

RESOLUTION NO. \_\_\_\_\_-09

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHMOND,  
CALIFORNIA, CLARIFYING MAXIMUM FEES FOR THE TOWING OF MOTOR  
VEHICLES PURSUANT TO CHAPTER 7.72 OF THE RICHMOND MUNICIPAL  
CODE

**WHEREAS**, the Council of the City of Richmond, California, increased the fees that may be charged for towing motor vehicles at the request of the Richmond Police Department in 2005; and

**WHEREAS**, the costs of towing and storage have not significantly increased in the past four years so that an increase in the towing fees is not warranted at this time; and

**WHEREAS**, in order to clarify the applicable fees that may be charged for towing and storage of wrecked, abandoned, stolen and evidentiary vehicles; and

**WHEREAS**, this resolution is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guideline 15061(b); and

**WHEREAS**, the towing and storage of vehicles by, for or on behalf of the Richmond Police Department and/or Richmond Code Enforcement Department is exempt from CEQA pursuant to CEQA Guideline 15321,

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Richmond that, pursuant to Richmond Municipal Code Section 7.72.050(f), the maximum charges for the service of towing motor vehicles, after the date of adoption of this resolution, shall be in accordance with the following schedule which shall, upon its adoption, supersede the maximum fees set forth in Resolution No. 105-05 Such maximum fees are in accordance with and based upon the actual administrative and service costs associated with towing costs incurred.

## MAXIMUM TOWING CHARGES

### A. **MAXIMUM BASIC CHARGE:**

Beginning January 1, 2009, for each motor vehicle (including abandoned or stolen vehicles) towed at the request of the Richmond Police Department from a location within the City of Richmond to the nearest storage facility the maximum basic charge shall be \$155.00.

### B. **MAXIMUM ADDITIONAL CHARGES:**

1. In any instance where the vehicle is towed outside the City of Richmond and where the distance between the location from which the motor vehicle is towed and the location to which it is delivered exceeds the distance between the location from which it is towed and the nearest storage facility operating under Chapter 7.74 of the Richmond Municipal Code, the following maximum additional charges may be made: \$5.00 per mile for each mile that the vehicle is towed outside the limits of the City of Richmond.
2. Emergency road service at the location of the motor vehicle when the vehicle is not towed shall not exceed:
  - a. Flat tire repair or changing tires: forty – two dollars (\$42.00).
  - b. Fuel, start batteries, lockout: thirty five dollars (\$35.00).
  - c. Recovery and/or towing of a motor vehicle from off the roadway where special equipment or winches must be used: one hundred seventy-two dollars and fifty cents (\$172.50) per hour prorated at

increments. This charge may be made whether or not all or just a portion of the vehicle is off the roadway so long as the situation actually necessitates the use of special equipment or winches. As used herein, the term "roadway" shall mean that portion of a street, road, or highway improved, designed or ordinarily used for vehicular travel.

- d. In any instance where a tow truck having a rated capacity in excess of one ton and two axles is required for towing and/or recovery, the charge for the first hour or any portion thereof shall not exceed one hundred ninety-five dollars exactly (\$195.00). If the towing or recovery shall exceed one hour, the charges for the time in excess of one hour shall be assessed at a rate not to exceed one hundred fifty-five dollars exactly (\$155.00) per hour prorated for each 15-minute increment.
- e. In any instance where a tow truck having three axles is required for towing and/or recovery, the charge for the first hour, or any portion thereof, shall not exceed three hundred fifty dollars exactly (\$350.00) per hour prorated for each 15-minute increment.
- f. In any instance where the City requests towing of an abandoned or wrecked motor vehicle pursuant to Richmond Municipal Code Chapter 11.76 and the tow operator recovers from a junkyard or scrap dealer some or all of the costs of towing the vehicle, the tow

operator shall deduct the amount recovered from the invoice for towing services.

**C. ADMINISTRATIVE FEES:**

1. The owner of any vehicle towed away under the direction of the City of Richmond Police Department pursuant to Chapter 11.76 shall be required to pay an administrative fee of three hundred fourteen dollars exactly (\$314.00) to the City of Richmond for the release of said owner's vehicle. In the event the owner of such vehicle fails to pay said fee, the owner of the property on which such vehicle was located before it was towed shall be required to pay an administrative fee of three hundred fourteen dollars exactly (\$314.00) to the City of Richmond for the first vehicle towed from the property and an administrative fee of seventy - five dollars exactly (\$75.00) each for the second and subsequent such vehicle(s) towed from the property on the same occasion.
2. The owner of any vehicle towed away under the direction of the City of Richmond Police Department pursuant to Section 14.40.050 of the Richmond Municipal Code, or Sections 14602.6, 14607.6, 22651(k), 22651(o) or 22651(p) of the California Vehicle Code, shall be required to pay an administrative fee of one hundred fifteen (\$115.00) to the City of Richmond for the release of said owner's vehicle.
3. A junkyard or scrap dealer that receives abandoned or wrecked motor vehicles towed pursuant to Richmond Municipal Code Chapter 11.76 shall pay the City of Richmond Police Department an administrative fee of ten

dollars (\$10.00) per vehicle. This administrative charge shall not be recoverable from the owner of the vehicle or the property on which the vehicle is located.

**D. GATE FEE:**

The owner of a vehicle towed away under the direction of the City of Richmond Police Department shall be required to pay an after-hours, gate fee of seventy-five dollars (\$75.00) when requesting release of a vehicle after hours, during holidays or on weekends.

**E. TOW MANAGEMENT FEE:**

The owner of a vehicle towed away under the direction of the City of Richmond Police Department shall be required to pay a twenty-dollar (\$20.00) tow management fee to the City of Richmond.

**F. EVIDENCE TOWING:**

For each vehicle towed as evidence in a criminal matter, the charge for towing shall not exceed seventy-seven dollars and fifty cents (\$77.50).

**G. STORAGE FEES:**

1. For each towed vehicle stored as evidence in a criminal matter, the storage fee shall not exceed twenty dollars (\$20.00) per day for the first seven (7) days, and five dollars (\$5.00) per day thereafter.
2. For all other vehicles, daily storage fee rates shall not exceed
  - a. Vehicles designed for use of six or fewer passengers, including cars, light-duty pickup trucks, taxicabs, minibuses and minivans: forty seven dollars and fifty cents (\$47.50)

- b. Local-use commercial vehicles, other than buses, including delivery vans, passenger vans, and two-axel flatbed trucks: sixty – seven dollars and fifty cents (\$67.50)
- c. Long-distance commercial vehicles and all buses: sixty – seven dollars and fifty cents (\$67.50)

**BE IT FURTHER RESOLVED** that Resolution No. 105.05 is hereby rescinded.

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I certify that the foregoing resolution of the Council of the City of Richmond was duly passed and adopted at a regular meeting thereof held \_\_\_\_\_, 2009 by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

Clerk of the City of Richmond  
(SEAL)

Approved:

\_\_\_\_\_  
Mayor

Approved as to Form:

\_\_\_\_\_

City Attorney