



Brevard County Board of County Commissioners

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Legislation Text

File #: 3870, **Version:** 1

Subject:

Proposed Tow Rate Resolution

Fiscal Impact:

N/A

Dept/Office:

District 3 County Commission Office

Requested Action:

Board consideration and approval of this tow rate Resolution, amending Resolution 2008-150

Summary Explanation and Background:

Section 106-5 of Brevard County Code of Ordinances specifies requirements and penalties if a tow company violates the provisions. At the last zoning meeting on February 3rd, 2022, District 4 brought up a legitimate concern involving violations, the necessity of enforcement, and a lack of public knowledge regarding rights under Section 106-5. It is my intention to provide a draft memo and to seek Board input and approval. The memo would ultimately be sent to the County Sheriff and State Attorney to provide notice as to the County's stance, and to urge a unified approach.

Section 106-5 of the Brevard County Code of Ordinances also authorizes the establishment of fees to be charged by any wrecker/tow service operating within the boundaries of Brevard County. On July 29, 2008, the Board of County Commissioners adopted Resolution 2008-150, setting forth a schedule of maximum rates which could be charged for removing, towing, and storing vehicles. Resolution 2008-150 provided for adjustment in rates if approved by the Board of County Commissioners. The new proposed Resolution contains rates commensurate with District 3's Board Report on February 8, 2022, and District 1's very astute and reasonable suggestion(s). One of the fees currently in place is "Extra Manpower," and based on the proposals made, this would need to be discussed further to reach an outcome. Options will be suggested as to how this specific fee can be addressed.

In the original Resolution (2008-150), section 2 contains a list of "separate charges." These were not discussed at the last meeting and were not listed in the spread sheet. The spread sheet has since been updated accordingly and is attached, along with copies of the proposed Resolution, for reference. None of the surrounding counties catalog these "separate fees," and Orange County goes a step further by explicitly prohibiting them. Because of these findings, and the proposals made, it is clear the "separate" fees should be deleted, as they are unique. A motion to approve the amended Resolution will be requested.

Clerk to the Board Instructions: