

City of Philadelphia



(Bill No. 030557)

AN ORDINANCE

Amending Title 9 of The Philadelphia Code (“Regulation of Businesses, Trades and Professions”), by amending Section 9-605 ("Towing") to establish specific limits to the amounts that may be charged for towing illegally parked vehicles from parking lots, private property and driveways; and to make certain technical changes; all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Title 9 of The Philadelphia Code is amended to read as follows:

TITLE 9. REGULATION OF BUSINESSES, TRADES AND PROFESSIONS.

* * *

CHAPTER 9-600. SERVICE BUSINESSES.

* * *

§9-605. Towing.

* * *

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

- (a) Towing Company. Any person, partnership, corporation, fiduciary, association or other entity owning, operating or conducting the business of [disentangling, removing or] towing [vehicles damaged by collision or other accident];
- (b) Towing. The moving or removing or the preparation therefor of a [disabled] vehicle by another vehicle for which a service charge is made, either directly or indirectly, including any dues or other charges of clubs or associations which provide towing services;

* * *

(11) *Towing From Private Lots, Private Property and Driveways.* [All] Only towing companies licensed under paragraph (3) of [Section 9-605] *this Section* shall be

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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. [, providing that:]

(a) [All] *No such tow is permitted unless the parking lot[s and] or private property [have] has* posted in a conspicuous place near *its* entry which can be easily seen by the public a sign no smaller than thirty-six (36) inches high and thirty-six (36) inches across which shall give notice:

(.1) That unauthorized parking is prohibited and *unauthorized vehicles* will be towed.

(.2) That vehicles whose authorized parking time has elapsed will be towed.

(.3) Of the name, address, and telephone number of the towing company.

(.4) Of the charges for the towing [, impounding] and storage of [said] *towed* vehicles [which shall be reasonable and not exorbitant].

(.5) Of the place where the towed vehicle can be redeemed after paying the *allowable* charges.

(b) *No towing company may charge more than \$150 for towing a vehicle pursuant to this subsection 9-205(11). No towing company may charge more than \$25 per day for storage of a vehicle pursuant to this subsection, up to a maximum of \$175 in total storage charges. Neither the towing company, owner of the property from where the vehicle was towed nor any other person may charge the vehicle owner or operator any other charges, amounts or fees in connection with the towing and storage of the vehicle. The towing company or person storing such towed vehicle may not refuse to release the vehicle based on a claim to any charges in excess of the permitted amounts.*

[(b)] (c) [The] *No* towing company shall [not be permitted to operate] *tow* under this subsection unless it shall first file with the Department of Licenses and Inspections a form or agreement indicating the terms for the towing of the vehicle and such form is approved by the Department of Licenses and Inspections.

[(c)] (d) [The] *No* vehicle shall [not be permitted to] be towed *under this subsection* until the towing company has notified the Police Department that the vehicle is illegally parked and is to be towed. Within 24 hours following the towing of the vehicle the towing company must, in writing, notify the Police Department of the vehicle's removal.

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[(d)] *(e)* The Commissioner of Streets shall designate private streets, private roads, private driveways and other private thoroughfares and other locations, including hospitals, railroad stations, and places of public assembly, at which the prohibition of unauthorized parking in public or private lots is a matter of particular public interest; and in respect to such locations the requirements of [P] *subparagraph* [(c) hereof] *(d)* shall be inapplicable.

* * *

Explanation:

[Brackets] indicate matter deleted.

Italics indicate new matter added.

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CERTIFICATION: This is a true and correct copy of the original Bill, Passed by the City Council on October 16, 2003. The Bill was Signed by the Mayor on October 30, 2003.



Patricia Rafferty
Chief Clerk of the City Council