Legislation Details (With Text)

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File created:	11/16/2017			**In control:**	Committee on Streets and Services
On agenda:				**Final action:**	12/14/2017
Title:	Amending Section 9-605 of The Philadelphia Code, entitled "Towing," to revise certain requirements for participation in and provisions for administration of the rotational towing system, and to adjust the fees for tows in the rotational system; all under certain terms and conditions.				
Sponsors:	Councilmember Quiñones Sánchez, Councilmember Greenlee, Councilmember Squilla				
Indexes:	TOWING				
Code sections:					
Attachments:	1. CertifiedCopy17100100.pdf, 2. 171001 - Enforcement Agency's Certification.pdf				

Date	Ver.	Action By	Action	Result	Tally
12/20/2017	0	MAYOR	SIGNED		
12/14/2017	0	CITY COUNCIL	READ AND PASSED	Pass	17:0
12/7/2017	0	CITY COUNCIL	ORDERED PLACED ON THIS DAY`S FIRST READING CALENDAR		
12/7/2017	0	CITY COUNCIL	SUSPEND THE RULES OF THE COUNCIL	Pass	
12/7/2017	0	CITY COUNCIL	READ AND ORDERED PLACED ON NEXT WEEK'S SECOND READING CALENDAR		
12/5/2017	0	Committee on Streets and Services	HEARING NOTICES SENT		
12/5/2017	0	Committee on Streets and Services	HEARING HELD		
12/5/2017	0	Committee on Streets and Services	REPORTED FAVORABLY, RULE SUSPENSION REQUESTED		
11/16/2017	0	CITY COUNCIL	Introduced and Referred	Pass	

Amending Section 9-605 of The Philadelphia Code, entitled “Towing,” to revise certain requirements for participation in and provisions for administration of the rotational towing system, and to adjust the fees for tows in the rotational system; all 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.

* * *

(2) Definitions. In this Section the following definitions apply:

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* * *

(f) Rotation System. A method of selecting a towing company from an authorized list for the purpose of towing a vehicle from one point to another. Once an assignment is made, *and the assigned tow is completed,* that towing company rotates to the bottom of the list.

* * *

(i) Enforcement Agency. [If a Memorandum of Understanding authorized by § 9-605(18) is in effect, the Philadelphia Parking Authority; otherwise, the] *The* Department of Licenses and Inspections*, and such other agency as may be designated by the Managing Director*.

(j) Rotational Tow Required Equipment. All of the following, provided that the Enforcement Agency may by regulation revise these requirements:

(.1) [Cell phone] *Smartphone with access to the internet, and capable of supporting applications as directed by the Enforcement Agency.*

* * *

(4) Rotation method of tow truck selection.

* * *

(c) Upon receipt of a completed application, *and any other documents required by the Enforcement Agency,* and *upon* a determination that the applicant is a licensed towing company, the Enforcement Agency shall add the applicant to the list of towing companies approved for rotational towing.

* * *

(f) *The Enforcement Agency may, pursuant to a contract, delegate a portion of the administrative responsibility for the rotational towing program to a third-party agency.* The Enforcement Agency shall promulgate written procedures for how the rotational tow program will operate. Such procedures shall, at the least, provide for the maintenance of a list of approved towing companies, or for a list of approved towing companies for each of specified geographic zones of the City, and for towing assignments to be made sequentially to all towing companies on the rotational list.

* * *

(h) Notwithstanding any other provision of this Section other than subsections (15) and (16) (relating to towing of stolen vehicles), the [following towing and storage fees shall apply with respect] *Enforcement Agency may, by regulation, establish a schedule of towing and storage fees applicable* to vehicles towed under the rotational towing [system] *system, which shall* [(the listed towing fees] include the Enforcement Agency's fifteen dollar ($15) administrative [fee):] *fee, and which shall not exceed the following:*

Weight of vehicle	Towing fee	Storage fee (per 24 hour day)
Under 11,000 pounds	$[175]*215*	$25

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11,000 to 17,000 pounds	$[250]*290*	$40
Over 17,000 pounds	$[360]*400*	$75

Storage fees shall be accrued for each twenty-four hour day. Where a vehicle is stored for less than twenty-four (24) hours on any day, storage fees shall be in the same proportion as the fractional part of the day the vehicle is stored.

(i) For each tow provided under the rotational towing system, the Enforcement Agency shall charge an administrative fee of fifteen dollars ($15). *In addition, the Enforcement Agency may require that an additional amount, to be set by regulation, shall be remitted from the towing fee to a third party agency with which the City contracts to assist with management of the rotational towing system.* [If a vehicle has been towed to a facility owned or operated by the Enforcement Agency, so that the towing and storage fees are paid to the Enforcement Agency, then the Enforcement Agency shall deduct its administrative fee before remitting the balance of the towing fee to the towing company. The Enforcement Agency may establish a procedure to remit such fees to towing companies on a monthly or other periodic basis. If a vehicle has been towed to some other destination at the request of the owner or operator of the vehicle, so that the towing and storage fees are not paid to the Enforcement Agency, then the towing company shall remit the administrative fee to the Enforcement Agency on a monthly or other periodic basis specified by the Enforcement Agency.]

* * *

SECTION 2. Effective Date. This Ordinance shall take effect upon the Enforcement Agency's certification, by letter to Council, that the Enforcement Agency's amended Regulations governing rotational towing have been promulgated, and that the administrative and technical support required to implement the rotational towing system pursuant to the Regulations is ready for activation.

Explanation:

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

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