

CITY OF MARGATE

ARTICLE VI. - TRAFFIC CONTROL

Sec. 33-69.50. - Regulating towing of vehicles from private property.

- (a) This section shall operate and govern the towing or removal of all vehicles from private property within the municipal limits of the City of Margate without the consent of the registered owner or without the consent of any other legally authorized person in control of a vehicle as contemplated in F.S. § 715.07.

This section shall not govern any towing or removal authorized by the City of Margate or any other law enforcement agency.

- (b) As used in this section, the term "vehicle" means any mobile item which normally uses wheels, whether motorized or not.
- (c) The owner or lessor of private real property within the City of Margate, or any person authorized by the owner or lessor, which person may be the designated representative of a condominium association if the real property is a condominium, may cause any vehicle parked on such property without his permission to be removed by a firm or person regularly engaged in the business of towing vehicles, without liability for the costs of removal, transportation, or storage or damages caused by reasonable removal, transportation, or storage subject to strict compliance with the following conditions and restrictions:
- (1) Restrictions provided for by F.S. § 715.07, as amended or renumbered, which are hereby made a part of the code of the City of Margate.
 - (2) No towing or removal charge shall exceed fifty dollars (\$50.00) for said removal regardless of the type of removal necessary or the destination of said vehicle towed.
 - (3) No storage charge shall exceed twelve dollars (\$12.00) per day upon the storage of any vehicle towed where the tow terminates in the storage facility of the towing company, irrespective of the location of the storage facility.
 - (4) There may be one (1) administrative fee for storage of a vehicle not to exceed twenty-five dollars (\$25.00) per vehicle charged after three (3) storage days provided the towed vehicle has not been claimed from a storage facility.
 - (5) That any person or firm regularly engaged in the business of towing vehicles pursuant to Section 715.07 of the Florida Statutes and this section shall register with the City of Margate Police Department the current name and phone number of an agent who is authorized to release any vehicle towed from private property within the City of Margate and the hours which the storage facility for same is open for claim of vehicles.
 - (6) The adoption of reasonable guidelines which allow for acceptance of checks and credit cards as payment for services provided by any person or firm which tows pursuant to state statute and this section.
 - a. The above guidelines shall be prominently posted at such location(s) where towed vehicles are held for claim;
 - b. Such guidelines shall be provided to the City of Margate Police Department and individual responsible for a vehicle shall be advised of the guidelines when said individual is notified that his/her vehicle is held by the company.
 - (7) The posting of the following at a location where towed vehicles are held for claim by any person or firm which tows pursuant to state statute and this section:
 - a. This section.
 - b. F.S. § 715.07, titled: Vehicles Parked on Private Property; Towing.

c. The Towing Company Licensing and Regulating Ordinance of Broward County.

- (8) Should any item which is required to be posted be removed or become unreadable, then it shall be the responsibility of the owner or principal of the premises or lessee to replace same as expeditiously as possible.
- (d) This section shall be deemed supplemental to Section 715.07 of the Florida Statutes entitled: Vehicles Parked on Private Property; Towing, as amended or renumbered an Article XII, Sections 20-242 through 20-250 of the Broward County Code entitled Towing Company Licensing and Regulating Ordinance of Broward County. However, this section shall supersede and prevail over the above referred to state statute and county ordinance where same conflict when the towing of a vehicle emanates from private property within the municipal limits of the city.
- (e) Any individual or corporation violating any provision of this section shall be deemed guilty of a municipal violation and shall be punished as provided in section 1-8 of the Code of the city.
- (f) Should any individual or entity violate any provision of this code acting as an employee, agent or officer of any other individual, corporation or business entity, then the action of said individual or corporation shall be deemed as an additional separate violation against the individual, corporation, or business entity which is the principal or employer.

(Ord. No. 88-36, § 1, 12-21-1988)