public hearing on the appeal resolution and make a  
23 recommendation to the Council as to whether the applicant  
24 should be placed on the TOL.

25 (e) In the event the Sheriff's Office receives two verified  
26 complaints within any six-month period that a towing-storage  
27 operator on the TOL has failed to comply with the notice  
28 provisions set forth in Section 804.1107, then such towing-  
29 storage operator may be removed from the TOL for a one-year  
30 period. Upon the expiration of this removal period, the  
31 towing-storage operator shall be required to pay an

1 additional fee as found in [www.jaxsheriff.org/fees](http://www.jaxsheriff.org/fees), to  
2 reapply for inclusion on the TOL. This fee shall be in  
3 addition to the annual fee required herein.

- 4 (f) The Sheriff's Office shall have the authority to suspend  
5 towing-storage operators from the TOL. The Sheriff's Office  
6 shall promulgate rules and procedures for suspension.

7 **Sec. 804.1204. - Non-consensual towing from public property; other**  
8 **services and storage charges; notice by the Sheriff.**

- 9 (a) Whenever a towing-storage operator tows or stores a vehicle  
10 or vessel from public property upon instructions from the  
11 Jacksonville Sheriff's Office, or a Department or Agency of  
12 the City of Jacksonville, without the consent of the owner of  
13 the vehicle or vessel, standard charges for towing and storage  
14 or other services shall be charged by towing-storage  
15 operators and by the City to the owner of the vehicle or  
16 vessel, pursuant to Sections 125.0103, 166.043, and 713.78,  
17 Florida Statutes.

- 18 (b) Whenever a towing-storage operator tows or stores a vehicle  
19 or vessel under this Part, the towing-storage operator shall  
20 within five business days from the date of such direction  
21 notify in writing, by certified mail, the registered owner of  
22 the vehicle or vessel, the insurance company insuring the  
23 vehicle or vessel, and any and all lienholders of record (as  
24 appears on the vehicle or vessel registration or as disclosed  
25 by the records in the State Department of Highway Safety and  
26 Motor Vehicles). The notice shall contain the date and time of  
27 towing, the name of the registered owner of the vehicle or  
28 vessel, the name of the towing-storage operator and the  
29 address at which the towed vehicle or vessel is stored. In the  
30 event the towed vehicle has a temporary license tag affixed to  
31 it, the towing-storage operator shall, if possible, provide

1 the same notice required herein within five business days to  
2 the entity to which the temporary license tag was issued.

3 (c) At the request of an owner or legally authorized person as to  
4 a vehicle or vessel towed or stored under this Part, for the  
5 vehicle or vessel to be towed to another location, charges  
6 shall be negotiated between the requesting owner or legally  
7 authorized person and the towing-storage operator.

8 (d) Charges for towing or storage of a vehicle or vessel or  
9 other services and the category of wrecker service shall be  
10 determined by the vehicle or vessel to be towed or service to  
11 be performed, shall apply 24 hours a day seven days a week,  
12 and shall not exceed the rates set forth  
13 in [www.jaxsheriff.org/fees](http://www.jaxsheriff.org/fees) for the following:

14 1. TOWING AND SERVICE CHARGES.

15 A. *Category A* (gross weight of up to and including 10,000  
16 pounds):

17 (1) *Category A Wrecker:*

18 a. Motorcycles, cars, pickups (through light  
19 duty – one ton with single rear axles), small  
20 camper trailers, trailers with single axles,  
21 that are upright and in towable condition;  
22 includes sling, rollback or dollies - rate  
23 plus amount per mile.

24 b. All other vehicles or vessels within the  
25 category that are upright and in towable  
26 condition - rate plus amount per mile.

27 c. Extra fees:

28 i. Rollover.

29 ii. Extra Winch Time.

30 iii. Extra time at scene (Equipment) – After  
31 the first 30 minutes at the scene, extra

1 time at the scene may be charged at the  
2 rate per hour, in one-quarter hour  
3 increments, for such services as  
4 additional recovery, cleanup, waiting  
5 for inventory, or other similar  
6 services.

7 (2) Category A Storage (after the first six  
8 hours):

9 a. Motorcycles – rate per 24-hour day or  
10 fraction thereof inside or outside.

11 b. All other vehicles or vessels within the  
12 category:

13 i. Outside – rate per 24-hour day or  
14 fraction thereof.

15 ii. Inside – rate per 24-hour day or  
16 fraction thereof, only when owner, law  
17 enforcement agency or the City,  
18 specifies or when necessary for  
19 protection from weather.

20 B. *Category B* (gross weight over 10,000 pounds and up to  
21 and including 19,500 pounds):

22 (1) Category B Wrecker:

23 a. One-ton through two-ton trucks and camper  
24 trailers that are upright and in towable  
25 condition - rate per hour (no mileage  
26 charge). Time starts when wrecker leaves the  
27 shop; time ends when wrecker service is  
28 complete and wrecker returns to shop.

29 b. Motor homes with dual rear wheels, tandem  
30 axles, that are upright and in towable  
31 condition - rate per hour (no mileage

1 charge). Time starts when wrecker leaves the  
2 shop; time ends when wrecker service is  
3 complete and wrecker returns to shop.

4 c. All other vehicles or vessels within the  
5 category that are upright and in towable  
6 condition - rate per hour (no mileage  
7 charge). Time starts when wrecker leaves the  
8 shop; time ends when wrecker service is  
9 complete and wrecker returns to shop.

10 d. Extra fees:

11 i. Rollover.

12 ii. Dollies.

13 iii. Special nylon recovery straps.

14 (2) Category B Storage (after the first six  
15 hours):

16 a. Outside - rate per 24-hour day or fraction  
17 thereof.

18 b. Inside - rate per 24-hour day or fraction  
19 thereof, only when owner, law enforcement  
20 agency or the City, specifies or when  
21 necessary for protection from weather.

22 C. *Category C* (gross weight of more than 19,500 pounds):

23 (1) Category C Wrecker:

24 a. Two and one-half ton trucks and up, semis,  
25 buses, mobile homes, and similar vehicle  
26 types, that are upright and in towable  
27 condition - rate per hour (no mileage  
28 charge). Time starts when wrecker leaves the  
29 shop; time ends when wrecker service is  
30 complete and wrecker returns to shop.

31 b. All other vehicles or vessels within the

1 category that are upright and in towable  
2 condition - rate per hour (no mileage  
3 charge). Time starts when wrecker leaves the  
4 shop; time ends when wrecker service is  
5 complete and wrecker returns to shop.

6 c. Extra fees:

7 i. Dollies - per hour, no mileage charges.

8 ii. Rollover.

9 iii. Special nylon recovery straps.

10 (2) Category C Storage (after the first six hours):

11 a. Semi-tractor - rate per day or fraction  
12 thereof.

13 b. Semi-trailer - rate per day or fraction  
14 thereof.

15 c. All other vehicles or vessels within the  
16 category - rate per day or fraction thereof.

17 2. OTHER SERVICE CHARGES OR FEES. In addition to towing and  
18 service charges described in subsection 1., above, and  
19 administrative fees described in subsection 3., below, the  
20 following service charges and fees may apply.

21 A. *Electric vehicle (EV) storage in isolation areas*: rate  
22 per 24-hour day or fraction thereof, and the storage  
23 location must be approved by Jacksonville Sheriff's  
24 Office Wrecker Compliance Officer.

25 B. *Air cushion recovery*: rate plus wrecker and equipment,  
26 per hour in one-quarter hour increments. Time starts  
27 when wrecker leaves the shop; time ends when wrecker  
28 service complete and wrecker returns to shop.

29 C. *Front-end loader*: rate per hour, includes operator.  
30 Time starts when loader leaves the shop; time ends  
31 when loader service complete and loader returns to

1 shop.

2 D. *Super Heavy Wrecker Rotator* (only when rotator feature  
3 is necessary for the service not as routine wrecker):  
4 rate per hour, includes operator. Time starts when  
5 Rotator leaves the shop; time ends when Rotator  
6 service complete and Rotator returns to shop.

7 E. *Mini Excavator, skid-steer, forklift, street sweeper*:  
8 rate per hour, includes operator. Time starts when  
9 Bobcat, skid-steer, forklift, and/ or street sweeper  
10 leaves the shop; time ends when service of the  
11 particular equipment is complete and particular  
12 equipment is returned to shop.

13 F. *Tractor required for towing a trailer*: rate per hour,  
14 includes operator. Time starts when tractor to be used  
15 to tow trailer leaves the shop; time ends when tractor  
16 towing service is complete and tractor returns to  
17 shop.

18 G. *Lowboys*: rate per hour includes operator and tractor,  
19 no mileage charges. Time starts when Lowboy leaves the  
20 shop; time ends when Lowboy service is complete and  
21 Lowboy returns to shop.

22 H. *Extra cleanup and recovery personnel (when needed)*:  
23 after the first 30 minutes at the scene, extra time at  
24 the scene may be charged per hour, in one-quarter hour  
25 increments, for such services as recovery, cleanup,  
26 winching, waiting for inventory or other similar  
27 services - Rate per on-site cleanup/recovery worker  
28 per hour.

29 I. *Crash Wrap Fee*: one-time fee per vehicle or vessel if  
30 requested by law enforcement agency or the City or if  
31 without the wrap the vehicle or vessel cannot be

1 sealed from water.

2 J. *Maintenance of Traffic (MOT) setup (includes*  
3 *operator)*: truck with DMS signboard, lightbar, cones  
4 and Florida Department of Transportation-approved  
5 temporary signage; only on Rapid Incident Scene  
6 Clearance ("RISC") calls or if requested by law  
7 enforcement.

8 3. ADMINISTRATIVE FEES. In addition to towing and service  
9 charges described in subsection 1. and the other service  
10 charges and fees described in subsection 2., above, the  
11 following administration fees may apply.

12 A. *Internet research fee*. Towing-storage operators may  
13 charge an internet research fee per vehicle or vessel,  
14 but only when such research is necessary to establish  
15 ownership of the vehicle or vessel - this fee shall  
16 not exceed the rate found in [www.jaxsheriff.org/fees](http://www.jaxsheriff.org/fees).

17 B. *Notice fee*. Towing-storage operators may, after the  
18 first 48 hours, charge a reasonable fee for  
19 advertising notice, for research needed to prepare  
20 notice, and for the mailing by certified mail of the  
21 notices, to registered owners, insurers, and lien  
22 holders of record as required by Section 713.78(4),  
23 Florida Statutes, but the fee shall not exceed the  
24 rate found in [www.jaxsheriff.org/fees](http://www.jaxsheriff.org/fees).

25 C. *Lien release fee*. Towing-storage operators may, after  
26 the first 48 hours, charge a lien release fee not to  
27 exceed \$250.00 as allowed by Section 713.78(2)(a),  
28 Florida Statutes.

29 D. *Cost of sale fee*. Towing-storage operators may charge  
30 cost of sale fees associated with the public sale not  
31 to exceed \$200 per vehicle or vessel.

1 E. *Non-business hours gate fee.* Towing-storage operators  
2 may charge a non-business hours (6:00 p.m. through  
3 8:00 a.m., seven days per week) gate fee per visit.  
4 However, no such fee shall be charged for the recovery  
5 of prescription medication or prescription glasses,  
6 child car seats, oxygen tanks or any type of medical  
7 equipment or life necessity items. No gate fee shall  
8 be charged when complete payment is tendered for a  
9 vehicle or vessel being retrieved.

10 (e) Charges, Rates and Fees all-inclusive. The charges, rates  
11 and fees described in this Part are the only charges, rates  
12 and fees allowed under this Part; no other charges, rates or  
13 fees are permitted under this Part. Storage fees as set forth  
14 in this Part may be assessed after the initial six (6) hour  
15 period based on a twenty-four (24) hour day, each day starting  
16 at the time of impound.

17 **Sec. 804.1205. - Reimbursement for lien discharged pursuant to Section**  
18 **804.1107.**

19 If a lien created by Section 804.1107 and held by a private wrecker or  
20 towing firm is discharged by Section 804.1107 pursuant to a  
21 determination by a hearing examiner that an impoundment was improper  
22 and that the City shall bear part or all of the towing and storage  
23 charges, the City shall pay to the firm the amount determined by the  
24 hearing examiner. No payment shall be made until it is authorized by  
25 the General Counsel.

26 **Sec. 804.1206. - Sheriff's authorization to adjust rates.**

27 The Sheriff is authorized to adjust the rate for the TOL (rotating  
28 wrecker call list) applicable charges, towing and services, fees, and  
29 storage charges, upward or downward, by an amount equal to the  
30 percentage change in the Consumer Price Index for the most current  
31 June to June 12-month period immediately preceding the adjustment,

1 utilizing the Average of All Items (1982-84=100), U.S. City Average,  
2 All Urban Consumers, as published by the U.S. Department of Labor,  
3 Bureau of Statistics (the CPI). The rate will be adjusted by the  
4 Sheriff with notice to the City Council through the Council  
5 Secretary's Office and will be effective on October 1 of each fiscal  
6 year.

7 **Sec. 804.1207. - Towing Zone Boundaries.**

8 The Sheriff may divide the City into towing zones and may alter towing  
9 zone boundaries at the Sheriff's discretion based upon traffic,  
10 business, and other demographic needs. The Sheriff may set, and alter,  
11 a limit on the number of towing-storage operators authorized to  
12 conduct business within each zone established by the Sheriff. Such  
13 changes to towing zone boundaries or to the number of operators per  
14 zone shall include notice to the City Council through the Council  
15 Secretary's Office and will be effective on October 1 of each fiscal  
16 year hereafter.

17 **Sec. 804.1208. - Civil penalty.**

18 It shall be a violation of the Deceptive and Unfair Trade Practices  
19 Act as specified in Section 501.203, Florida Statutes, to violate any  
20 provision of Chapter 804, Part 12. A civil penalty may be assessed by  
21 the Court up to \$10,000, giving due consideration to the  
22 appropriateness of the penalty with respect to the gravity of the  
23 violation, the good faith of the violator and the history of previous  
24 violations.

25 **Sec. 804.1209. - Violations and fines.**

26 The violation of any provision of this Part shall be unlawful and a  
27 class D offense.

28 **Section 3. Creating a new Part 13 (Towing and Storage of**  
29 **Vehicles and Vessels from Private Property), Chapter 804**  
30 **(Jacksonville Traffic Code), Ordinance Code.** A new Part 13 (Towing and  
31 Storage of Vehicles and Vessels from Private Property), Chapter 804

1 (Jacksonville Traffic Code), *Ordinance Code*, is hereby created to read  
2 as follows:

3 **CHAPTER 804 - JACKSONVILLE TRAFFIC CODE**

4 \* \* \*

5 **PART 13. - TOWING AND STORAGE OF VEHICLES AND VESSELS**  
6 **FROM PRIVATE PROPERTY**

7 **Sec. 804.1301. - Definitions.**

8 (a) *City* as used herein shall refer to the City of Jacksonville.

9 (b) *Owner* or *legally authorized person* as to a vehicle or vessel  
10 means a person who has a property interest in the vehicle or  
11 vessel as evidenced by any of the following documents:

- 12 1. An electronic title.
- 13 2. A paper title.
- 14 3. A contract between a lender and the owner of the vehicle or  
15 vessel.
- 16 4. A contract between a lessor and the lessee of the vehicle  
17 or vessel.
- 18 5. Credentials establishing the person as an employee or  
19 contract agent of an insurance company along with  
20 documentation identifying the vehicle by the vehicle  
21 identification number or vessel by the hull identification  
22 number.
- 23 6. A written agreement evidencing that the person is an agent  
24 of the vehicle or vessel owner or lienholder.

25 Pursuant to Section 713.78(17), Florida Statutes, a  
26 towing-storage operator must accept an original or a copy of  
27 any of the above listed documents as evidence of a person's  
28 interest in a vehicle or vessel. Presenting one form of  
29 current government-issued photo identification constitutes  
30 sufficient identity verification for the purposes of this  
31 subsection. A towing-storage operator may not require any of

1 the documents listed in this subsection to be notarized,  
2 except for the agreement in subparagraph 6., if such agreement  
3 is presented for the purpose of releasing the vehicle or  
4 vessel.

5 Notwithstanding subparagraph 6., a rental vehicle or  
6 vessel agreement is not evidence that the person who rented a  
7 vehicle or vessel is an agent of the rental vehicle or vessel  
8 owner for the purpose of releasing the vehicle or vessel.  
9 However, a towing-storage operator must release to the renter  
10 of a rental vehicle or vessel all personal property belonging  
11 to the renter which is not affixed to the rental vehicle or  
12 vessel within 1 hour after the renter's arrival.

13 (c) *Payment* means as provided in Section 713.78(19), Florida  
14 Statutes. A towing-storage operator acting under this Part  
15 must accept payment for accrued charges in any form from at  
16 least two of the following subparagraphs:

- 17 1. Cash, cashier's check, money order, or traveler's  
18 check.
- 19 2. Bank, debit, or credit card.
- 20 3. Mobile payment service, digital wallet, or other  
21 electronic payment system.

22 (d) *Property owner* or *Real property owner* shall mean that person  
23 who exercises dominion and control over the real property,  
24 including, but not limited to: the legal title-holder,  
25 lessee, a resident manager, a property manager or other agent  
26 who has legal authority to bind the owner of the real  
27 property; the designated representative of a condominium  
28 association if the real property is a condominium, as defined  
29 in Section 718.103(12), Florida Statutes; and may include a  
30 business owner or lessee regarding a vehicle or vessel parked  
31 in such a manner that restricts the normal operation of

1 business. A person providing a towing service may not be  
2 appointed as an agent for a property owner.

3 (e) *Tow* shall mean as defined in Section 320.01, Florida Statutes,  
4 as amended from time to time, to include to pull or draw any  
5 vehicle or vessel with a power unit by means of a direct  
6 attachment, drawbar, or other connection or to carry a vehicle  
7 or vessel on a power unit designed to transport such vehicle  
8 or vessel from one location to another.

9 (f) *Towing-storage operator* shall mean as defined in Section  
10 713.78, Florida Statutes, as amended from time to time.

11 (g) *Trespass vehicle* or *trespass vessel* shall mean a vehicle or  
12 vessel parked on private real property without the permission  
13 of the real property owner, as defined in this Part. Pursuant  
14 to Section 715.07(5), Florida Statutes, a vehicle or vessel  
15 parked on a public right-of-way that obstructs access to a  
16 private driveway may be considered a trespass vehicle or  
17 vessel under this Part. This definition does not include law  
18 enforcement, firefighting, rescue squad, ambulance, or other  
19 emergency vehicles or vessels that are marked as such and does  
20 not include non-emergency vehicles or vessels owned by any  
21 governmental entity marked as such.

22 (h) *Vehicle* shall mean as defined in Section 715.07, Florida  
23 Statutes, as amended from time to time.

24 (i) *Vessel* shall mean as defined in Section 715.07, Florida  
25 Statutes, as amended from time to time. As used in this  
26 section the term "vessel" is limited to vessels on land above  
27 the mean high water line.

28 (j) *Wrecker* shall mean as defined in Section 713.78, Florida  
29 Statutes, as amended from time to time.

30 **Sec. 804.1302. - Non-consensual towing or storage of trespass vehicles**  
31 **or trespass vessels from private property, for compensation.**

1 No towing-storage operator shall tow or store any trespass vehicles or  
2 trespass vessels for compensation from private property within the  
3 jurisdictional limits of City of Jacksonville pursuant to this Part  
4 without complying with the requirements of Chapters 713 and 715,  
5 Florida Statutes, and the provisions of this Part where applicable.  
6 All documentation, required by Florida Statutes or the Jacksonville  
7 Ordinance Code, including, but not limited to, tow away authorization  
8 forms, notices of claims of lien and correspondence, shall be retained  
9 within the jurisdictional limits of the City of Jacksonville. Storage  
10 sites or storage yards shall comply with all Jacksonville Ordinance  
11 Code provisions including but not limited to Sections 656.322 and  
12 656.323, *Ordinance Code*, as may be amended from time to time.

13 **Sec. 804.1303. - Prerequisites to towing or storage, of trespass**  
14 **vehicles or trespass vessels from private property for compensation.**

15 (a) Prior to the towing or storage of any trespass vehicles or  
16 trespass vessels from private property for compensation  
17 pursuant to this Part, the property owner of the real property  
18 and the towing-storage operator shall have executed a written  
19 agreement which shall at a minimum contain the following  
20 provisions:

- 21 1. The name and address of the real property owner  
22 requesting the services of the towing-storage operator;
- 23 2. The location and description of the property from  
24 where any trespass vehicle or trespass vessel will be  
25 towed;
- 26 3. The duration of the agreement;
- 27 4. The time of day that such towing is authorized;
- 28 5. The days of the week that such towing is authorized;
- 29 6. The address and description of the location to where  
30 any trespass vehicle or trespass vessel will be towed and  
31 stored with verification that the storage site is

1 authorized under Sections 656.322 and 656.323, *Ordinance*  
2 *Code*, as may be amended from time to time. Said storage  
3 site shall be located within a ten-mile radius from where  
4 the tow originates; and

- 5 7. The signature of both the real property owner and the  
6 owner, or an authorized representative of the towing-  
7 storage operator, certifying that each has read and is in  
8 compliance with the provisions of Section 715.07,  
9 Florida Statutes, and the provisions of this Part.

10 Prior to the towing of any trespass vehicle or trespass  
11 vessel by a towing-storage operator pursuant to this Part, a copy  
12 of the executed agreement described in this subsection, shall be  
13 filed by the towing-storage operator with the Jacksonville  
14 Sheriff's Office Vehicle Storage and Recovery Unit. The towing-  
15 storage operator shall be responsible for advising the  
16 Jacksonville Sheriff's Office Vehicle Storage and Recovery Unit  
17 within two business days of any changes, amendments, or  
18 modifications to, or rescissions of, said agreements. Said  
19 agreements shall be nontransferable.

20 The above requirement of a written agreement shall not  
21 apply to the removal of vehicles or vessels from property  
22 appurtenant to and obviously part of a single-family residence  
23 or where the vehicle or vessel is parked in such a way as to  
24 obstruct access to private entrances, exits, drives or loading  
25 areas.

- 26 (b) Unless excepted from the requirements of Section 715.07,  
27 Florida Statutes, a real property owner must post notice that  
28 unauthorized vehicles or vessels will be towed away at the  
29 vehicle or vessel owner's expense. A Tow-away sign shall  
30 provide only one name, address, and current telephone number  
31 of the towing-storage operator authorized to tow from that

1 location. The vehicle or vessel shall only be towed to the  
2 address posted on the sign.

3 (c) A towing-storage operator must maintain a rate sheet listing  
4 all fees for, or incidental to, the towing or storage of a  
5 vehicle or vessel and must do all of the following:

6 1. Post the rate sheet at the towing-storage operator's  
7 place of business.

8 2. An identical rate schedule and a complete copy any  
9 written contracts with real property owners shall be  
10 posted at the storage site.

11 3. Make the rate sheet available upon request by the  
12 vehicle or vessel owner, lienholder, insurance company,  
13 or their agent.

14 4. Before attaching a vehicle or vessel to a wrecker,  
15 furnish the rate sheet to the owner or operator of the  
16 vehicle or vessel, if the owner or operator is present at  
17 the scene of the disabled vehicle or vessel. Any fee  
18 charged in excess of those listed on the rate sheet  
19 required under this subsection is deemed unreasonable.

20 (d) No towing-storage operator shall pay or rebate money, or  
21 solicit or offer the payment or rebate of money or other  
22 valuable consideration, to property owners for the right to  
23 engage in the towing or storage of trespass vehicles or  
24 trespass vessels from any property.

25 (e) At each incident of a tow pursuant to this Part, the real  
26 property owner, or an authorized representative or agent  
27 thereof must be present at the time of towing and must sign  
28 the authorization at that time. No electronic signatures are  
29 allowed. For the purposes of this subsection, no person  
30 employed by, or affiliated with the towing-storage operator  
31 may act as the real property owner's representative or agent.

1 No pre-approved blank forms or post-approved blank forms are  
2 permitted, and use of same shall constitute a violation under  
3 this Part.

4 (f) The towing-storage operator shall, within 30 minutes of the  
5 completion of the towing of a trespass vehicle or trespass  
6 vessel, notify the Jacksonville Sheriff's Office of the  
7 towing; the location from where the tow originated; the  
8 storage site; the time the vehicle or vessel was towed; and as  
9 to a trespass vehicle: the make, model, year, color, vehicle  
10 identification number (VIN), and license plate number; as to  
11 a trespass vessel: the make, model, year, color, length, hull  
12 identification number (HIN), and registration number. The  
13 towing-storage operator; shall obtain the Jacksonville  
14 Sheriff's Office case number assigned to the case and the name  
15 or badge number of the person at the Jacksonville Sheriff's  
16 Office to whom the fact of the tow was reported.

17 (g) All towed trespass vehicles or trespass vessels shall be  
18 towed directly to the storage site owned or leased by the  
19 towing-storage operator and shall not be kept in any temporary  
20 holding area.

21 (h) Each towing-storage operator shall staff or monitor its  
22 telephone at all times and immediately advise the owner or  
23 authorized representative of a stored trespass vehicle or  
24 trespass vessel who calls by telephone prior to arriving at  
25 the storage site of the following:

- 26 1. Each and every document or other item which must be  
27 produced to retrieve the vehicle or vessel;
- 28 2. The exact charges as of the time of the telephone  
29 call, and the rate at which charges will accumulate  
30 thereafter;
- 31 3. The acceptable methods of payment; and

1           4.    That the vehicle or vessel can be picked up within one  
2           hour of request.

3   (i)   The towing-storage operator must produce and make be  
4       available an itemized invoice of actual fees charged by a  
5       towing-storage operator for a completed tow for the vehicle or  
6       vessel owner, lienholder, insurance company, or their agent  
7       no later than 1 business day after:

8           1.    The tow is completed; or

9           2.    The towing-storage operator has obtained all necessary  
10          information to be included on the invoice, including any  
11          charges submitted by subcontractors used by the towing-  
12          storage operator to complete the tow and recovery.

13   (j)   The itemized invoice required under paragraph (i) must  
14       contain all of the following information:

15          1.    The date and time the vehicle or vessel was towed.

16          2.    The location to which the vehicle or vessel was towed.

17          3.    The name, address, and telephone number of the towing-  
18          storage operator.

19          4.    The name or badge number of the person at the  
20          Jacksonville Sheriff's Office to whom the fact of the tow  
21          was reported, and the Jacksonville Sheriff's Office case  
22          number assigned.

23          5.    A description of the towed vehicle or vessel,  
24          including:

25                as to a trespass vehicle: the make, model, year,  
26                color, vehicle identification number (VIN), and license  
27                plate number; as to a trespass vessel: the make, model,  
28                year, color, length, hull identification number (HIN),  
29                and registration number.

30          6.    The cost of the initial towing service.

31          7.    The cost of any storage fees, expressed as a daily

1 rate.

2 8. Other fees, including administrative fees and other  
3 fees, as permitted under this Part.

4 9. A list of the services that were performed under a  
5 warranty or that were otherwise performed at no cost to  
6 the owner of the vehicle or vessel.

7 (k) Any service performed or fee charged in addition to those  
8 described in subparagraph (j)6. or subparagraph (j)7. must be  
9 set forth on the itemized invoice required under paragraph  
10 (i). individually as a single line item that includes an  
11 explanation of the service or fee and the exact amount charged  
12 for the service or the exact amount of the fee.

13 (l) A towing-storage operator must make the itemized invoice  
14 required under paragraph (i) available for inspection and  
15 copying no later than 48 hours after receiving a written  
16 request to inspect such invoice from:

- 17 1. A law enforcement agency;
- 18 2. The Attorney General; or
- 19 3. The vehicle or vessel owner, lienholder, insurance  
20 company, or their agent.

21 (m) The towing-storage operator shall provide, at the time of  
22 payment, a written receipt for all charges imposed and funds  
23 received resulting from the towing or storage of a trespass  
24 vehicle or trespass towed under this Part. Said receipt shall  
25 include at a minimum:

- 26 1. The date, time and location of the tow;
- 27 2. A copy of the itemized invoice required under  
28 paragraph (i); and
- 29 3. The date, time, and method of payment of the charges.

30 (n) A towing-storage operator must retain for 3 years records  
31 produced for all vehicles or vessels towed, stored, or

1 released. Such records must include at least all of the  
2 following:

- 3 1. The name of the towing-storage operator and the person  
4 providing the service;
- 5 2. The date, time of departure and location of the origin  
6 of the tow;
- 7 3. The date, time and destination of storage;
- 8 4. As to a trespass vehicle: the make, model, year,  
9 color, vehicle identification number (VIN), and license  
10 plate number; as to a trespass vessel: the make, model,  
11 year, color, length, hull identification number (HIN),  
12 and registration number;
- 13 5. The Jacksonville Sheriff's Office case number and the  
14 name or badge number of the person at the Jacksonville  
15 Sheriff's Office to whom the fact of the tow was  
16 reported;
- 17 6. All notice publications and certified mailings;
- 18 7. The purchase price of any unclaimed vehicle or vessel  
19 sold;
- 20 8. The names and addresses of persons to which vehicles  
21 or vessels were released;
- 22 9. The names and addresses of vehicle or vessel  
23 purchasers;
- 24 10. All fees imposed under this Part, including the  
25 itemized invoice required under subparagraph (i), of  
26 this subsection.

27 The towing-storage operator shall make such records  
28 available to any law enforcement officer during normal business  
29 hours.

- 30 (o) No towing-storage operator shall tow a vehicle or vessel  
31 when there is a natural person occupying the vehicle or

1 vessel.

2 (p) No towing-storage operator acting under this Part shall tow  
3 a trespass vehicle or trespass vessel from within Duval County  
4 out of Duval County.

5 (q) Each towing-storage operator that performs the towing of a  
6 trespass vehicle or trespass vessel from private property  
7 pursuant to this Part shall have on record a Zoning  
8 Certificate Form from the City's zoning office listing their  
9 storage yard as a permitted use and shall file a copy of the  
10 same with the Jacksonville Sheriff's Office.

11 **Sec. 804.1304. - Exemptions.**

12 This Part shall not apply to the towing of a Trespass vehicle or  
13 trespass vessel which occurs:

14 (a) At the direction of a law enforcement officer pursuant to  
15 an agreement between the City and the towing-storage  
16 operator, or

17 (b) With the consent of the owner or authorized person in  
18 control of that vehicle or vessel.

19 **Sec. 804.1305. - Return of a vehicle or vessel without costs to**  
20 **owner prior to tow, certain circumstances.**

21 (a) If the registered owner or legally authorized person in  
22 control of the vehicle or vessel arrives to the site of the  
23 vehicle or vessel designated to be towed under this Part and  
24 agrees to remove the vehicle or vessel from the real property  
25 upon which it is in trespass before the vehicle or vessel has  
26 been attached to a wrecker, the towing-storage operator must  
27 stop the process of the tow and release the vehicle or vessel  
28 without charging costs or fees to the registered owner or  
29 legally authorized person in control of the vehicle or vessel  
30 owner.

31 (b) If the registered owner or legally authorized person in

1 control of the vehicle or vessel arrives to the site of the  
2 vehicle or vessel designated to be towed under this Part and  
3 seeks the return of the vehicle or vessel before the vehicle  
4 or vessel has been attached to a wrecker but refuses to remove  
5 the vehicle or vessel from the real property upon which it is  
6 in trespass the towing-storage operator may proceed with the  
7 process of the tow.

8 (c) If the registered owner or legally authorized person in  
9 control of the vehicle or vessel arrives to the site of the  
10 vehicle or vessel designated to be towed under this Part and  
11 seeks the return of the vehicle or vessel after the vehicle or  
12 vessel has been attached to a wrecker, and either refuses to  
13 or is unable to pay a service fee of not more than one-half of  
14 the rate of the category appropriate for the trespass vehicle  
15 or trespass vessel as provided in Section 804.1306, of this  
16 Part, after a reasonable opportunity to do so, the towing-  
17 storage operator may proceed with the process of the tow. The  
18 towing-storage operator shall wait a minimum of 30 minutes to  
19 allow the owner or operator of the trespass vehicle or  
20 trespass vessel to secure payment of the fees enumerated  
21 herein.

22 **Sec. 804.1306. - Non-consensual towing from private property, other**  
23 **services and storage charges; notice.**

24 (a) Standard charges for towing and storage or other services  
25 related to the towing and storage of trespass vehicles and  
26 trespass vessels shall be charged by the towing-storage  
27 operator to the owner of the vehicle or vessel, pursuant to  
28 Sections 125.0103, 166.043, 713.78, and 715.07, Florida  
29 Statutes.

30 (b) Whenever a towing-storage operator tows or stores a  
31 trespass vehicle or trespass vessel under this Part, the

1 towing-storage operator shall within five business days from  
2 the date of such direction notify in writing, by certified  
3 mail, the registered owner of the vehicle or vessel, the  
4 insurance company insuring the vehicle or vessel, and any and  
5 all lienholders of record (as appears on the vehicle or vessel  
6 registration or as disclosed by the records in the State  
7 Department of Highway Safety and Motor Vehicles). The notice  
8 shall contain the date and time of towing, the name of the  
9 registered owner of the vehicle or vessel, the name of the  
10 towing-storage operator and the address at which the towed  
11 vehicle or vessel is stored. In the event a towed vehicle has  
12 a temporary license tag affixed to it, the towing-storage  
13 operator shall, if possible, provide the same notice required  
14 herein within five business days to the entity to which the  
15 temporary license tag was issued.

16 (c) At the request of a registered owner of a vehicle or vessel  
17 towed or stored under this subsection, for their vehicle or  
18 vessel to be moved to another location, charges shall be  
19 negotiated between the owner and the towing-storage operator.

20 (d) Charges for towing or storage of a trespass vehicle or  
21 trespass vessel or other services performed pursuant to this  
22 Part and the category of wrecker service shall be determined  
23 by the vehicle or vessel to be towed or service to be  
24 performed, shall apply 24 hours a day seven days a week, and  
25 shall not exceed the rates set forth  
26 in [www.jaxsheriff.org/fees](http://www.jaxsheriff.org/fees) for the following:

27 1. TOWING AND SERVICE CHARGES.

28 A. *Category A* (gross weight of up to and including  
29 10,000 pounds):

30 (1) *Category A Wrecker*:

31 a. Motorcycles, cars, pickups (through

1 light duty – one ton with single rear  
2 axles), small camper trailers, trailers  
3 with single axles; includes sling,  
4 rollback or dollies – rate plus amount per  
5 mile.

6 b. All other vehicles or vessels within the  
7 category; includes sling, rollback or  
8 dollies – rate plus amount per mile.

9 (2) Category A Storage (after the first six hours):

10 a. Motorcycles – rate per 24-hour day or  
11 fraction thereof inside or outside.

12 b. All others in Category:

13 i. Outside – rate per 24-hour day or  
14 fraction thereof.

15 ii. Inside – rate per 24-hour day or  
16 fraction thereof, only when vehicle  
17 or vessel owner specifies or when  
18 necessary for protection from  
19 weather.

20 B. *Category B* (gross weight over 10,000 pounds and up  
21 to and including 19,500 pounds):

22 (1) Category B Wrecker:

23 a. One-ton through two-ton trucks and  
24 camper trailers - rate per hour (no  
25 mileage charge). Time starts when  
26 wrecker leaves the shop; time ends when  
27 wrecker service is complete and wrecker  
28 returns to shop.

29 b. Motor homes with dual rear wheels,  
30 tandem axles – rate per hour (no mileage  
31 charge). Time starts when wrecker leaves

1 the shop; time ends when wrecker service  
2 is complete and wrecker returns to shop.

- 3 c. All other vehicles or vessels within  
4 the category - rate per hour (no mileage  
5 charge). Time starts when wrecker leaves  
6 the shop; time ends when wrecker service  
7 is complete and wrecker returns to shop.

8 (2) Category B Storage (after the first six hours):

- 9 a. Outside - rate per 24-hour day or  
10 fraction thereof.  
11 b. Inside - rate per 24-hour day or  
12 fraction thereof, only when vehicle  
13 or vessel owner specifies or when  
14 necessary for protection from  
15 weather.

16 C. *Category C* (gross weight of more than 19,500  
17 pounds):

18 (1) Category C Wrecker:

- 19 a. Two and one-half ton trucks and up,  
20 semis, buses, mobile homes, and similar  
21 vehicle types - rate per hour (no  
22 mileage charge). Time starts when  
23 wrecker leaves the shop; time ends when  
24 wrecker service is complete and wrecker  
25 returns to shop.  
26 b. All other vehicles or vessels within  
27 the category - rate per hour (no mileage  
28 charge). Time starts when wrecker leaves  
29 the shop; time ends when wrecker service  
30 is complete and wrecker returns to shop.

31 (2) Category C Storage (after the first six

hours):

- a. Semi-tractor – rate per day or fraction thereof.
- b. Semi-trailer – rate per day or fraction thereof.
- c. All other vehicles or vessels within the category - rate per day or fraction thereof.

2. OTHER SERVICE CHARGES OR FEES. In addition to towing and service charges described in subsection 1., above, and administrative fees described in subsection 3., below, the following service charges and fees may apply.

- A. *Electric vehicle (EV) storage in isolation areas:* rate per 24-hour day or fraction thereof, and the storage location must be approved by Jacksonville Sheriff's Office Wrecker Compliance Officer.
- B. *Front-end loader:* rate per hour, includes operator. Time starts when loader leaves the shop; time ends when loader service complete and loader returns to shop.
- C. *Super Heavy Wrecker Rotator* (only when rotator feature is necessary for the service not as routine wrecker): rate per hour, includes operator. Time starts when Rotator leaves the shop; time ends when Rotator service complete and Rotator returns to shop.
- D. *Mini Excavator, skid-steer, forklift, street sweeper:* rate per hour, includes operator. Time starts when Bobcat, skid-steer, forklift, and/ or street sweeper leaves the shop; time ends when service of the particular equipment is complete and

1 particular equipment is returned to shop.

2 E. *Tractor required for towing a trailer:* rate per  
3 hour, includes operator. Time starts when tractor  
4 to be used to tow trailer leaves the shop; time ends  
5 when tractor towing service is complete and tractor  
6 returns to shop.

7 F. *Lowboys:* rate per hour includes operator and  
8 tractor, no mileage charges. Time starts when  
9 Lowboy leaves the shop; time ends when Lowboy  
10 service is complete and Lowboy returns to shop.

11 G. *Crash Wrap Fee:* one-time fee per vehicle if  
12 requested by real property owner.

13 3. ADMINISTRATIVE FEES. In addition to towing and service  
14 charges described in subsection 1. and the other service  
15 charges and fees described in subsection 2. above, the  
16 following administration fees may apply.

17 A. *Internet research fee.* Towing-storage operators may  
18 charge an internet research fee per vehicle or vessel,  
19 but only when such research is necessary to establish  
20 ownership of the vehicle or vessel - this fee shall  
21 not exceed the rate found in [www.jaxsheriff.org/fees](http://www.jaxsheriff.org/fees).

22 B. *Notice fee.* Towing-storage operators may, after the  
23 first 48 hours, charge a reasonable fee for  
24 advertising notice, for research needed to prepare  
25 notice, and for the mailing by certified mail of the  
26 notices, to registered owners, insurers, and lien  
27 holders of record as required by Section 713.78(4),  
28 Florida Statutes, but the fee shall not exceed the  
29 rate found in [www.jaxsheriff.org/fees](http://www.jaxsheriff.org/fees).

30 C. *Lien release fee.* Towing-storage operators may, after  
31 the first 48 hours, charge a lien release fee not to

1 exceed \$250.00 as allowed by Section 713.78(2)(a),  
2 Florida Statutes.

3 D. *Cost of sale fee.* Towing-storage operators may charge  
4 cost of sale fees associated with the public sale not  
5 to exceed \$200 per vehicle or vessel.

6 E. *Non-business hours gate fee.* Towing-storage operators  
7 may charge a non-business hours (6:00 p.m. through  
8 8:00 a.m., seven days per week) gate fee per visit.  
9 However, no such fee shall be charged for the recovery  
10 of prescription medication or prescription glasses,  
11 child car seats, oxygen tanks or any type of medical  
12 equipment or life necessity items. No gate fee shall  
13 be charged when complete payment is tendered for a  
14 vehicle or vessel being retrieved.

15 (e) *Charges, Rates and Fees all-inclusive.* The charges, rates and  
16 fees described in this Part are the only charges, rates and  
17 fees allowed under this Part; no other charges, rates or fees  
18 are permitted under this Part. No additional charges or fees  
19 shall be made for special equipment or services such as double  
20 hook up, vehicle entry when locked, dropping transmission  
21 linkage, axle or drive shaft removal, dollies, trailer or flat  
22 bed, lifts, slim jims, go jacks, removing bumpers, or airing  
23 up brakes. Storage fees as set forth in this Part may be  
24 assessed after the initial six (6) hour period based on a  
25 twenty-four (24) hour day, each day starting at the time of  
26 impound.

27 **Sec. 804.1307. - Sheriff's authorization to adjust rates.**

28 The Sheriff is authorized to adjust the rate for towing and services,  
29 fees, and storage charges, upward or downward, by an amount equal to  
30 the percentage change in the Consumer Price Index for the most current  
31 June to June 12-month period immediately preceding the adjustment,

1 utilizing the Average of All Items (1982-84=100), U.S. City Average,  
2 All Urban Consumers, as published by the U.S. Department of Labor,  
3 Bureau of Statistics (the CPI). The rate will be adjusted by the  
4 Sheriff with notice to the City Council through the Council  
5 Secretary's Office and will be effective on October 1 of each fiscal  
6 year.

7 **Sec. 804.1308. - Civil penalty.**

8 It shall be a violation of the Deceptive and Unfair Trade Practices  
9 Act as specified in Section 501.203, Florida Statutes, to violate any  
10 provision of Chapter 804, Part 13. A civil penalty may be assessed by  
11 the Court up to \$10,000, giving due consideration to the  
12 appropriateness of the penalty with respect to the gravity of the  
13 violation, the good faith of the violator and the history of previous  
14 violations.

15 **Sec. 804.1309. - Violations and fines.**

16 A violation of any provision of this Part shall be unlawful and a class  
17 D offense.

18 **Section 4. Codification Instructions.** The Codifier and the  
19 Office of General Counsel are authorized to make all chapters and  
20 division "table of contents" consistent with the changes set forth  
21 herein. Such editorial changes and any other necessary changes to make  
22 the *Ordinance Code* consistent with the intent of this legislation are  
23 approved and directed herein, and the changes to the *Ordinance Code*  
24 shall be made forthwith and when inconsistencies are discovered.

25 **Section 5. Effective Date.** This Ordinance shall become  
26 effective upon signature by the Mayor or upon becoming effective  
27 without the Mayor's signature.

28  
29 Form Approved:

30  
31 /s/ Shannon MacGillis

1 Office of General Counsel

2 Legislation Prepared By: Shannon MacGillis

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