

AN ORDINANCE AMENDING THE TOWN CODE TO STRENGTHEN THE
REGULATIONS DEALING WITH THE TOWING OF VEHICLES FROM PRIVATE
PROPERTY

THE CARRBORO BOARD OF ALDERMEN ORDAINS:

Section 1. Section 8-78 of the Carrboro Town Code is amended to read as follows:

Section 8-78 Applicability

The provisions of this article (~~other than Section 8-78.4~~) shall apply only to persons who are engaged in the business of towing motor vehicles, and only when such persons tow a motor vehicle from private property at the request of a person who is not the owner or operator of the motor vehicle that is towed.

Section 2. Section 8-78.1 of the Carrboro Town Code is amended to read as follows:

Section 8-78.1 Limitation on Fees for Towing from Private Property

No person who tows or removes a motor vehicle from private property may charge the owner or operator of the vehicle removed an amount in excess of one hundred dollars (\$100.00) for the towing or removal. No person who stores a motor vehicle so removed may charge the owner or operator of the vehicle a storage fee in excess of twenty dollars (\$20.00) per day. No storage fees shall be charged for the first twenty-four (24) hour time period from the time the vehicle is initially removed from the private property. The fees referred to herein shall be all inclusive; no additional fees may be charged for the use of particular equipment or services. The towing or storage firm must accept payment by a major credit and debit cards in addition to cash for all fees charged covered under this article (including fees charged under Section 8-78.3). A refusal by a towing operator to accept payment by a major credit or debit card shall constitute a waiver by such operator of any entitlement to receive payment of such fee. The towing or storage firm must provide a receipt for each payment at the time the payment is made.

Section 3. Section 8-78.4 of the Carrboro Town Code is amended to read as follows:

Section 8-78.4 Signs Informing that Credit and Debit Cards Okay for Towing Fees

(a) Subject to subsection (b) of this section, Not more than ten motor vehicles within a twelve month period. No person may charge a fee for a motor vehicle towing or storage service covered by this article unless Not more than ten motor vehicles within a twelve month period may be towed from private property at the request of the property owner or a person in possession of the property or an agent thereof unless no person may charge a fee for towing a motor vehicle from privately owned parking lots or areas unless the property from which the vehicle is towed contains signs that (i) (in accordance with Section 8-4(b) of the Town Charter) warn that vehicles parked on that property in violation of applicable parking restrictions will be towed at the owner's expense, and (ii) state that ~~the signs that are posted to warn that vehicles~~

ATTACHMENT A

~~may be towed also state that the town requires that towers accept payment by cash or major credit/debit cards.~~ towing operators are required by town ordinance to accept payment by major credit and debit cards for vehicle towing and storage services.

(b) The limitations of subsection (a) of this section shall not apply to the towing of motor vehicles from (i) a driveway or parking area that is manifestly designed to serve up to four dwelling units on a single lot, or (ii) any other area on private property that is manifestly not designed or intended for the parking of motor vehicles.

Section 4. All provisions of any town ordinance in conflict with this ordinance are repealed.

Section 5. This ordinance shall become effective upon adoption.