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12                   **WHEREAS**, HB 133 was signed into law by Governor DeSantis effective as of  
13   October 1, 2020; and

17                   **WHEREAS**, the City Commission finds it to be in the best interest of the residents  
18                   of the City of Oakland Park to impose a Towing Services Administrative Fee.

21 **SECTION 1.** The foregoing "Whereas" clauses are hereby ratified and confirmed  
22 as being true and correct and are hereby made a part of this Ordinance upon adoption  
23 thereof.

26                      Sec. 2-13. - Fees and charges.

- 34

- 1       (2)   The following charges are imposed in connection with liens and lien  
2       satisfactions:
- 3       Lien preparation and recording .....\$55.00
- 4       Lien satisfaction preparation:
- 5               Recording by the city .....45.00
- 6               Recording by party other than city .....10.00
- 7   (b)   Police, accident and other reports.
- 8       (1)   Whenever the city receives a request to produce, provide or compile any of the  
9       above records, the city may require it to be in writing and/or on a form prescribed  
10      by the police chief.
- 11      (2)   The following charges are imposed in connection with any of the items in this  
12      subsection:
- 13       Copy charge per page (letter or legal) .....\$ 0.15
- 14       Second side of two-sided original .....0.20
- 15       Certified documents (per page) .....1.00
- 16       Oversize paper or special forms (page) .....1.00
- 17       Computer-generated labels (each) .....0.10
- 18       Research time to compile documents:
- 19               Clerical staff:
- 20                   First fifteen (15) minutes .....N/C
- 21                   Each fifteen (15) minutes thereafter .....3.50
- 22               Computer systems including operator time:
- 23                   Each fifteen (15) minutes .....25.00
- 24                   Minimum charge .....50.00
- 25   (c)   All other city departments.
- 26       (1)   Whenever the city receives a request to produce, provide or compile any of the  
27       above records, the city may request it to be in writing and/or on a form prescribed  
28       by the city manager or the department head.

1 (2) The following charges are imposed in connection with any of the items in this  
2 subsection:

3 Copy charge per page (letter or legal) .....\$ 0.15

4 Second side of two-sided original .....0.20

5 Certified documents (per page) .....1.00

6 Oversize paper or special forms (page) .....1.00

7 Computer-generated labels (each) .....0.10

8 Research time to compile documents:

9 Clerical staff:

10 First fifteen (15) minutes .....N/C

11 Each fifteen (15) minutes thereafter .....3.50

12 Computer systems including operator time:

13 First fifteen (15) minutes .....25.00

14 Minimum charge .....50.00

15 (d) Towing Services Administrative Charge.

16 1. **Definitions.** As used in this section, the following words and terms shall have the  
17 following meanings, unless the context clearly otherwise requires:

18 **Administrative Charge:** a financial charge imposed on the registered owner or  
19 other legally authorized person or entity of a motor vehicle or vessel to cover the  
20 cost of enforcement, including parking enforcement, by the municipality when the  
21 vehicle or vessel is towed from public property.

22 **Towing Business:** a business entity that provides towing and/or wrecker services  
23 for monetary gain within the City.

24 **Towing Services Agreement:** an agreement between the City of Oakland Park and  
25 a Towing Business that authorizes the Towing Business to provide services for  
26 private vehicles or vessels ordered towed by the City within the limits of the City  
27 and during designated periods of time.

28 **Maximum Towing Rates:** the maximum towing rate(s) established by Broward  
29 County from time to time

30 2. **Towing Services Administrative Charge:** The City Commission hereby  
31 authorizes the imposition of an administrative charge upon the registered owner or  
32

1 other legally authorized person or entity in control of a vehicle or vessel when a  
2 vehicle or vessel is towed from public property.

3 a) The administrative charge shall be twenty-five (25%) percent of the  
4 maximum towing rate.

5 b) As directed by the City Manager, or his/her designee, a Towing  
6 Business with a Towing Services. Agreement may impose and collect the  
7 administrative charge on behalf of the City of Oakland Park and shall remit  
8 such fee or charge to the City upon collection but in no event later than five  
9 (5) days from the date of collection.

10 c) The administrative charge does not constitute a fee or charge upon  
11 an authorized Towing Business.

12 (e) ~~(d)~~ The finance director shall institute the necessary rules to effectively control this  
13 process. The finance director or department may refuse any request for the cost to be  
14 billed versus payment in full at the time of service based upon the customer's past  
15 payment record with the city. All monies collected under this article shall be deposited  
16 and credited as a revenue to the fund providing the service or copies.

17 (f) ~~(e)~~ It shall be the policy of the city, with regard to requests of other cities or other  
18 governmental agencies for public records from the city, that said records shall be  
19 provided at no cost by the city.

20  
21 **SECTION 3.** If any clause, section or other part of this Ordinance shall be held by  
22 any Court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional  
23 or invalid part shall be considered as eliminated and in no way affecting the validity of the  
24 other provisions of this Ordinance.

25  
26 **SECTION 4.** All Ordinances or parts of Ordinances in conflict herewith are hereby  
27 repealed to the extent of such conflicts.

28  
29 **SECTION 5.** It is the intention of the City Commission of the City of Oakland  
30 Park, that the provisions of this Ordinance shall become and be made a part of the Code of  
31 Ordinances of the City of Oakland Park, Florida, and the Sections of this ordinance may be  
32 renumbered, re-lettered and the word "Ordinance" may be changed to "Section," "Article,"  
33 or such other word or phrase in order to accomplish such intention.

34  
35 **SECTION 6.** This Ordinance shall be effective upon its passage and adoption by  
36 the City Commission of the City of Oakland Park.  
37

1 **PASSED BY THE CITY COMMISSION OF THE CITY OF OAKLAND PARK,**  
2 **FLORIDA, ON FIRST READING THIS 2<sup>nd</sup> DAY OF DECEMBER 2020.**

3	M. CARN	YES
4	A. GORDON	YES
5	M. ROSENWALD	YES
6	M. SPARKS	YES
7	J. BOLIN	YES

9 **PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF**  
10 **OAKLAND PARK, FLORIDA, ON SECOND READING THIS 16TH DAY OF**  
11 **DECEMBER 2020.**

12 CITY OF OAKLAND PARK, FLORIDA

13  
14  
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16 \_\_\_\_\_  
17 MAYOR JANE BOLIN

18	M. CARN	_____
19	A. GORDON	_____
20	M. ROSENWALD	_____
21	M. SPARKS	_____
22	J. BOLIN	_____

23  
24 **ATTEST:**

25  
26  
27 \_\_\_\_\_  
28 RENEE M. SHROUT, CMC, CITY CLERK

29  
30 **LEGAL NOTE:**

31  
32 I hereby certify that I have approved the form of this Ordinance. (O-2020-025)

33  
34  
35  
36 \_\_\_\_\_  
37 DONALD J. DOODY, CITY ATTORNEY