

**CITY OF MARATHON, FLORIDA  
RESOLUTION 2022-05**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA ADOPTING RATES FOR THE REMOVAL AND STORAGE OF WRECKED OR DISABLED MOTOR VEHICLES, ABANDONED VEHICLES, OR VEHICLES PARKED IN PROHIBITED OR RESTRICTED AREAS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Section 32-2 of the City’s Code of Ordinances was adopted on November 28, 2006 as Ordinance 2006-32; and

**WHEREAS**, said Ordinance established rates and fees for motor vehicle towing and storage services; and

**WHEREAS**, rates and fees associated with Section 32-2 of the Code of Ordinances have not changed in 15 years since the initial adoption date; and

**WHEREAS**, the City is simultaneously adopting Ordinance 2022-01 which modifies Section 32-2, in part, removing rates and fees from the Ordinance providing that such rates and fees may be established by City Council Resolution; and

**WHEREAS**, based on discussion with existing tow operators in the City of Marathon, the rates and fees provided herein address towing and storage service costs currently associated with such business operation; and

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, THAT:**

**Section 1.** The above recitals are true and correct and incorporated herein.

**Section 2.** The following rates and fees are hereby established pursuant to the provisions of Chapter 32-2 d and 32-31 and conditions found therein.

Class "A" wrecker service	
Base rate (any time a wrecker is called to a site)	\$200.00
Mileage rate from wrecker station to site and return (per mile)	4.00
Per hour charge beginning upon arrival of wrecker	200.00

Inside storage (per day)	50.00
Outside storage (per day)	
Under 20 feet	40.00
Price by foot over 20 feet (per foot)	3.00
Administration fee	50.00
Notification fee	75.00
Each additional letter	25.00
Service calls	100.00
After hours gate fee	200.00
Class "B" wrecker service	
Base rate (any time a wrecker is called to a site)	\$300.00
Mileage rate from wrecker station to site and return (per mile)	5.00
Per hour charge beginning upon arrival of wrecker	300.00
Inside storage (per day)	50.00
Outside storage (per day)	
Under 20 feet	40.00
Price by foot over 20 feet (per foot)	3.00
Administration fee	50.00
Notification fee	75.00
Each additional letter	25.00
Service calls	100.00
After hours gate fee	200.00
Class "C" wrecker service	
Base rate (any time a wrecker is called to a site)	\$600.00
Mileage rate from wrecker station to site and return (per mile)	6.00
Per hour charge beginning upon arrival of wrecker	600.00
Inside storage (per day)	50.00
Outside storage (per day)	
Under 20 feet	40.00

Price by foot over 20 feet (per foot)	3.00
Administration fee	25.00
Notification fee	75.00
Each additional letter	25.00
Service calls	100.00
After hours gate fee	200.00

The daily storage rate must be prorated in six (6) hour increments when the vehicle is retrieved by the owner or his agent. The notification fee may only be charged when notice is sent by the wrecker operator to the motor vehicle owner and any lienholder. In the event a law enforcement officer needs a tow truck for a towable violation, and once the towing service has been requested by the officer at the violation site and the operator has advised the officer that he is in route to the request, should the owner or driver of the motor vehicle in violation return to the vehicle site before the wrecker operator has arrived at the motor vehicle, or before the wrecker operator has departed with the vehicle, and upon the officer's authorization to release the vehicle to the owner or driver then the owner or driver of the vehicle shall pay a charge of not more than one-half (½) of the maximum rate for the class of towing service called for.

(2) The provisions of Section 32-2 (d) and 32-31 only apply to the rates charged for towing and storage service called for at the request of a law enforcement officer or City Manager (and his/her designee). In all other situations the provisions of this Resolution do not apply and the parties may negotiate prices and rates as in other ordinary service contracts.

(3) Every wrecker operator shall conspicuously display at his place of business the maximum charges which he may impose for the towing and storage services covered by this subsection.

(4) No wrecker operator may charge any rate or fee for the towing of a vehicle in excess of those established by Resolution of the Marathon City Council for wrecker services. Notwithstanding the foregoing, the rates and fee shall be determined by the class of the vehicle towed not the size of the wrecker utilized to tow the vehicle.

(5) In no event shall a wrecker operator charge the owner of a vehicle for waiting time or labor.

**Section 3.** This Resolution is subject to modification from time to time based on the future costs and expenses associated with the motor vehicle towing and storage business.

**Section 4.** Effective Date. This Resolution shall become upon the date that the corresponding Ordinance is passed, as proposed, February 8, 2022.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, THIS 22<sup>ND</sup> DAY OF FEBRUARY, 2022.**

**THE CITY OF MARATHON, FLORIDA**

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**John Bartus, Mayor**

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

**ATTEST:**

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Diane Clavier, City Clerk

(City Seal)

**APPROVED AS TO FORM AND LEGALITY FOR THE USE AND RELIANCE OF THE CITY OF MARATHON, FLORIDA ONLY:**

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Steve Williams, City Attorney