

**THE CITY OF FREDERICK
MAYOR AND BOARD OF ALDERMEN**

ORDINANCE NO: G-22-06

AN ORDINANCE concerning

The FY 2022 Fee Schedule and the addition of a fuel surcharge for towing services

BY Amending Ordinance No. G-21-10

BACKGROUND

On May 20, 2021, the Board of Aldermen enacted Ordinance No. G-21-10, to be effective July 1, 2021, adopting a master schedule of administrative and regulatory fees for Fiscal Year 2022, known as the Fiscal Year 2022 Fee Schedule. The fees established therein may be modified or waived only by subsequent ordinance.

The Frederick Police Department (FPD) initiates the towing of vehicles for numerous reasons, including those relating to accidents, parking violations, and evidentiary purposes. FPD utilizes a rotation of private tow companies for such purpose. The Fiscal Year 2021 Fee Schedule includes, under "Police Department", a detailed listing of fees payable by vehicle owners (or their insurance companies) directly to the tow companies in connection with towing services initiated by FPD.

The recent steep increase in fuel prices has resulted in a significant increase in the costs borne by the towing companies in providing the services described above. To help offset such costs, FPD has recommended the addition of fuel surcharge. The Board of Aldermen wishes to amend the Fiscal Year 2022 Fee Schedule to provide for such surcharge as further described herein.

SECTION I. NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF FREDERICK, That:

- (a) As depicted on Exhibit A, attached hereto and incorporated herein by this reference, that portion of the Fiscal Year 2022 Fee Schedule containing the fees for the Police Department, specifically "Towing Fees", is hereby amended to add a fuel surcharge of \$10 per incident on any day that the Central Atlantic daily average for the price of diesel fuel, as determined by the Department of Energy, is at least \$ 3.29 per gallon. The daily average will be determined by reference to the U.S. Energy Information Administration's website at <https://www.eia.gov/>. A surcharge must be listed as a separate fee on the tow bill.
- (b) Except as amended by this ordinance, Ordinance No. G-21-10 remains in effect as originally enacted.

SECTION II. AND BE IT FURTHER ENACTED AND ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF FREDERICK, That nothing herein shall be construed to limit the authority of the Board of Aldermen to adopt additional fees and charges, and that in the event of a conflict between this ordinance and any other ordinance or resolution hereafter adopted, the other ordinance or resolution shall prevail unless otherwise expressly stated therein.


SECTION III. AND BE IT FURTHER ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF FREDERICK, That this ordinance shall take effect on the date it is signed by the mayor.

SECTION IV. AND BE IT FURTHER ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF FREDERICK, That in the event of a conflict between this ordinance and any other ordinance or resolution previously adopted by The City of Frederick, this ordinance shall prevail.

SECTION V. AND BE IT FURTHER ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF FREDERICK, That in the event any provision, section, sentence, clause, or part of this ordinance shall be held to be invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause, or part of this ordinance, it being the intent of the City that such remainder shall be and shall remain in full force and effect.

APPROVED: June 3, 2022

PASSED: June 2, 2022


MICHAEL C. O'CONNOR, Mayor


MICHAEL C. O'CONNOR, President,
Board of Aldermen

Approved for Legal Sufficiency:


City Attorney

**EXHIBIT A
FY 2022 FEE SCHEDULE**

POLICE DEPARTMENT

DESCRIPTION	FEE
Copies of Reports	\$5.00
Copies of 911 CDs	\$25.00
Law Enforcement Officer Safety Act	\$30.00
Carriage Application Fee	\$15.00
Carriage License Fee	\$25.00
Body Camera Video - per video	\$25.00
CD Copies of Photographs	\$3.00
TOWING FEES*	FEE
For Vehicles 11,000 pounds and under:	
Disabled Vehicles (per occurrence/per vehicle)	\$96
Accidents (per occurrence/per vehicle)	\$160
Secondary Tow (per occurrence/per vehicle)	\$98
FPD back lot to/from tow company lot	
FPD secured lot to/from tow company lot	
FPD back lot to/from FPD secured lot	
Storage (per day)	\$52
Maximum \$40 if vehicle is picked up within 24 hours of tow	
Evidence/Impound (per occurrence/per vehicle)	\$98
To FPD secure lot/back lot. No mileage assessed	
Regular Impound (No mileage assessed)	\$129
Mileage - Outside City Limits	\$5.00 / mile
Only actual mileage from tow location to destination to be billed	
Debris Clean-Up	\$33
Standby/Waiting	\$20
Billed in 15 minute increments/no fee for first 15 minutes/supporting documents required	
Winching	\$33
Billed in 15 minute increments	
Rollover (per 15 minutes)	\$49
30 minute minimum / 15 minutes increments after 1st half hour	
Road Service (Non-Tow) (per occurrence)	\$65
Keys in vehicle, out of gas, jump start	
Gas Fee to disabled vehicle (2 gal. @ \$4 per gal.)	
After Hours Release Fee (per occurrence/per vehicle)	\$60
Monday - Friday 5PM - 8 AM / Weekends or Holidays	
Administrative Fee (per occurrence/per vehicle)	\$30
Accidents and Impounds	
Snow Emergency Plan in Effect (per occurrence/per vehicle)	\$30
Drop Fee (no other charges may apply)	\$75
For Vehicles 11,001 pounds and over:	
The tow company may charge a reasonable fee depending on the weight of the disabled vehicle, the condition of the vehicle (e.g. overturned), and the equipment needed to tow the vehicle. The tow company is solely responsible to prove, in writing, the necessity of the charges should a complaint be filed against them.	
Fuel Surcharge	\$10 / incident

*Towing fees will be evaluated and adjusted based on the Consumer Price Index effective February 1.