

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1 repealed in their entirety.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 vehicle  
21           or vessel.
- 22       4. A contract between a lessor and the lessee of the vehicle  
23           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 towing-

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

10 Notwithstanding subparagraph 6., a rental vehicle or vessel  
11 agreement is not evidence that the person who rented a vehicle  
12 or vessel is an agent of the rental vehicle or vessel owner for  
13 the purpose of releasing the vehicle or vessel. However, a  
14 towing-storage operator must release to the renter of a rental  
15 vehicle or vessel all personal property belonging to the renter  
16 which is not affixed to the rental vehicle or vessel within 1  
17 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 check.
- 23 2. Bank, debit, or credit card.
- 24 3. Mobile payment service, digital wallet, or other  
25 electronic payment system.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 reapply for inclusion on the TOL. This fee shall be in  
2 addition to the annual fee required herein.

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

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

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

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

1 business days to the entity to which the temporary license  
2 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 other  
9 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 hours):

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

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

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

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

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

21 (1) Category B Wrecker:

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

28 b. Motor homes with dual rear wheels, tandem  
29 axles, that are upright and in towable  
30 condition - rate per hour (no mileage  
31 charge). Time starts when wrecker leaves the

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

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

9 d. Extra fees:

10 i. Rollover.

11 ii. Dollies.

12 iii. Special nylon recovery straps.

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

14 a. Outside - rate per 24-hour day or fraction  
15 thereof.

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

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

21 (1) Category C Wrecker:

22 a. Two and one-half ton trucks and up, semis,  
23 buses, mobile homes, and similar vehicle  
24 types, 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. All other vehicles or vessels within the  
30 category 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. Extra fees:

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

6 ii. Rollover.

7 iii. Special nylon recovery straps.

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

9 a. Semi-tractor - rate per day or fraction  
10 thereof.

11 b. Semi-trailer - rate per day or fraction  
12 thereof.

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

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

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

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

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

- 1 D. *Super Heavy Wrecker Rotator* (only when rotator  
2 feature is necessary for the service not as routine  
3 wrecker): rate per hour, includes operator. Time  
4 starts when Rotator leaves the shop; time ends when  
5 Rotator service complete and Rotator returns to shop.
- 6 E. *Mini Excavator, skid-steer, forklift, street sweeper*:  
7 rate per hour, includes operator. Time starts when  
8 Bobcat, skid-steer, forklift, and/ or street sweeper  
9 leaves the shop; time ends when service of the  
10 particular equipment is complete and particular  
11 equipment is returned to shop.
- 12 F. *Tractor required for towing a trailer*: rate per hour,  
13 includes operator. Time starts when tractor to be  
14 used to tow trailer leaves the shop; time ends when  
15 tractor towing service is complete and tractor  
16 returns to shop.
- 17 G. *Lowboys*: rate per hour includes operator and tractor,  
18 no mileage charges. Time starts when Lowboy leaves  
19 the shop; time ends when Lowboy service is complete  
20 and Lowboy returns to shop.
- 21 H. *Extra cleanup and recovery personnel (when needed)*:  
22 after the first 30 minutes at the scene, extra time  
23 at the scene may be charged per hour, in one-quarter  
24 hour increments, for such services as recovery,  
25 cleanup, winching, waiting for inventory or other  
26 similar services - Rate per on-site cleanup/recovery  
27 worker per hour.
- 28 I. *Crash Wrap Fee*: one-time fee per vehicle or vessel if  
29 requested by law enforcement agency or the City or if  
30 without the wrap the vehicle or vessel cannot be  
31 sealed from water.

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

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

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

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

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

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

31 E. *Non-business hours gate fee*. Towing-storage operators

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

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

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

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

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

26       The Sheriff is authorized to adjust the rate for the TOL (rotating  
27       wrecker call list) applicable charges, towing and services, fees,  
28       and storage charges, upward or downward, by an amount equal to the  
29       percentage change in the Consumer Price Index for the most current  
30       June to June 12-month period immediately preceding the adjustment,  
31       utilizing the Average of All Items (1982-84=100), U.S. City Average,

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

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

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

16 **Sec. 804.1208. - Civil penalty.**

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

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

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

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

1 to read as follows:

2 **CHAPTER 804 - JACKSONVILLE TRAFFIC CODE**

3 \* \* \*

4 **PART 13. - TOWING AND STORAGE OF VEHICLES AND VESSELS**

5 **FROM PRIVATE PROPERTY**

6 **Sec. 804.1301. - Definitions.**

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

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

11 1. An electronic title.

12 2. A paper title.

13 3. A contract between a lender and the owner of the vehicle  
14 or vessel.

15 4. A contract between a lessor and the lessee of the vehicle  
16 or vessel.

17 5. Credentials establishing the person as an employee or  
18 contract agent of an insurance company along with  
19 documentation identifying the vehicle by the vehicle  
20 identification number or vessel by the hull identification  
21 number.

22 6. A written agreement evidencing that the person is an agent  
23 of the vehicle or vessel owner or lienholder.

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

1           except for the agreement in subparagraph 6., if such agreement  
2           is presented for the purpose of releasing the vehicle or  
3           vessel.

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

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

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

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

1 appointed as an agent for a property owner.

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

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

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

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

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

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

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

31 No towing-storage operator shall tow or store any trespass vehicles

1 or trespass vessels for compensation from private property within the  
2 jurisdictional limits of City of Jacksonville pursuant to this Part  
3 without complying with the requirements of Chapters 713 and 715,  
4 Florida Statutes, and the provisions of this Part where applicable.  
5 All documentation, required by Florida Statutes or the Jacksonville  
6 Ordinance Code, including, but not limited to, tow away authorization  
7 forms, notices of claims of lien and correspondence, shall be retained  
8 within the jurisdictional limits of the City of Jacksonville. Storage  
9 sites or storage yards shall comply with all Jacksonville Ordinance  
10 Code provisions including but not limited to Sections 656.322 and  
11 656.323, *Ordinance Code*, as may be amended from time to time.

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

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

- 20 1. The name and address of the real property owner  
21 requesting the services of the towing-storage operator;
- 22 2. The location and description of the property from where  
23 any trespass vehicle or trespass vessel will be towed;
- 24 3. The duration of the agreement;
- 25 4. The time of day that such towing is authorized;
- 26 5. The days of the week that such towing is authorized;
- 27 6. The address and description of the location to where any  
28 trespass vehicle or trespass vessel will be towed and  
29 stored with verification that the storage site is  
30 authorized under Sections 656.322 and 656.323, *Ordinance*  
31 *Code*, as may be amended from time to time. Said storage

1 site shall be located within a ten-mile radius from  
2 where the tow originates; and

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

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

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

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

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

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

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

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

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

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

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

1           this Part.

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

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

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

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

1 hour of request.

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

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

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

- 14 1. The date and time the vehicle or vessel was towed.
- 15 2. The location to which the vehicle or vessel was towed.
- 16 3. The name, address, and telephone number of the towing-  
17 storage operator.
- 18 4. The name or badge number of the person at the  
19 Jacksonville Sheriff's Office to whom the fact of the  
20 tow was reported, and the Jacksonville Sheriff's Office  
21 case number assigned.
- 22 5. A description of the towed vehicle or vessel, including:  
23 as to a trespass vehicle: the make, model, year, color,  
24 vehicle identification number (VIN), and license plate  
25 number; as to a trespass vessel: the make, model, year,  
26 color, length, hull identification number (HIN), and  
27 registration number.
- 28 6. The cost of the initial towing service.
- 29 7. The cost of any storage fees, expressed as a daily rate.
- 30 8. Other fees, including administrative fees and other  
31 fees, as permitted under this Part.

1 9. A list of the services that were performed under a  
2 warranty or that were otherwise performed at no cost to  
3 the owner of the vehicle or vessel.

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

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

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

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

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

27 (n) A towing-storage operator must retain for 3 years records  
28 produced for all vehicles or vessels towed, stored, or  
29 released. Such records must include at least all of the  
30 following:

- 31 1. The name of the towing-storage operator and the person

1 providing the service;

2 2. The date, time of departure and location of the origin  
3 of the tow;

4 3. The date, time and destination of storage;

5 4. As to a trespass vehicle: the make, model, year, color,  
6 vehicle identification number (VIN), and license plate  
7 number; as to a trespass vessel: the make, model, year,  
8 color, length, hull identification number (HIN), and  
9 registration number;

10 5. The Jacksonville Sheriff's Office case number and the  
11 name or badge number of the person at the Jacksonville  
12 Sheriff's Office to whom the fact of the tow was  
13 reported;

14 6. All notice publications and certified mailings;

15 7. The purchase price of any unclaimed vehicle or vessel  
16 sold;

17 8. The names and addresses of persons to which vehicles or  
18 vessels were released;

19 9. The names and addresses of vehicle or vessel purchasers;

20 10. All fees imposed under this Part, including the itemized  
21 invoice required under subparagraph (i), of this  
22 subsection.

23 The towing-storage operator shall make such records  
24 available to any law enforcement officer during normal business  
25 hours.

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

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

31 (q) Each towing-storage operator that performs the towing of a

1 trespass vehicle or trespass vessel from private property  
2 pursuant to this Part shall have on record a Zoning  
3 Certificate Form from the City's zoning office listing their  
4 storage yard as a permitted use and shall file a copy of the  
5 same with the Jacksonville Sheriff's Office.

6 **Sec. 804.1304. - Exemptions.**

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

- 9 (a) At the direction of a law enforcement officer pursuant to an  
10 agreement between the City and the towing-storage operator,  
11 or  
12 (b) With the consent of the owner or authorized person in control  
13 of that vehicle or vessel.

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

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

1 in trespass the towing-storage operator may proceed with the  
2 process of the tow.

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

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

19 (a) Standard charges for towing and storage or other services  
20 related to the towing and storage of trespass vehicles and  
21 trespass vessels shall be charged by the towing-storage  
22 operator to the owner of the vehicle or vessel, pursuant to  
23 Sections 125.0103, 166.043, 713.78, and 715.07, Florida  
24 Statutes.

25 (b) Whenever a towing-storage operator tows or stores a trespass  
26 vehicle or trespass vessel under this Part, the towing-  
27 storage operator shall within five business days from the  
28 date of such direction notify in writing, by certified mail,  
29 the registered owner of the vehicle or vessel, the insurance  
30 company insuring the vehicle or vessel, and any and all  
31 lienholders of record (as appears on the vehicle or vessel

1 registration or as disclosed by the records in the State  
2 Department of Highway Safety and Motor Vehicles). The notice  
3 shall contain the date and time of towing, the name of the  
4 registered owner of the vehicle or vessel, the name of the  
5 towing-storage operator and the address at which the towed  
6 vehicle or vessel is stored. In the event a towed vehicle has  
7 a temporary license tag affixed to it, the towing-storage  
8 operator shall, if possible, provide the same notice required  
9 herein within five business days to the entity to which the  
10 temporary license tag was issued.

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

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

22 1. TOWING AND SERVICE CHARGES.

23 A. *Category A* (gross weight of up to and including  
24 10,000 pounds):

25 (1) *Category A Wrecker*:

26 a. Motorcycles, cars, pickups (through light  
27 duty - one ton with single rear axles),  
28 small camper trailers, trailers with  
29 single axles; includes sling, rollback or  
30 dollies - rate plus amount per mile.

31 b. All other vehicles or vessels within the

1 category; includes sling, rollback or  
2 dollies - rate plus amount per mile.

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

4 a. Motorcycles - rate per 24-hour day or  
5 fraction thereof inside or outside.

6 b. All others in Category:

7 i. Outside - rate per 24-hour day or  
8 fraction thereof.

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

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

16 (1) Category B Wrecker:

17 a. One-ton through two-ton trucks and  
18 camper trailers - rate per hour (no  
19 mileage charge). Time starts when  
20 wrecker leaves the shop; time ends when  
21 wrecker service is complete and wrecker  
22 returns to shop.

23 b. Motor homes with dual rear wheels,  
24 tandem axles - rate per hour (no mileage  
25 charge). Time starts when wrecker leaves  
26 the shop; time ends when wrecker service  
27 is complete and wrecker returns to shop.

28 c. All other vehicles or vessels within the  
29 category - rate per hour (no mileage  
30 charge). Time starts when wrecker leaves  
31 the shop; time ends when wrecker service

1 is complete and wrecker returns to shop.

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

3 a. Outside - rate per 24-hour day or  
4 fraction thereof.

5 b. Inside - rate per 24-hour day or  
6 fraction thereof, only when vehicle  
7 or vessel owner specifies or when  
8 necessary for protection from  
9 weather.

10 C. Category C (gross weight of more than 19,500  
11 pounds):

12 (1) Category C Wrecker:

13 a. Two and one-half ton trucks and up,  
14 semis, buses, mobile homes, and similar  
15 vehicle types - rate per hour (no  
16 mileage charge). Time starts when  
17 wrecker leaves the shop; time ends when  
18 wrecker service is complete and wrecker  
19 returns to shop.

20 b. All other vehicles or vessels within the  
21 category - rate per hour (no mileage  
22 charge). Time starts when wrecker leaves  
23 the shop; time ends when wrecker service  
24 is complete and wrecker returns to shop.

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

27 a. Semi-tractor - rate per day or fraction  
28 thereof.

29 b. Semi-trailer - rate per day or fraction  
30 thereof.

31 c. All other vehicles or vessels within the

1 category - rate per day or fraction  
2 thereof.

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

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

11 B. *Front-end loader:* rate per hour, includes operator.  
12 Time starts when loader leaves the shop; time ends  
13 when loader service complete and loader returns to  
14 shop.

15 C. *Super Heavy Wrecker Rotator* (only when rotator  
16 feature is necessary for the service not as routine  
17 wrecker): rate per hour, includes operator. Time  
18 starts when Rotator leaves the shop; time ends when  
19 Rotator service complete and Rotator returns to  
20 shop.

21 D. *Mini Excavator, skid-steer, forklift, street*  
22 *sweeper:* rate per hour, includes operator. Time  
23 starts when Bobcat, skid-steer, forklift, and/ or  
24 street sweeper leaves the shop; time ends when  
25 service of the particular equipment is complete and  
26 particular equipment is returned to shop.

27 E. *Tractor required for towing a trailer:* rate per  
28 hour, includes operator. Time starts when tractor  
29 to be used to tow trailer leaves the shop; time  
30 ends when tractor towing service is complete and  
31 tractor returns to shop.

1 F. *Lowboys*: rate per hour includes operator and  
2 tractor, no mileage charges. Time starts when  
3 Lowboy leaves the shop; time ends when Lowboy  
4 service is complete and Lowboy returns to shop.

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

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

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

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

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

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

31 E. *Non-business hours gate fee*. Towing-storage operators

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

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

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

22       The Sheriff is authorized to adjust the rate for towing and services,  
23       fees, and storage charges, upward or downward, by an amount equal to  
24       the percentage change in the Consumer Price Index for the most current  
25       June to June 12-month period immediately preceding the adjustment,  
26       utilizing the Average of All Items (1982-84=100), U.S. City Average,  
27       All Urban Consumers, as published by the U.S. Department of Labor,  
28       Bureau of Statistics (the CPI). The rate will be adjusted by the  
29       Sheriff with notice to the City Council through the Council  
30       Secretary's Office and will be effective on October 1 of each fiscal  
31       year.

1 **Sec. 804.1308. - Civil penalty.**

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

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

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

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

19 **Section 5. Effective Date.** This Ordinance shall become  
20 effective upon signature by the Mayor or upon becoming effective  
21 without the Mayor's signature.

22  
23 Form Approved:

24  
25           /s/ Shannon MacGillis          

26 Office of General Counsel

27 Legislation Prepared By: Shannon MacGillis

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