

City of Savannah

Private Lot Towing Regulations

Dear property Owner/Manager:

Enclosed please find a package outlining the local and state laws governing the posting of private property, against trespassing vehicles and property. As the Owner/Manager, it is your responsibility to ensure that the property is properly posted before trespassing vehicles can be **LEGALLY** towed from your lot.

Follow the steps listed below.

1. The **Owner/Manager** must complete the enclosed private property towing request form, including a diagram of your lot, showing the proposed placement of signs.
2. Submit the above mentioned request to the City of Savannah Mobility & Parking Services Department P. O. Box 2101 Savannah, Georgia 31402 (912-651-6468). A representative will then come out and inspect the lot to confirm that the proposed location of the signs is adequate.
3. Once your request is approved, post signs in accordance with enclosed City of Savannah Ordinance Article E Signs. Contact the Transportation Office at 651-6468 **after** signs have been posted and a representative will respond for final approval.
4. When you contact the designated wrecker service to remove a trespassing vehicle, someone from your authorized list **MUST** be present to sign the authorization form.
5. Please remember removing vehicles from a private lot can only be **LEGALLY** accomplished after all conditions set forth in the City of Savannah Ordinance and State of Georgia Code have been met.
6. If you elect to change wrecker services, or discontinue towing vehicles from your property, all existing signs must be removed from your property within fourteen calendar days.

If you have any questions or concerns please contact Mobility & Parking Services Department at 651-6468.

PRIVATE PROPERTY TOWING REQUEST APPROVAL

DATE _____ WRECKER CO. _____ PHONE: _____

COMPANY/PROPERTY OWNER NAME _____ PHONE: _____

PROPERTY ADDRESS _____

THE FOLLOWING PERSON(S) ARE AUTHORIZED TO CALL:

PRINT NAME

SIGNATURE

1. _____

1. _____

2. _____

2. _____

3. _____

3. _____

(DIAGRAM: PLEASE INCLUDE BUILDING/SIGN LOCATION/NEAREST CROSS STREET)

 SIGNATURE OF WRECKER CO. OWNER

 SIGNATURE OF PROPERTY OWNER

INSPECTOR'S SIGNATURE _____

DATE APPROVED _____

DATE DISAPPROVED _____

REASON FOR DISAPPROVAL _____

RE-INSPECTION DATE _____ APPROVED _____ DISAPPROVED _____

THIS FORM MUST BE LEGIBLE AND COMPLETED IN ITS ENTIRETY.

**City of Savannah
Georgia
WRECKER SERVICES**

SAVANNAH CODE

Part 6, Licensing and Regulation
Chapter 1, Businesses and Occupations
ARTICLE P, Wrecker Services

REVENUE ORDINANCE

Article Y
Section 35, References
Reference 34
Storage Charges and Private Trespass Towing Charges

Zoning
Chapter 3
Article E
Signs

SAVANNAH CODE

Part 6 Licensing and Regulation Chapter 1 Businesses and Occupations ARTICLE P Wrecker Services

Sec. 6-1401. General.

(a) Business tax certificates issued pursuant to this article shall be valid, except as otherwise provided herein, from the date of issuance through December 31 of the year in which the certificate is issued. Any business tax certificate obtained, as required by this article, shall be posted and kept in a conspicuous place at the central office of the wrecker service. Any certificate issued pursuant to this article shall not be assignable to any other person, firm, corporation or other entity.

(b) The fees or charges for business tax certificates required pursuant to this article shall be specified in the annual revenue Ordinance of the City of Savannah, and shall be subject to the provisions thereof as to the requirements for the payment and collection of the same; provided that where there is any conflict between the language of that ordinance and this article, the provisions of this article shall prevail.

(c) Provisions of this article shall in no way affect nor limit the provisions and requirements of the Zoning Ordinances of the City of Savannah. Those sections of the Zoning Ordinance pertaining to junkyards and storage areas shall also be applicable to wrecker service storage areas and parking areas.

(d) The operation of any business contrary to any provision of this article or the annual Revenue Ordinance or the failure to comply with any provision of this article or the annual Revenue Ordinance, or the use of any business tax certificate contrary to the annual Revenue Ordinance:

(1) Shall constitute a violation of this article which shall be punishable as provided by the Savannah Code, Section 1-1013. Each day the offense continues shall be a new and separate offense subject to the same day penalty

(2) Shall, if continued, be deemed and considered a nuisance.

(3) Shall be subject to any other provision for suspension, revocation or denial as provided herein and any other civil or criminal action or penalty or proceeding provided by law.

Sec. 6-1402. Operation of wrecker service. (City headouts and Private Property)

(a) Each wrecker service shall display in a conspicuous manner on each side of each of its vehicles the name and address of its business establishment.

(b) Wrecker services shall not monitor Police Department frequencies for purposes of monetary gain.

(c) Each wrecker service shall take custody of and promptly deliver to the Savannah Police Department all valuables found in towed and/or stored vehicles.

(d) Unless directed to respond to the scene of a traffic accident and/or a traffic violation by the Savannah Police Department Radio Dispatcher or as communicated by a police officer at the scene, no wrecker service vehicle shall approach within 150 feet of the scene of an accident or violation.

(e) Upon successfully passing an annual inspection pursuant to paragraph (j) below, the owner or operator of each wrecker service vehicle shall purchase a City commercial vehicle permit as provided in the annual Revenue Ordinance. The permit (decal) shall be placed in a prominent position on the passenger side of the windshield of each vehicle.

(f) Each wrecker service vehicle shall be equipped with an emergency rotating amber light which shall be operated while at the scene of any disabled and/or abandoned vehicle and while the vehicle is under tow.

(g) Each wrecker service shall equip each of its service vehicles with a broom and shall be responsible for the removal of all broken glass and/or other debris at the scene of any accident or disabled vehicle before removing the vehicle from a City street.

(h) Each wrecker service which is on the City's rotating headout list and/or which provides private trespass towing services shall accept travelers' checks, Master Card and VISA credit card payments at its primary place of business during normal business hours (or as may be provided in a City headout contract) as a convenience to persons whose vehicles have been involuntarily towed.

(i) Each wrecker service shall clearly post its complete schedule of fees in a conspicuous and prominent location on its premises. (Ord. of 4-4-77, ' 2; Ord. of 12-20-84, ' 1; Ord. of 7-16-87, ' 1)

(j) At least once each year the Parking Director or his designee shall inspect each automotive wrecker service and each wrecker vehicle for compliance with the provisions of this article. Additional inspections to ensure continuous compliance, including but not limited to response to any public complaint and subsequent to any accident involving a wrecker vehicle, are hereby specifically authorized.

(k) All required private property signature and inspection forms will be renewed every 2 years and submitted to the City of Savannah Parking Services.

(l) Each wrecker service doing private property towing will be required to purchase a Private property towing permit from the City of Savannah Parking Services on a yearly basis. The City may refuse to issue a permit where the applicant has failed to show compliance with applicable laws of Georgia and City ordinance.

(m) Wrecker companies shall comply with all Department of Motor vehicle non-consensual towing regulations unless otherwise stated within this ordinance.

Sec. 6-1403. Records.

Wrecker services shall maintain a daily list of vehicles towed and/or stored. The list vehicle license tag decal number, license plate number, name of owner, and purpose for removing and/or storing vehicle. The record shall be retained for a period of three years and will be made available to the Savannah Police Department at any reasonable hour. (Ord. of 4-7-77,s3)

Sec. 6-1404. Storage Rates for Involuntary Towing

Wrecker service companies shall limit charges to the public for outside and inside storage resulting from non-request rotating police headout calls and private trespass towing services to the maximum amount approved by the Mayor and Aldermen, as published in the annual Revenue Ordinance, Article Y, Section 35, Reference 34. (Ord. of 4-7-77, s 4; Ord. of 12-20-84,s2; Ord. of 7-2-87, s 1)

Sec. 6-1405. Insurance.

(a)Wrecker service companies shall maintain a comprehensive form of automobile and general liability insurance, to cover claims for property damage and/or all claims which may arise out of or as the result of services performed by the wrecker service. Minimum coverage for insurance shall be in accordance with Georgia State law. Such indemnity insurance shall inure to the benefit of any person who is injured or who sustains damage to property caused by the negligence of a wrecker company or the wrecker driver.

(b) Each wrecker service shall provide the City Parking Director or his designee with a copy of the insurance certificate evidencing coverage's upon purchase or renewal of its annual City business tax certificate. The policies of insurance shall provide that the City Parking Director or his designee shall be notified upon cancellation of the wrecker services coverage. (Ord. of 4-17-77, s 5)

Part 6
Licensing and Regulation
Chapter 1
Businesses and Occupations
ARTICLE P
Wrecker Services

Sec. 6-1406. Removal of vehicles from private property.

(a) Removal of Vehicles from Private Property during Normal Business Hours.

Pursuant to O.C.G.A. s 44-1-13, paragraph (a), Any person entitled to the possession of any parcel or space of private real property shall have the right to remove or cause to be removed from the property any vehicle or trespassing personal property thereon which is not authorized to be at the place where it is found and to store or cause to be stored such vehicle or trespassing personal property, provided that there shall have been conspicuously posted on the private real property notice that any vehicle or trespassing personal property which is not authorized to be at the place where it is found may be removed at the expense of the owner of the vehicle or trespassing personal property along with information as to where the vehicle or trespassing personal property can be recovered and cost of removal provided, however, that the owner of private residential property containing not more than four residential units shall not be required to comply with the posting requirements of this subsection.

(b) Removal of Vehicles from Private Property after Normal Business Hours.

Pursuant to O.C.G.A. 44-1-13, paragraph (c), after the regular activity on such property is concluded for the day, removal may be effected only if access to such property from the public way is blocked by a sturdy chain, cable, or rope stretched at least 18 inches above grade across all driveways or other ways providing access to the off-street parking area or vacant lot and there is conspicuously posted in the area a notice that any vehicle or trespassing personal property parked thereon which is unauthorized to be in such area may be removed at the expense of the owner along with information as to where the vehicle or trespassing personal property may be recovered, the cost of recovery, hours that towing is enforced, and information regarding the form of payment.

(c) Inspection of Parking Lots. The City Parking Services Director or his designee shall inspect private property involved with private trespass towing for compliance with paragraphs (a) and (b) of this section 6-1406 and for compliance with the Sign Ordinance, Section 8-3082. Approval and certification after such inspection shall be required before any vehicle or trespassing personal property may be removed from private property. The inspection provided by this paragraph shall fulfill all City inspection requirements related to private trespass towing which are prescribed by City ordinance and State law, provided, however, that such inspection shall in no way preempt or limit the authority of any other City officer or agency in performing inspection duties required by ordinance or law.

(d) **Charges for removal of vehicles from private property.** Pursuant to O.C.G.A. § 44-1-13 paragraph (d), charges for removal or relocation of any vehicle or trespassing personal property from private property shall not exceed the maximum amounts approved by the Mayor and Aldermen, as published in the annual Revenue Ordinance, Article Y, Section 35, Reference 34.

(e) **Form to be completed prior to towing from private property.** Any towing and storage firm which tows from private property will be required to complete a form prior to towing from private property indicating the date, time, location from which vehicle is removed, signature of person authorizing removal, location to which vehicle is removed, towing charges, and other information deemed necessary by the Taxicab Inspector for each vehicle removed from private property. Such towing company shall be required to turn in the forms weekly to the Taxicab Inspector at a time, date and location established by the Taxicab Inspector. The towing or storage company will be required to keep a copy of each completed form on file for two years and shall be required to make the forms available to any police officer or other authorized City official during normal business hours upon reasonable request.

(f) **Notification to police department required.** Any towing or storage firm which tows or relocates any vehicle or trespassing personal property from private property shall immediately notify the Savannah Chatham Metro Police Department of such action. Such towing or storage company shall provide the Savannah Chatham Metro Police Department with the location from which each vehicle or trespassing personal property has been removed, the year, make and model of the removed vehicle or trespassing personal property, the vehicle tag number and vehicle identification number.

STATE LAW

44-1-13.

(a) As used in this Code section, the term:

(1) 'Commission' means the Public Service Commission.

(2) 'Private property' means any parcel or space of private real property.

(a.1) Any person or his or her authorized agent entitled to the possession of any private property shall have the right to remove or cause to be removed from the property any vehicle or trespassing personal property thereon which is not authorized to be at the place where it is found and to store or cause to be stored such vehicle or trespassing personal property, provided that there shall have been conspicuously posted on the private property notice that any vehicle or trespassing personal property which is not authorized to be at the place where it is found may be removed at the expense of the owner of the vehicle or trespassing personal property. Such notice shall also include information as to the location where the vehicle or personal property can be recovered, the cost of said recovery, and information as to the form of payment; provided, however, that the owner of residential private property containing not more than four residential units shall not be required to comply with the posting requirements of this subsection. Only towing and storage

firms issued permits or licenses by the local governing authority of the jurisdiction in which they operate or by the commission, and having a secure impoundment facility, shall be permitted to remove trespassing property and trespassing personal property at the request of the owner or authorized agent of the private property.

(b) Except as provided in subsection (d) of this Code section, the commission shall have the authorization to regulate and control the towing of trespassing vehicles on private property if such towing is performed without the prior consent or authorization of the owner or operator of the vehicle, including the authority to set just and reasonable rates, fares, and charges for services related to the removal, storage, and required notification to owners of such towed vehicles. No storage fees shall be charged for the first 24 hour period which begins at the time the vehicle is removed from the property, and no such fees shall be allowed for the removal and storage of vehicles removed by towing and storage firms found to be in violation of this Code section. The commission is authorized to impose a civil penalty for any violation of this Code section in an amount not to exceed \$2,500.00.

(c) In all municipalities, except a consolidated city-county government, having a population of 100,000 or more according to the United States decennial census of 1970 or any future such census a person entitled to the possession of an off-street parking area or vacant lot within an area zoned commercial by the municipality shall have the right to remove any vehicle or trespassing personal property parked thereon after the regular activity on such property is concluded for the day only if access to such property from the public way is blocked by a sturdy chain, cable, or rope stretched at least 18 inches above grade across all driveways or other ways providing access to the off-street parking area or vacant lot and there is conspicuously posted in the area a notice, the location of which must be approved by the municipality's police department, that any vehicle or trespassing personal property parked thereon which is not authorized to be in such area may be removed at the expense of the owner along with information as to where the vehicle or trespassing personal property may be recovered, the cost of said recovery, and information regarding the form of payment.

(d) The governing authority of each municipality having towing and storage firms operating within its territorial boundaries may issue a license or permit to engage in private trespass towing pursuant to this Code section to any firm meeting the qualifications imposed by said governing authority. The fee for the license or permit shall be set by such governing authority. The maximum reasonable costs of removal, relocation, and storage pursuant to the provisions of this Code section shall be compensatory, as such term is used in the public utility rate-making procedures, and shall be established annually by the governing authority of each municipality having towing and storage firms operating within its territorial boundaries; provided, however, that no storage fees shall be charged for the first 24 hour period which begins at the time the vehicle is removed from the property, and no such fees shall be allowed for the removal and storage of vehicles removed by towing and storage firms found to be in violation of this Code section.

(e) Any person who suffers injury or damages as a result of a violation of this Code section may bring an action in any court of competent jurisdiction for actual damages, which shall be presumed to be not less than \$100.00, together with court costs. A court shall award three times actual damages for an intentional violation of this Code section.

(f) It shall be unlawful and punishable by a fine of \$1,000.00 for any towing and storage firm, permitted or unpermitted, licensed or unlicensed, to enter into any agreement with any person in possession of private property to provide automatic or systematic surveillance of such property for purposes of removal and relocation of any such vehicle or trespassing personal property except upon call by such person in possession of such private property to such towing and storage firm for each individual case of trespass; provided, further, that it shall be unlawful and punishable by a fine of \$1,000.00 for any towing and storage firm to pay to any private property owner or one in possession of private property any fee or emolument, directly or indirectly, for the right to remove a vehicle or trespassing personal property from said private property.

Section 8. PRIVATE TRESPASS NON-CONSENSUAL TOWING CHARGES.

Private Trespass Non-Consensual Towing Charges. Pursuant to the Georgia Department of Public Safety, Intrastate Rates and Charges, Non-Consensual Towing and the Savannah Code, Section 6- 1406, paragraph (d) , Charges for Removal of Vehicles from Private Property. The Grantee hereby agrees to hold the Mayor and Aldermen of the City of Savannah harmless and free from any responsibility for said charges.

The maximum charge for removal or relocation of any vehicle or trespassing personal property from private property shall be as shown in the following schedule:

Class I

Regular Wrecker Service

Towed vehicle weighs up to 10,000 lbs.

Removal fee for vehicles with a Gross Vehicle Weight Rating (GVWR) of 10,000 pounds or less	Not to exceed \$175
Storage for the first 24 hours, beginning at the time the vehicle is removed from the property	No charge
Storage for any day or days the impoundment facility is closed and the vehicle's owner is unable to claim the vehicle	No charge
Daily storage fee for vehicles with a Gross Vehicle Weight Rating of 10,000 pounds or less	Not to exceed \$25

Class II

Heavy Duty Wrecker Service

Towed vehicle weighs 10,001 - 20,000 lbs.

Removal fee for vehicles with a Gross Vehicle Weight Rating (GVWR) Of 10,001 pounds to 20,000 pounds	Not to exceed \$300
Storage for the first 24 hours, beginning at the time the vehicle is removed from the property	No charge
Storage for any day or days the impoundment facility is closed And the vehicle's owner is unable to claim the vehicle	No charge
Daily storage fee for vehicles with a Gross Vehicle Weight Rating of 10,001 pounds to 20,000 pounds	Not to exceed \$30

**Class III
Extra Heavy Duty Wrecker Service
Towed vehicle weighs 20,001 lbs. and up**

Removal fee for vehicles with a Gross Vehicle Weight Rating (GVWR) Of 20,001 pounds or greater - per unit charge	Not to exceed \$450
Removal fee for vehicles with a Gross Vehicle Weight Rating (GVWR) Of 20,001 pounds or greater - combination unit	Not to exceed \$850
Storage for the first 24 hours, beginning at the time the vehicle Is removed from the property	No charge
Storage for any day or days the impoundment facility is closed And the vehicle's owner is unable to claim the vehicle	No charge
Daily storage fee for vehicles with a Gross Vehicle Weight Rating of 20,001 pounds or greater	Not to exceed \$40
Daily storage fee for vehicles with a Gross Vehicle Weight Rating of 20,001 pounds or greater - combination unit	Not to exceed \$75

Operator Fee

If vehicle has been hooked with hoisting apparatus or loaded by the wrecker service and the vehicle has not yet left the premises and the owner or operator produces ignition key and removes vehicle immediately.

Operator Fee for vehicles with a GVWR of 19,999 or less	Not to exceed \$100
Operator Fee for vehicles with a GVWR of 20,000 or more	Not to exceed \$150

Notification Fee

Notification fee may be charged within the first 24 hours where law enforcement is notified in writing, by facsimile, or other electronic means, in a manner acceptable to local law enforcement

Not to exceed \$20

Notification fee may be charged after the first 72 hours

Not to exceed \$50

The notification fees provided herein SHALL NOT EXCEED a maximum total Notification Fee of \$70.00, cumulatively.

After 30 days, the process outlined in Chapter 11 of Title 40 of the Official Code of Georgia related to abandoned motor vehicles shall apply.

After Hours Fee

After hours fee may be charged if the vehicle owner wishes to claim an impounded vehicle before/after the designated hours of 7:30 am - 6:00 pm after the first 24 hours

Not to exceed \$50

Method of Payment

Payment may be made payable by cash, commonly recognized traveler's checks, money order, certified checks, cashier's checks, debit cards and major credit cards at no additional charge.

AUTHORIZATION FOR REMOVAL OF VEHICLE FROM PRIVATE PROPERTY

WRECKER SERVICE: _____ DATE: _____ TIME _____

REMOVED FROM: _____ FEE CHARGED: _____

DRIVERS NAME: _____ SIGNATURE: _____

VEHICLE MAKE: _____ MODEL: _____ COLOR: _____

TAG#: _____ STATE: _____ VIN#: _____

REASON FOR REMOVAL: _____

REMOVAL AUTHORIZED BY: _____ TITLE & PHONE# _____
(Must be signed at time of removal)

DAMAGE OBSERVED PRIOR TO PICK UP: _____

DAMAGE CAUSED DURING REMOVAL: _____

This form must be entirely completed and signed by wrecker driver and authorized property representative on the scene prior to removal of a vehicle from private property.
Completed forms must be turned into the Mobility & Parking Services Transportation office on the following Monday morning. A copy of this form must be maintained by the Wrecker Service for a period of two years.