



## Legislation Details (With Text)

**File #:** 13-0345 **Name:**  
**Type:** Agendas **Status:** Other Matters  
**File created:** 6/17/2013 **In control:** Board of Aldermen  
**On agenda:** 6/25/2013 **Final action:**  
**Title:** Discussion of Possible Changes to Parking and Towing Rules

**PURPOSE:** The purpose of this item is for the Board of Aldermen to receive information from Town staff regarding suggested changes to the Town Code related to towing of vehicles from private property and limitations on parking in Town-owned parking lots.

### Indexes:

### Code sections:

**Attachments:** 1. Attachment A - Towing Ordinance Amendments 6-19-13 (2).pdf

Date	Ver.	Action By	Action	Result
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### TITLE:

Discussion of Possible Changes to Parking and Towing Rules

**PURPOSE:** The purpose of this item is for the Board of Aldermen to receive information from Town staff regarding suggested changes to the Town Code related to the towing of vehicles from private property and limitations on parking in Town-owned parking lots.

**DEPARTMENT:** Town Manager, Planning, Police, Economic & Community Development, Public Works

**CONTACT INFORMATION:** Matt Efird 918-7314, Trish McGuire, AICP 918-7327, Chief Carolyn Hutchison 918-7412, Annette D. Stone, AICP, 918-7319, George Seiz, 918-7427

**INFORMATION:** At recent Board of Aldermen meetings, the Board has asked Town staff to look at certain rules related to the towing of vehicles from private property and the rules and enforcement of rules related to parking in Town-owned parking lots. A staff workgroup met several times to discuss the issues brought up by the Board of Aldermen and devised a list of suggested changes to the Town Code to address the issues.

### Towing Rules

The existing rules for towing vehicles from private property (according to Carrboro Town Code Chapter 8, Article IX), are as follows. (1) The fee for towing a vehicle is limited to \$100.00. (2) If a vehicle owner returns to their vehicle prior to the town truck operator removing the vehicle from the property, the vehicle must be released to the owner. If the vehicle has already been attached to the tow truck, a maximum fee of \$50.00 may be charged to release the vehicle. (3) The storage fee for a vehicle is limited to \$20.00 per day, and only after a vehicle is stored more than twenty-four hours. (4) Payment for any fees must be accepted in the form of cash, credit card or debit card. (5) The Carrboro Police Department must be notified within thirty minutes of a vehicle being towed to a storage site. (6) In order for a tow truck operator to charge a fee for towing a vehicle,

the property must contain signs that warn that vehicles may be towed at the owner's expense and that tow truck operators are required to accept credit and debit cards.

In addition, the Town Charter (Article 8, Section 8-4) requires signage prominently displayed at every entrance to a property to clearly inform, in letters at least three inches tall, the parking restrictions for the property, that violators may be towed at their expense, and a phone number to contact the tow truck operator.

The rules, as currently written, place liability only with the tow truck operators. Staff is recommending changes to the Town Code to place responsibility for adequate signage and adherence to the other towing-related rules on both the property owner and the tow truck operator. The penalty for violation (i.e. towing without proper signage, charging excessive fee, etc.) is \$50.00 for a first offense, \$100.00 for a second offense, and \$250.00 for each subsequent offense. Other changes staff is recommending include requiring signage that states "if you leave this property, your vehicle will be towed," that notifies consumers if video surveillance is used to monitor the property for parking violations, and that clearly state "\$100.00 maximum fee for towing."

### **Public Parking - Rules and Enforcement**

The rules governing public parking in Carrboro are located in Chapter 6, Article IV of the Town Code. Section 6-19(b)(4) specifically provides for a two-hour parking limit between 7:00am and 5:30pm in the municipal lot on E. Main St., in the municipal lot at the intersection of Roberson/Main, at the municipal lot at the intersection of Rosemary/Sunset (M-F only), at the municipal lot on W. Weaver St., and at the municipal lot on S. Greensboro St. The municipal lot on Laurel Ave. is not listed under this section of the Town Code, but staff is recommending that this lot be added to the list of two hour limit lots. Staff has reviewed the signage at all the above-listed lots, and all lots are appropriately signed with the current restrictions. In addition to the Laurel Ave. lot, staff is recommending that the public parking spaces in the 300 E. Main parking deck be added to the list of time-limited parking.

Staff is recommending the following changes to parking regulations: (1) that the Town Code be amended to prohibit parking from 3:00am - 5:00am in the above-listed municipal lots, and the Town Hall/Town Commons lot in addition and (2) that the penalties for violating the parking regulations be increased to \$35.00 for a first offense, \$50.00 for a second offense, and \$100.00 for each subsequent offense.

An ordinance making most of the changes described above related to towing rules and public parking has been prepared (Attachment A). An updated version that includes all the changes will be available at the meeting on Tuesday evening. Town staff is also working on an implementation plan to increase enforcement efforts over the summer and into the new UNC school year. Activities will include a public information campaign and efforts to encourage alternative modes of transportation.

**FISCAL & STAFF IMPACT:** The fiscal impact of this item is not clear at this time. Depending on the method of enforcement staff goes forward with, there may be up to \$15,000 in capital costs for hardware and software related to citation tracking and collections. Staff time will continue to be needed to consider enforcement options and further staff time will be needed to perform enhanced enforcement. There will also be a small fiscal impact (less than \$1,000) related to updating the signage at municipal parking lots.

**RECOMMENDATION:** Staff recommends that the Board of Aldermen consider the suggested changes to Town Code provisions related to towing and public parking and provide direction to staff specifying follow-up actions.