



City of Philadelphia

City Council
Chief Clerk's Office
402 City Hall
Philadelphia, PA 19107

BILL NO. 110549

Introduced September 8, 2011

**Councilmembers Kenney, Reynolds Brown, Greenlee, Miller, Krajewski,
Sanchez, O'Neill, Tasco and Jones**

**Referred to the
Committee on Streets and Services**

AN ORDINANCE

Amending Section 9-605 of The Philadelphia Code, entitled "Towing," by providing that a vehicle may be towed from the premises of a hospital without first being ticketed, under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Section 9-605 of The Philadelphia Code is hereby amended to read as follows:

§9-605. Towing.

* * *

(11) Towing From Private Lots, Private Property and Driveways. Only towing companies licensed under paragraph (3) of this Section shall be permitted to tow any illegally parked vehicle from any licensed or unlicensed parking lot, from private property, from any common driveway and from in front of any driveway where the vehicle is blocking access to that driveway.

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(d) No vehicle shall be hooked, towed, or handled in any manner under this subsection unless the vehicle has been ticketed for a violation at the location where the vehicle is to be towed, except as provided in §9-605(11)(d)(i), and until the towing company has notified the Police Department that the vehicle is to be towed, except that in a licensed parking lot, a vehicle may be moved to another location in the parking lot prior to ticketing. Upon such notice, the Police Department shall determine whether or not the vehicle has been reported stolen. If the vehicle has been reported stolen, and except in the case of an immediate threat to public safety as determined by the Police, or a case where a vehicle is blocking access to a public or private driveway, no such vehicle shall be towed unless the Police have either notified, or attempted to notify, the owner of the vehicle of its recovery by calling the contact number provided to the Police at the time it was reported stolen and, unless the Police are unable to contact the owner or leave a message for the owner, or the owner elects to have the Police tow the vehicle, the owner has been given 24 hours from the time of such notification or attempted notification to recover the vehicle in lieu of the tow. If the vehicle is towed, the towing company must comply with all of the requirements of §9-605(15). Within 24 hours following the towing of the vehicle the towing company must, in writing, notify the Police Department of the vehicle's removal.

(i) An authorized tow company may [temporarily move] *remove* a vehicle that is illegally parked on the premises of a hospital without first being ticketed for a violation, provided:

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(.a) Prior to the tow to relocate the vehicle, an employee designated by the hospital completes a form that includes a description, including license number, of the vehicle to be towed, its location, and the date and time the hospital requested the tow. A copy of the completed form shall be affixed to the vehicle in a conspicuous place and shall not be removed except by the vehicle owner, and the original shall be kept on file by the hospital and made available to the vehicle owner upon request; and

[(.b) The tow company stays at the temporary location with the vehicle and awaits the arrival of an enforcement officer who will determine if the vehicle should be ticketed. If an enforcement officer issues a ticket, the tow company may then tow the vehicle to the location listed on the towing sign posted at the original location from where the vehicle was towed; and]

[(.c)] (.b) There is compliance with all other requirements of §9-605(11)(d) with respect to notification of the Police Department prior to the tow.

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Explanation:

Italics indicate new matter added.
[Brackets] indicate matter deleted.

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