



## Legislation Details (With Text)

**File #:** 26-21      **Version:** 3      **Name:**  
**Type:** Ordinance      **Status:** Passed  
**File created:** 4/30/2021      **In control:** City Council  
**On agenda:** 6/17/2021      **Final action:** 6/17/2021  
**Enactment date:** 6/24/2021      **Enactment #:** 13-21  
**Title:** REVISED PROPOSED ORDINANCE NO. 26-21 - AMENDING SECTION 7-8-5(f) - INCREASING MAXIMUM CHARGES FOR TOWING INOPERABLE VEHICLES WITHIN THE CITY  
**Sponsors:** Lissa Dees  
**Indexes:**  
**Code sections:**

**Attachments:** 1. Proposed Ordinance No. 26-21 (Rev), 2. Proposed Ordinance No. 26-21, 3. City Ordinance No. 25-09, adopted July 9, 2009, 4. Escambia County Code Sec. 94-171 through 94-176, 5. Escambia County Resolution No. R-2021-59, adopted March 25, 2021, 6. PROOF OF PUBLICATION ORDS 2ND READING

Date	Ver.	Action By	Action	Result
6/17/2021	3	City Council	Adopted	Pass
6/14/2021	3	Agenda Conference	Placed on Regular Agenda	Pass
5/27/2021	1	City Council	Passed on first reading	Pass
5/24/2021	1	Agenda Conference	Placed on Regular Agenda	Pass

### LEGISLATIVE ACTION ITEM

**SPONSOR:** Grover C. Robinson, IV, Mayor

### **SUBJECT:**

REVISED PROPOSED ORDINANCE NO. 26-21 - AMENDING SECTION 7-8-5(f) - INCREASING MAXIMUM CHARGES FOR TOWING INOPERABLE VEHICLES WITHIN THE CITY

### **RECOMMENDATION:**

That City Council adopt revised Proposed Ordinance No. 26.21 on second reading:

AN ORDINANCE AMENDING SECTION 7-8-5 (f) OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; INCREASING MAXIMUM CHARGES FOR TOWING INOPERABLE VEHICLES WITHIN THE CITY; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

**HEARING REQUIRED:** No Hearing Required

### **SUMMARY:**

In 2009, the Escambia County Board of County Commissioners adopted Ordinance No. 2009-11, establishing maximum rates for towing vehicles which were unlawfully parked on private property and which had become inoperable on a public street or right-of-way. The County ordinance provides that it will apply to the unincorporated areas of the county and in the incorporated areas unless the municipality has a conflicting regulation. In 2009, the City Council allowed the trespass towing rates to take effect in the city limits, but it also allowed Code section 7-8-5(f) to remain in force, establishing a lower maximum rate for inoperable vehicle towing (\$85) than the county had adopted.

Earlier this year, Escambia County amended its towing regulations to permit a higher maximum rate for towing (\$150, with additional charges), to be increased in the future based on a cost-of-living index. The towing companies have approached the City requesting that the City's regulations be amended to defer to the County's ordinance so that they may experience their first rate increase in the city since 2009, and the rates for towing will be uniform throughout the county.

At the City Council Meeting on May 27, 2021, City Council voted to amend the Section 7-8-5(f) of the Code of the City of Pensacola from \$85 to not exceed \$150 for towing disabled vehicles and to maintain the \$10.00 per day storage fee.

**PRIOR ACTION:**

May 27, 2021 - City Council voted to amend Proposed Ordinance No 26-21 and approved on first reading.

July 9, 2009 - City Council adopted Ordinance No. 25-09, capping rates for towing of inoperable vehicles.

**FUNDING:**

N/A

**FINANCIAL IMPACT:**

None

**CITY ATTORNEY REVIEW:** Yes

5/6/2021

**STAFF CONTACT:**

Keith Wilkins, City Administrator  
Dick Barker Jr., Deputy City Administrator - Administration & Enterprise  
Kevin Christman, Interim Deputy Police Chief  
Lissa Dees, Parking Manager

**ATTACHMENTS:**

- 1) Revised Proposed Ordinance No. 26-21

- 2) Proposed Ordinance No. 26-21
- 3) City Ordinance No. 25-09, adopted July 9, 2009
- 4) Escambia County Code Sec. 94-171 through 94-176
- 5) Escambia County Resolution No. R-2021-59, adopted March 25, 2021

**PRESENTATION:** No