

**SEMINOLE COUNTY GOVERNMENT  
AGENDA MEMORANDUM**

**SUBJECT:** Seminole County Towing and Transport of Vehicles Ordinance

**DEPARTMENT:** Administrative Services **DIVISION:** \_\_\_\_\_

**AUTHORIZED BY:** Speed Thomas **CONTACT:** Angi Thompson **EXT.** 5277

<b>Agenda Date</b> <u>06/13/06</u>	<b>Regular</b> <input checked="" type="checkbox"/>	<b>Consent</b> <input type="checkbox"/>	<b>Work Session</b> <input type="checkbox"/>	<b>Briefing</b> <input type="checkbox"/>
	<b>Public Hearing – 1:30</b> <input type="checkbox"/>	<b>Public Hearing – 7:00</b> <input type="checkbox"/>		

**MOTION/RECOMMENDATION:**

Staff is seeking direction on increasing the maximum allowable fees in the Seminole County Towing and Transport of Vehicles Ordinance. If the Board approves the increase, staff requests approval to have the County Attorney's Office prepare the ordinance and advertise for the hearing.

**BACKGROUND:**

On May 24, 2005, the Board adopted Ordinance No. 2005-25, changing the maximum trespass and nonconsensual tow rates and the rate per mile charge. The Board directed staff to review the rates in six months. That was done and the evaluation revealed that costs had not changed significantly enough to warrant recommending revisions. However, the towing industry recently requested another review of the rates which was performed. As a result, staff is now recommending modifications.

Based on the March 2006 CPI, there has been a 16.2% increase in fuel costs since May 2005. Staff anticipates an increase of up to 26% by June. A copy of the CPI is attached. No increase in trespass and nonconsensual tow rates is recommended at this time as the County's rates are higher than the surrounding counties. However, Seminole County's Class "A" storage fees are lower than those of the surrounding counties (see attached comparison). Staff recommends increasing the Class "A" storage fee from \$15.00 to \$20.00. Seminole County's administrative fee of \$30.00 is lower than the \$35.00 average; staff recommends an increase in the administrative charge to \$35.00. This increase will help the towing companies offset increases in postage. These recommended changes should help offset the increased costs for fuel.

Reviewed by:	_____
Co Atty:	<u>[Signature]</u>
DFS:	_____
Other:	<u>[Signature]</u>
DCM:	<u>[Signature]</u>
CM:	<u>[Signature]</u>
File No.	<u>RAS 57</u>



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Data extracted on: April 25, 2006 (11:27:53 AM)

**Consumer Price Index - Average Price Data**

Series Id: APU030074717													
Area: South urban													
Item: Automotive diesel fuel, per gallon/3.785 liters													
Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual
1998	1.190	1.164	1.143	1.138	1.133	1.132	1.124	1.108	1.099	1.110	1.096	1.060	
1999	1.053	1.049	1.048	1.098	1.105	1.106	1.114	1.155	1.202	1.229	1.235	1.280	
2000	1.309	1.468	1.523	1.477	1.446	1.469	1.475	1.463	1.605	1.611	1.610	1.596	
2001	1.562	1.568	1.511	1.491	1.497	1.504	1.447	1.419	1.482	1.411	1.332	1.298	
2002	1.280	1.269	1.302	1.368	1.389	1.364	1.356	1.353	1.387	1.457	1.462	1.441	
2003	1.508	1.654	1.764	1.692	1.571	1.509	1.489	1.514	1.518	1.486	1.468	1.482	
2004	1.560	1.566	1.605	1.630	1.693	1.683	1.676	1.771	1.847	2.064	2.121	2.019	
2005	1.959	1.986	2.148	2.265	2.210	2.269	2.360	2.443	2.804	3.224	2.725	2.498	
2006	2.530	2.498	2.567	~3.00									

*Handwritten notes:*  
 A large checkmark is drawn over the 2006 data row.  
 Next to the 2006 Mar value (2.567), there is a handwritten note: ~3.00.  
 Below the 2006 Apr value (2.265), there is a handwritten note: 26%.  
 Below the 2006 May value (2.210), there is a handwritten note: 16.2%.

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U.S. Bureau of Labor Statistics  
 Postal Square Building  
 2 Massachusetts Ave., NE  
 Washington, DC 20212-0001

Phone: (202) 691-5200  
 Fax-on-demand: (202) 691-6325  
 Data questions: [blsdata\\_staff@bls.gov](mailto:blsdata_staff@bls.gov)  
 Technical (web) questions: [webmaster@bls.gov](mailto:webmaster@bls.gov)  
 Other comments: [feedback@bls.gov](mailto:feedback@bls.gov)

Towing Matrix  
By County - Oct 05

<b>County</b>	<b>Brevard</b>	<b>Lake</b>	<b>Orange</b>	<b>Osceola</b>	<b>Seminole</b>	<b>Volusia</b>
<b>Contact</b>	Bobby Bowen	Toni (Clerk's office)	Kathleen	Teena Jenkins	Meloney Lung	Pam
<b>Telephone #</b>	321-633-2086	1-352-343-9827	407-836-7300	1-407-343-2300	407-665-5256	1-386-736-5920
<b>As Of</b>	Resolution 2005-049 March 2005	n/a	Resolution 2001-M-49 October 2001	Resolution 03-019R February 2003	Ordinance 2005-25 May 2005	Ordinance 2002-20 October 2002
<b>Car Tow Class "A" ≤10,000 lbs.</b>	\$104.55 plus after 10 miles/\$2.87	n/a	\$110.00 plus after 10 miles/\$3.00	\$110.00	\$112.00 plus after 10 miles/\$3.00	\$100.00 plus after 10 miles/\$3.00
<b>Truck Tow Class "B" 10,000 - 20,000 lbs.</b>	\$182.78 plus after 10 miles/\$3.65	n/a	\$200.00 plus after 10 miles/\$4.00	\$200.00	\$224.00 plus after 10 miles/\$4.00	\$200.00 plus after 10 miles/\$4.00
<b>Storage Per Day Class "A" Outside/Inside</b>	\$20.88/\$26.12 after 6 hours	n/a	\$20.00	\$20.00	\$15.00	\$20.00/\$25.00
<b>Storage Per Day Class "B" Outside/Inside</b>	\$29.24/\$31.33 after 6 hours	n/a	\$30	\$30.00	\$30.00	\$25.00/\$30.00
<b>Admin Charge</b>	\$30.00	n/a	\$35.00 after 48 hours	\$45.00 after 48 hours	\$30.00 after 48 hours	actual after 48 hours
<b>After Hours Release</b>	\$50	n/a		\$50.00		\$25.00
<b>Labor</b>	over 30 minutes; must be approved by officer onsite	n/a	over 30 minutes; \$15.00 - \$50.00 per 15 minutes	over 30 minutes; \$15.00 - \$50.00 per 15 minutes	over 30 minutes: \$15.00 - \$30.00 per 15 minutes	over 30 minutes: \$25.00 - \$50.00 per 15 minutes
<b>Fuel Surcharge</b>		n/a				
<b>Wait Fee</b>	allowed, but not set	n/a	over 30 minutes; \$15.00 - \$50.00 per 15 minutes	over 30 minutes; \$15.00 - \$50.00 per 15 minutes	over 30 minutes: \$15.00 - \$30.00 per 15 minutes	over 30 minutes: \$25.00 - \$50.00 per 15 minutes
<b>Increase?</b>	3% or CPI annually, whichever is lower	n/a	by resolution of the board			by resolution of the Board



# CORTES TOWING SERVICE

245 Orange Ave.  
Longwood, Florida 32750  
(407) 339-3339

October 4, 2005

To: Seminole County Administration  
Attn: Jamie Croteau  
1101 East First St.  
Sanford, Fl. 32771

From: Robert Cortes  
Cortes Towing Service

Re: County Ordinance #2000-19

Dear Mrs. Croteau,

This purpose of this letter is to thank your office for your attention and support on the above-mentioned ordinance. At the Board Meeting dated May 24, 2005, the County Commissioners agreed to move forward with our request for an increase. In addition, the Board moved to revisit this ordinance in six months to view the current fuel trend and the status of the City of Orlando towing ordinance. Since then, the City of Orlando did pass the new ordinance at its City Council meeting dated July 25, 2005. I am attaching a copy of this ordinance with this letter. The changes include an increase in daily storage charges to \$20.00 per day. The administrative charge increased from \$30.00 to \$50.00.

As for the current fuel situation, in your December research, diesel fuel was at \$2.01 per gallon. The latest Department of Energy "Weekly on Retail Diesel Fuel" prices, diesel fuel is at \$3.283 per gallon as of October 3. You can view this information at this website (<http://tonto.eia.doe.gov/oog/info/wohdp/diesel.asp>). I enclose a copy of this page. The trend and expectations indicate no relief in site. Diesel fuel is predicted to continue rising at an astronomical rate.

Our original requests was to increase the tow rate to \$120.00 per vehicle, storage per day at \$20.00 and administrative fee at \$50.00, so as the tow company has met the requirements of Fla. Sta. 713.78. In May, we received approval for a tow rate increase to \$112.00 and mileage drop from 15 miles to 10. The rate increase has helped. However, current fuel and other products continue to rise.

. In our original request to the Board of County Commissioners, we also requested an increase in storage from the current \$15.00 per day to \$20.00. The storage charge is to cover our costs associated with storing vehicles in our property. With this charge, we cover the cost of mortgage or for some companies who do not own the property, leasing of a storage lot and office. These cost are, but not limited to, mortgage or lease, maintenance of property and office, liability insurance, taxes, power, utilities and others.

For example, in our case we pay an occupational license for towing and a separate occupational license for the storage lot. As is the case with everything we do, our costs associated with having a storage lot has also increased dramatically over the past 5 years. Yet our rate for storing these vehicles has remained the same under the current ordinance. The surrounding counties have been at \$20.00 per day.

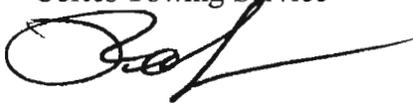
The administrative charge allowed by this ordinance of \$30.00 is to cover the expenses of complying with this statute, and imposed back in April 2000 when the postal rates were about \$2.42 per letter. The costs of mailing these letters are currently \$4.42 per letter with some vehicles having four letters to mail. The United States Postal Service is raising their current rates 5.4% in January 2006 as expressed on this website (<http://www.usps.com/ratecase/welcome.htm>). In addition, some of us use Tag Talk by the county tax collectors office and some use a private vendor called Auto Data Direct for owner and lienholder information lookup. We also pay a premium for these services. To these expenses, add the cost of paper, ink, envelopes, copies and time spent on a daily basis by our personnel completing these forms. The current ordinance allows a charge of \$30.00 after 48 hours and so long as the Statute has been complied with. In essence, we are not looking to make a profit off this administrative fee, but only to cover our cost associated with complying with Florida Statute 713.78 and keeping up with constant increases beyond our control. In comparison with the surrounding counties, we are less than Orange, Polk and Volusia Counties. We are the same as Brevard County.

I respectfully request a meeting with you to discuss these items prior to the final recommendation to the Board of County Commissioners. We would like the opportunity to work a compromise in our original request for increase and find a happy medium we can live with and withstand any future increase our industry will face.

Thank you again for your attention and look forward to meeting with you in the future.

Regards

Robert Cortes  
Cortes Towing Service

A handwritten signature in black ink, appearing to read 'R. Cortes', with a long horizontal flourish extending to the right.

## Escrow Rate Case

- ▶ Proposed Domestic Rates and Fees
- ▶ International Price Adjustment Proposed

### ▶ Proposed Domestic Rates and Fees

On April 8, 2005, the Postal Service™ filed a rate case with the Postal Rate Commission seeking an expedited recommended decision to raise prices 5.4 percent for almost all categories.

This filing is unique in that the decision to seek a rate increase is due to the Postal Service's legal obligation to fund the \$3.1 billion escrow requirement imposed by Public Law (PL) 108-18. Should legislation be enacted that eliminates the escrow funding requirement, this rate case will be withdrawn.

The proposal calls for an almost uniform 5.4 percent rate and fee increase spread over all classes and subclasses of mail and special services. The postage for a one-ounce piece of First-Class Mail® would go from 37 to 39 cents. No classification-related changes are proposed.

If favorably recommended by the Postal Rate Commission, new rates would be implemented no earlier than January 2006.

[Home](#) > [Petroleum](#) > [Weekly Retail On-Highway Diesel Prices](#)

## Weekly Retail On-Highway Diesel Prices

Dollars per gallon, including all taxes

	9/19/2005	9/26/2005	10/3/2005	Change from week ago	Change from year ago
<b>U.S.</b>	2.732	2.798	3.144	0.346	1.091
<b>East Coast</b>	2.749	2.808	3.198	0.390	1.140
<b>New England</b>	2.804	2.859	3.012	0.153	0.857
<b>Central Atlantic</b>	2.846	2.875	3.040	0.165	0.896
<b>Lower Atlantic</b>	2.702	2.775	3.283	0.508	1.270
<b>Midwest</b>	2.648	2.739	3.083	0.344	1.064
<b>Gulf Coast</b>	2.677	2.756	3.185	0.429	1.185
<b>Rocky Mountain</b>	2.902	2.938	3.079	0.141	1.014
<b>West Coast</b>	2.985	2.978	3.174	0.196	0.936
<b>California</b>	3.060	3.031	3.262	0.231	0.972

Prices for Last Weeks (html)  
 Spreadsheet o Complete Dies Historical Data Diesel Fuel Tax States in each Data Collection Methodology Sample Design Documentation This Week in E Sign-up for em notification Printer Friendl Version