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# MEMORANDUM

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**DATE:** August 18, 2005  
**TO:** City Council Members  
**FROM:** Russell Weeks  
**RE:** Proposed Ordinances Pertaining to Towing or Immobilizing Vehicles  
**CC:** Cindy Gust-Jenson, Rocky Fluhart, Ed Rutan, Sam Guevara, Alison McFarlane, Louis Zunguze, Gary Mumford, Gwen Springmeyer, Ed Butterfield

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This memorandum pertains to proposed amendments that would bring the *Salt Lake City Code* into conformance with Utah law regulating the towing of vehicles. Other proposed amendments would enact ordinances regulating immobilizing (“booting”) vehicles and would regulate signage regarding towing and immobilizing vehicles.

The proposed amendments are scheduled for the City Council’s formal consideration at its August 23 meeting. The Administration briefed at the City Council at a work session July 7.

## OPTIONS

- Adopt the proposed ordinances.
- Adopt only the proposed ordinances regulating towing.
- Adopt the proposed ordinances but set the maximum allowable charge for immobilizing a vehicle at \$80 instead of \$50. (It should be noted that the Administration recommends the \$50 limit, in part because other cities in Utah have a similar limit.)

## POTENTIAL MOTIONS

- I move that the City Council adopt the ordinance amending sections 5.84.190, 5.84.200 and 5.84.220 all pertaining to vehicle towing operations. I also move that City Council adopt an ordinance enacting Chapter 5.85 of the Salt Lake City Code pertaining to the use of vehicle immobilization devices.
- I move that the City Council adopt the ordinance amending sections 5.84.190, 5.84.200 and 5.84.220 all pertaining to vehicle towing operations.
- I move that the City Council adopt the ordinance amending sections 5.84.190, 5.84.200 and 5.84.220 all pertaining to vehicle towing operations. I also move that City Council adopt an ordinance enacting Chapter 5.85 of the Salt Lake City Code pertaining to the use of vehicle immobilization devices with the following amendment – that the fee in Paragraph C of Section 5.85.080 read \$80 instead of \$50.

## **KEY POINTS**

- The Administration has prepared two ordinances. One ordinance would amend current City ordinances regarding towing vehicles to make the *City Code* conform to Utah law. The other ordinance would enact a new chapter in the City Code to regulate “vehicle immobilization. The two items could be considered separately.
- Signage requirements in both proposed ordinances are the same with one exception: The sign requirement for the proposed vehicle immobilization ordinance contains a sentence that reads, “The sign provides a telephone number that can be called *at any time of the day or night* to make arrangements for release of the vehicle.” (*Italics – Council staff’s.*) According to the Administration, the difference in language is designed to make sure people whose vehicles are immobilized at night have the opportunity to have an immobilizer removed. In addition, State law requires that towing companies only be available during normal business hours.
- The signage requirements in both proposed ordinances also require that signs warning the public that drivers are entering private property where illegally parked vehicles may be towed or immobilized must be 18 inches by 24 inches.
- According to research and public comment to the City Council, those who “boot” vehicles charge on average about \$80 to remove the immobilizer. They contend that the \$80 figure is the market charge in Salt Lake City. However, the Administration has noted in previous discussions that Logan, Orem and Provo respectively have set maximum rates to remove an immobilizer at \$50, \$55, and \$50.
- According to the Administration, representatives of City Attorneys’ Offices in Provo and Logan said the two cities had seen no increase in the towing of vehicles due to the \$50 cap on the fees to remove immobilizing devices. The Administration is continuing to follow-up with Orem officials.

## **BACKGROUND/DISCUSSION**

The Administration first submitted the proposed ordinances last year and discussed them with the City Council in a briefing session on September 14 that year. The City Council then requested the Administration to address a number of questions posed by the City Council. The Administration again briefed the Council on July 7. Council staff has attached the Administration’s written answers to Council questions that were part of the Administration’s transmittal for the July 7 work session.

Again, the reason to amend ordinances regulating towing services is to make them conform to Utah law. The reason for the proposal to enact a new ordinance regulating vehicle immobilization services appears to have been complaints to the City from people whose vehicles have been immobilized by the use of “Denver boots” or “California immobilizers.” Mayor Anderson’s Administration has said that the use of vehicle immobilizers should be regulated to at least give people who have parked in private parking lots without permission and had their vehicles immobilized a sense that immobilization regulations are fairly applied.

The proposed ordinance pertaining to vehicle booting services would require:

- A booting service business to obtain a Salt Lake City business license.
- The applicant for a booting service business license to undergo a background check by the Salt Lake City Police Department.
- A minimum of \$25,000 in insurance.
- That employees of a booting service wear a “top article of clothing” that identifies the company and the employee or an identification badge.
- The booting service to have a written contract with the owner of the private property on which the service immobilizes vehicles.
- The booting service to accept credit cards and debit cards as payment for removing a boot.
- A booting service to charge no more than \$50 to remove an immobilizing boot.
- The booting service to allow an immobilized vehicle to remain on the private property for two hours before having the vehicle towed away.
- The booting service to charge only towing and impoundment fees if an immobilized vehicle is towed away.

The proposed ordinance also would require private property owners to have signs posted on their properties warning drivers that their vehicles will be immobilized, impounded or towed at the vehicle owner’s expense if they are on the private property without the property owner’s permission. The proposed ordinances regulating towing services and vehicle immobilization services contain a new requirement that the signs posted on private property have to be 18 inches by 24 inches. The dimensions are the same as sign requirements in Logan, Orem and Provo.

The Administration also notes in its transmittal letter that the owner of the vehicle immobilization service with the most contracts in Salt Lake City told the City Council at the July 7 briefing told the Council that his company would be unable to recover operational costs if the proposed ordinance set the fee for removing a vehicle immobilization device at \$50. According to the transmittal the company owner said a \$50 fee would force his company to tow vehicles at a markedly higher cost instead of immobilizing vehicles. The Administration asked the city attorneys’ offices in Logan, Orem and Provo if their respective cities had seen an increase in the towing of vehicles since the cities had enacted a \$50 or \$55 cap on fees to remove vehicle immobilizers. Logan and Provo officials indicated that the towing of vehicles had not increased since the caps were enacted. The City Attorney’s Office is continuing to follow-up with Orem officials.

## EXHIBIT A

### Questions Raised by City Council at September 14, 2004 Work Session

1. Is it better to set a maximum price for booting a vehicle on private property or to clearly warn drivers that their vehicles may be booted at X cost if they park without permission?

*The two options are not mutually exclusive. Logan (\$50), Orem (one-half the DOT maximum rate for towing, i.e. \$55) and Provo (\$50) all set a maximum rate, as does the proposed ordinance (\$50). Orem and Provo also require that that rate be stated on the sign. The proposed ordinance has been revised to require that the amount be stated on the sign.*

*The industry has stated opposition to the \$50 maximum (and the prohibition of collecting additional fees such as outstanding private parking tickets). The booting companies believe that more than \$50 per boot is necessary to cover expenses and they will be forced out of business if a limit is placed on how much they can collect. (Parking lot owners view their outstanding private parking tickets as lost revenue resulting from the unauthorized parking and they advocate that they should be able to recover that in addition to the booting charge.)*

2. Under towing, the ordinance should be revised to indicate clearly that if a vehicle is blocking a private driveway, it can be towed without the towing service [having] to first contact the Police Department.

*State law does not permit the City to eliminate the requirement of first contacting the Police Department. When a vehicle is located on public property, Utah Code Section 41-6-102.7 prohibits removing the vehicle without prior authorization of a law enforcement agency. Section 41-6-16 provides that the provisions of the Traffic Rules and Regulations Chapter, which includes Section 41-6-102.7, apply uniformly throughout all municipalities. Section 41-6-16 permits municipalities to adopt ordinances "consistent with this chapter," but prohibits "ordinances in conflict," which this proposal would be. (N.B. Section 41-6-103(1)(b)(i) does prohibit parking in front of a driveway, except in limited circumstances such as at the direction of a police officer and Section 41-6-102 does permit a police officer to direct the removal of an unattended vehicle parked in violation of Section 41-6-103. See also SLCC Code Section 12.56.440.A(12))*

3. The Administration should contact owners and operators of parking garages and lots to determine what effect, if any, the proposed booting ordinance would have on them.

*The Administration surveyed the managers of eight parking lots. A summary of the results is attached as Exhibit B to the Transmittal and the individual responses are attached as Exhibit C.*

4. Under the proposed ordinance, if a parking garage or parking lot owner or operator decided to start booting vehicles, would the owner or operator have to obtain a business license to boot vehicles in addition to the business license for operating a parking garage or parking lot?

*A business having an existing business license would not be required to obtain a separate license to boot vehicles. Instead, the business would notify the Licensing Office of its intent to engage in booting and the Licensing Office would add that to the existing license following investigation. There would be a charge of \$80 for the required background investigation unless a background investigation already had been done for the existing license.*

5. Should the proposed booting ordinance be limited to the D-1, D-2, D-3 and D-4 zones? (Is that where most of the vehicle booting incidents occur or is it a citywide problem?)

*No. Booting does occur primarily in the downtown area, but the Administration has recently received a few complaints from other areas of the City. The problems that the proposed ordinance is intended to address arise regardless of where the booting occurs.*

6. Should all private parking garages and parking lots have signs to warn drivers that their vehicles may be towed or booted if they park in those garages or lots without the owner's permission?

*Yes. However, the proposed ordinances have been revised to provide an exception from the signage requirements for abandoned vehicles. Thus, garages or parking lots that tow only abandoned vehicles would not have to comply with the signage requirements. The booting ordinances in Logan, Provo and Orem do not apply to lots having fewer than 4 spaces, but the Administration does not believe that that exception is warranted because the type of problems that booting presents is not affected by the number of spaces.*

*The question has been raised whether the proposed ordinance would apply to private property owners who do their own booting instead of hiring a booting company. (For example, a parking lot owner or the owner of a business which uses all its parking spaces for its employees or tenants and does not invite the public to use the space.) The Administration recommends that no exception be made.*

7. What is an appropriate warning sign? How large should its letters be? Should the ordinance require a background color so the letters will stand out? Does the parking garage/parking lot industry have an industry standard for warning signs?

*The parking garage/parking lot industry does not have an industry standard for warning signs. A notice "Violators will be Towed or Booted at Driver's Risk & Expense" is often*

*included as part of a large sign identifying the parking lot and the conditions for parking. See Exhibits A-1 and A-2.*

*The proposed ordinance requires minimum size lettering, while the ordinances in Provo and Orem require a sign at least 18 inches by 24 inches\* with "large" reflective lettering. (Logan also requires an 18" x 24" reflective sign, but is silent on the size of the lettering.) We have changed the proposed ordinance to require a contrasting background and reflective lettering.*

8. Should the ordinance require that warning signs for drivers be placed on the doors of a business that use Denver boots or a company that boots vehicles. Should the ordinance require that warnings should be stapled to take-out meal sacks?

*No. The proposed ordinance already provides for ample notice on signs in the parking area.*

9. Is there a way to establish an appeal process by ordinance for disputes arising out of the perceived unfairness of a vehicle being immobilized on private property?

*Independent of the proposed ordinance, a person could complain about the immobilization of his or her vehicle in two ways. First, if the booting company had violated any provision of the City Code, the person could file a complaint with the City's Business Licensing Division. While an isolated violation might not lead the Business Licensing Division to seek suspension or revocation of the company's license to do business, a pattern of violations generally would.<sup>1</sup> Second, the person potentially could file a civil "conversion" action in the Justice Court or the District Court (depending on the amount of damages claimed) on the ground that the booting company had wrongfully taken control of the vehicle.*

*Provo recently amended its booting ordinance to provide people whose vehicles have been illegally booted with a right to seek \$500 damages in court. (The prior version provided that the booter would be liable to the vehicle owner "for consequential and incidental damages arising from any interference with the ownership or use of the vehicle without specifying an amount.) The amended ordinance also provides for mediation by the BYU Housing Office when BYU students and university property are involved.*

*The Administration does not recommend creating new remedies or a new "tribunal" to hear these disputes.*

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\* For comparison purposes, the signs at the parking lot entrances to the nearby Burger King are 18" x 24" (plus a small add-on sign), while the signs by the parking spaces are 12" x 18".

<sup>1</sup> As drafted, most violations of the towing and booting provisions would be civil rather than criminal. However, if a criminal violation were involved (e.g. operating without a business license), complaint could also be made to the City Prosecutor's Office.

10. Should the ordinance require that parking garage or parking lot "tickets" clearly indicate that the tickets are a private company's fine and not a public citation issued by Salt Lake City?

*No. While the similarity of "private" tickets to Salt Lake City or other governmental tickets does raise concern that some consumers could be confused, existing law (e.g. "theft by deception") could address flagrant cases of abuse.*

11. Should parking lot operators that issue "tickets" for parking without an owner's permission receive the cost of the ticket or tickets as well as the cost of removing a boot from a vehicle?

*The State Towing regulations prohibit towing companies from requiring payment of any thing other than the authorized towing and storage rates. Rules R909-19-13(5) and R909-19-14(5). These rules do not apply to booting and therefore booting companies could be permitted to require payment of prior private tickets. However, the Administration recommends that the practice not be permitted because of the possibility of valid disputes over prior tickets. The parking lot operator can pursue such claims in a civil damages suit.*

*As noted, parking lot owners oppose this prohibition because the parking tickets represent lost revenue from the unauthorized parking ("theft of service") that they are entitled to recover.*

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## EXHIBIT B-1

In response to questions asked by the City Council  
at the September 14, 2004 Work Session regarding  
Privately Owned Parking Lots and Garages

On September 14, 2004, the Salt Lake City Council received a briefing regarding the proposed ordinances to amend city code pertaining to towing operations and to enact regulations pertaining to vehicle booting services. The council members had several questions they wanted the Administration to explore before they proceeded. Russell Weeks prepared a list of questions that were used to prepare a survey. A list of parking lots and garages was obtained from Salt Lake City Business Licensing. The managers were contacted and asked the survey questions. The individual answers are included in the attached grid. The following is a synopsis of the research.

### **Survey Participants**

The managers of the following eight parking lots and garages were contacted during the survey:

- Ampco
- Central Parking
- Deseret Parking
- Diamond Parking
- Internet Properties
- Salt Palace Parking
- Standard Parking
- Zions Securities

Those managers represent 67 lots or garages and over 26,000 parking spaces.

### **Method of Fee Collection**

There are three basic methods of collecting fees for parking in private parking lots. Many of the companies sell monthly parking passes for all or part of their lots and often designate reserved stalls. The parking lots and garages that are exclusive monthly parking do not have problems with people parking without paying because they use entry cards or monthly permits. The parking lots and garages that are mixed-use and designate reserved sections or stalls sometimes have problems with people parking in the wrong areas or in the reserved stalls.

Some companies have booths with attendants and require payment as a customer enters or leaves a lot. The parking lots and garages that are pay as you enter do not have problems with people parking without paying. The parking lots and garages that are pay as you leave sometimes have problems



with people without cash as they leave. These companies take checks, credit cards or even handwritten IOUs.

Some of the companies do not have attendants and collect fee with the use of fee drop boxes. These are mostly surface parking lots and they do have reoccurring problems with people parking without paying.

### **Towing Verses Booting**

The parking lots and garages that are monthly or employ an attendant have very few occasions where they either tow or boot. They are forced into this situation only if they discover a vehicle that appears to be abandoned. The common practice is to post a notice on the vehicle for one week and then contact the police to determine if it has been stolen. If not, they contact a private towing company to have the vehicle removed. According to the parking lot managers, abandoned vehicles in parking lots are rare.

Sometimes the pay as you leave lots have problems with repeat offender of the IOU system. They post notices on the vehicles and work with the offenders to recover the lost revenue. When that does not work, they install a boot. If there is no response to the boot, they contact a private towing company to have the vehicle removed.

The surface parking lots operators are the ones most likely to need measures to recover lost revenue, but the philosophy regarding which measure to use varies greatly. One of the operators only boots vehicles and does not tow unless he thinks the vehicle is abandoned. Two of the operators both tow and boot. Four of the operators only tow cars and do not boot. The companies that boot own the booting devices and do not contract with a separate booting company. The manager of Central Parking said he towed in the past, but he recently changed to booting only. He believes booting provides better customer service. He explained booting accomplishes the same thing as towing, of delivering a message to the customer and recovering his lost revenue, but is not as expensive for the customer as towing. The manager of Standard Parking said he does not boot and prefers to tow because it is "cleaner." He explained he is in the customer service business and booting puts you "face to face" with the customer and he hates that.

### **Parking Lots and Garages Signage**

Some of the parking lots and garages that are monthly or employ an attendant do not have signs warning violators they might be booted or towed. The managers said they have never felt it is necessary. The manager of Central Parking does not want to post signs that might appear rude to his regular customers.

The managers of some of the garages have signage that state the possibly of booting or towing. All of the surface lots that use fee boxes have signage that state the fee schedule and warn of the possibly of booting or towing. There does not appear to be an industry standard but all the managers were proud of the signs they use. The also often compare signs in other lots to look for ways to better communicate with their customers.

The size of the letters and the look of the signs seem to be determined by the circumstances of the garage or lot. The operators agreed that the signs should be large enough to be seen by the customers. Several of the operators said they did not believe the ordinance should dictate details about how they create their signs.

All of the managers did not agree with the concept of additional signage on doors of businesses or on take-out meal sacks. One manager explained his lots serve many different businesses and he cannot imagine they would agree to such signage. The managers described this requirement as, "overboard," "extreme" or "excessive." The manager of AMPCO said, "People do not pay attention to the signs in the lots. They won't pay any more attention to signs on the doors." The manager of the Salt Palace Parking said he believes drivers/parkers should assume some responsibility for breaking the rules and not blame the property owners or the parking lot managers.

### **Maximum Charge for Booting**

Most of the managers believe it is better to let the market set the price and the maximum should not be set by an ordinance. There is consensus that the rate should be posted on the signs. The manager of AMPCO explained he is in the customer service business and must be accountable to the property owners he serves. If the property owner receives too many complaints from their customers, they will hire someone else to manage the lot.

Philosophy regarding the price for booting varies greatly among managers. Deseret Parking only charges \$40 to remove a boot. The manager explained he does not have any addition overhead like the companies who only do booting. On the other hand, Central Parking currently charges \$80 and is worried that if the maximum is set at \$50 it will be too low to cover his costs and he will go back to towing which will cost the customer more.

Several of the managers expressed concern for the booting company operators that have contracts with private lot owners to keep the lots free of violators. Those operators have overhead expenses such as vehicles, signage, tickets, booting devices, uniforms, employee salaries, cell phone service for each employee, insurance and charge card fees. The manager of Central Parking said he knows he cannot recover his costs at \$50 per boot, so he is certain the booting companies will not be able to recover theirs. He said if they go out of

business, the property owners will go back to towing which will ultimately end up costing the customer more.

### **Tickets**

Parking lots and garages managers want their tickets to look official so it will not be ignored. They use their company logo, address or contact information so the violator knows how to pay the ticket. They do not use pink envelopes but instead use green, yellow or white.

### **Cost of Booting/Towing plus Outstanding Tickets**

All of the managers believe they should be able to recover their outstanding citations when they have a vehicle booted and/or towed. The manager of AMPCO said the reason he tows is to attempt to recover the revenue he has lost. He believes he works extremely hard to try to recover the cost of the stolen service and space directly from the violator before he has to resort to towing. If he is not allowed to collect the unpaid tickets, he will increase the cost of the towing and get the difference back from the tow truck driver. The owner of Central Parking said if he cannot receive the cost of the tickets as well as the cost of removing a boot, he will return to hiring a towing company. Because towing companies do not have a maximum on the amounts they can charge, he can have them recover his tickets and return the money to him.

The manager of Zions Securities currently charges \$50 to remove the boot plus a \$25 service fee. In addition, they collect the outstanding IOUs and parking fees (\$5). The manager believes it is reasonable to continue to do this because it reflexes the cost of doing business. He explained the \$25 service fee is in place so they can decide to wave it in an attempt to be compassionate which promotes positive customer service in an other wise negative situation.

### **Effect of Proposed Booting Ordinance on Business**

The major concern of the parking lots and garages managers is the cost to change their signage. Some managers do not want to put up signs at all.

If limits are placed on the maximum amount and if they are not permitted to recover the cost of their outstanding tickets, several of the managers will alter their current business practices. The manager of Zions Securities will start booting earlier so the offenders do not rack up so many outstanding citations. He will be disappointed that he will not be able exercise discretion regarding his \$25 service fee. Central Parking will stop booting and return to towing which will cost the customer more. The manager of Deseret Parking will stop doing business in Salt Lake City because he believes it would be a financial waste of time.

## COUNCIL TRANSMITTAL

**TO:** Rocky J. Fluhart,  
Chief Administrative Officer

**DATE:** March 28, 2005

**FROM:** Edwin R. Rutan, II  
City Attorney

**SUBJECT:** Booting and Towing Ordinances

The booting ordinance creates a new requirement that businesses that immobilize vehicles be licensed and imposes regulations upon such businesses.

The towing ordinance deletes a section limiting fees for non-consent tows, amends notice requirements, and makes minor working changes. The section eliminated has been pre-empted by state law and is no longer enforceable.

Both the booting and the towing ordinance contain revised rules regarding signage and adequate notice.

**STAFF CONTACT:** Gwen Springmeyer, 535-6388

**DOCUMENT TYPE:** Ordinance

### **BUDGET IMPACT:**

The ordinances will not increase the funding requirements. The booting ordinance may increase revenue by requiring business licenses for businesses that were not previously licensed, but it is anticipated the impact on revenue will be minimal. Regulation will be done with the same personnel as currently exist. The proposed ordinance merely gives additional power to police and licensing to regulate businesses that enforce parking regulations on private property.

### **BACKGROUND/DISCUSSION:**

These proposals were initially presented to the Council in September 2004. This transmittal includes sections responding to questions raised by the Council and to concerns raised by the industry.

A. Vehicle Immobilization

Immobilization of vehicles on site is an industry that has developed since the City last addressed the towing ordinance. The industry uses an immobilization device -- typically a "boot" -- and generally releases the vehicle only upon payment of a fee. As opposed to towing services (discussed below), vehicle immobilization services are not regulated by state statute. The City has the authority to regulate booting under its general welfare power -- *Utah Code Section 10-8-84*.<sup>1</sup>

1. License Requirements The proposed new ordinance, Chapter 85 of Title 5 (Business Taxes, Licenses and Regulations), requires businesses that immobilize vehicles to obtain a regulatory license [new Section 5.85.020]. The licensing requirement is not limited to businesses who boot on behalf of others. It also applies to businesses that only boot on their own property. The fee for the regulatory license is in accord with Section 5.04.070. Businesses performing immobilization service without authorization are subject to revocation or suspension of the existing business license. Immobilization services are required to provide documentation of liability insurance in the minimum amount of \$25,000 to cover any vehicle damage [new Section 5.85.030]. The applicant for the license must submit to a background investigation by the Salt Lake City Police Department [new Section 5.85.040].
2. Operational Requirements Employees of the immobilization service would be required to wear an identification badge or identifiable clothing [new Section 5.85.050(A)]. The employee also would be required to have available either a copy of the contract with the property owner or a signed statement of authorization [new Section 5.85.050(D)]. The booting device shall be placed on the driver's side of the vehicle [new Section 5.85.050(E)] and a clear notice shall be placed on the driver's door window [new Section 5.85.050(F)].

The ordinance sets a maximum fee of \$50, which is the amount the Administration believes is reasonable [new Section 5.85.050(C)]. (The current industry practice is in the range of \$80.) The booting company is prohibited from charging a towing fee or any other charges as a condition of releasing the vehicle [new Section 5.85.050(I)] and the towing company is prohibited from charging additional fees not related to the towing [new Section 5.85.050(J)]. The booting service would also be required to give an itemized bill [new Section 5.85.050(C)].

The common practice of private property parking enforcement is to demand an immediate cash payment for release of the vehicle. This has caused problems for many people. The ordinance requires the licensee to accept credit cards or debit cards for payment for release of a vehicle [new Section 5.85.050(B)]. The ordinance also provides that a vehicle which has been booted may not be removed from the site for two hours. Thus, a person desiring to pay cash would have two hours before the vehicle could be towed [new Section 5.85.050(G)]. The immobilized vehicle can only be removed from the property by a licensed towing service [new section 5.85.050(H)].

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<sup>1</sup> A Federal constitutional challenge (due process) has been brought against the Logan booting ordinance. Millet v. Logan City et al., Case No. 040101921 (filed September 16, 2004). Defendants' motions to dismiss and plaintiff's motion for summary judgment are pending.

The booting service business must respond to the site promptly and in no event longer than 30 minutes of a request for release and the person responding must have full authority to release the vehicle [new Section 5.85.050(K)].

The proposed ordinance does not require booting service businesses to notify police of the immobilization of a vehicle because the vehicle remains on site.

3. Violations Violations by licensees of the operational requirements [new Section 5.85.050] and signage requirements [new Section 5.85.060], are civil violations punishable by a fine of \$100. Violations by licensees of the license requirement [new Section 5.85.020] and the insurance requirement [new Section 5.85.030] are Class B misdemeanors. The general license revocation and suspension provisions in Chapter 5.02 also would apply [new Section 5.85.070].

#### B. Towing Services

1. Maximum Fee (Drop Fee). Several years ago, Salt Lake City imposed regulations regarding tow truck operators who towed vehicles from private property without the consent of the vehicle operator. These are known as “non-consent tows.” The City’s authority to regulate these businesses is limited by state law.<sup>2</sup> The Utah Legislature has provided that municipalities cannot enact an ordinance pertaining to tow truck operations that conflicts with state law (Section 72-9-604, Utah Code Ann). Utah Code Section 72-9-603(7)(a)(i) provides that the Department of Transportation shall set maximum rates for towing, including non-consent tows, and the Department has done so by Rule R909-19-12. We are proposing that Section 5.84.200D, Salt Lake City Code, which provides for a higher maximum fee than State law when the owner of the vehicle arrives before removal is complete (“drop fee”) be repealed.<sup>3</sup>

2. Notice to Owner of the Vehicle. Municipal regulation of notice that a vehicle is subject to being towed is permitted by Utah Code Section 72-9-604(1) because the state statute does not address such notice, and municipal regulation therefore is not in conflict. New UDOT Rule 909-19-12(7) provides that towing operations shall comply with all municipal laws relating to placement of signs and notification.

The City’s current regulations for non-consent tows from private property require notice that a vehicle may be towed. The City’s own interest in requiring notice arose out of the practice some property owners had of immediately towing any vehicle that parked on private property without permission. Vehicle owners would find their autos missing and report the vehicles as being

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<sup>2</sup> Federal law also limits City and State regulation of “consent” tows, but does not limit City or State regulation of “non-consent” tows – E.g. Helmrich Transportation systems, Inc. v. City of Philadelphia Civ. No. 02-2233 (E.D. Pa. October 8, 2004).

<sup>3</sup> SLCC Code Section 5.84.200D provides that if the owner of the vehicle arrives before the vehicle is removed the maximum charge is \$10. Rule R909-19-12 previously did not provide for any reduction in the charge if the vehicle owner arrives before the vehicle is removed. However, R909-19-12 has been amended to provide that no fee may be charged if the owner arrives before the vehicle is “mechanically connected” to the tow truck [new R909-19-12(4)(a)] and that a maximum of 50% of the posted rate may be charged if the owner arrives after the vehicle has been mechanically connected, but before it has been removed from the scene [new R909-19-12(4)(b)]. Thus, SLCC Code Section 5.84.200D is inconsistent with R909-19-12 and should be repealed even though the new UDOT rule is similar to the City’s approach.

stolen. This caused expense to the City because police would respond to the complaint. The City would then discover that the vehicle had been towed.

Many times, the owners had no idea where they could locate their vehicle. The owners frequently had no means to travel to the site to retrieve the vehicle, or if they did have the means, they did not have the money. Cash was demanded for release of the vehicles.

The City responded by requiring that businesses engaged in non-consent towing from private property could not do so unless notice was given to the vehicle owners. The proposed amendment requires the notice be given in the form of signage that plainly states that unauthorized vehicles may be towed and requires a telephone number to be listed on the sign so that a person may call to obtain information concerning the vehicle impoundment. New signage requirements are stated in amended Section 5.84.190. The proposed amendment eliminates the option for placing flyers. [Section 5.84.200(B)(2)] Non-consent towing is permitted without notice if the uninvited vehicle is parked in the private property owner's driveway, landscaped space or has been abandoned.<sup>4</sup> Violations of the signage requirements are punishable as a civil violation.

3. Notice to Police. Utah Code Section 72-9-603(1) provides that in the case of non-consent tows, the tow truck operator shall give notice of the tow to the police department "immediately upon arriving at the place of storage or impound." See also Rule R909-19-7.

Salt Lake City Code Section 5.84.200(A) and (C) require that the operator give notice to the police department prior to moving the vehicle. Because this requirement of prior notice to the police department conflicts with the state law requirement of "after the fact" notice, we propose that these sections be amended to conform to state law.

In addition, we propose that Section 5.84.200(A) be amended to make clear that an operator may not tow a vehicle from a public street without authorization from a law enforcement agency. This follows Utah Code Section 41-6-102.7.

4. Violations. Current Section 5.84.220 Violation-Penalty provides that any violation of the towing provisions is a misdemeanor. Section 5.84.220 is proposed to be amended to provide that a violation of the sign requirements (Section 5.84.190) is a civil violation punishable by a \$100 fine as provided in the proposed booting ordinance.

### C. Signage Requirements

The new signage requirements deal with the language on the signs, the location of signs and the size of lettering to ensure adequate notice of the possibility of booting or towing [Section 5.84.190 and new Section 5.85.060].

1. Adequate Notice The proposed ordinance makes clear that the businesses that immobilize or tow vehicles can only do so when adequate notice is given to the vehicle owner

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<sup>4</sup> Notice was not required if the vehicle was blocking the driveway, and that provision has not been amended. [see current Section 5.84.200(B)(2)(b) in the proposed ordinance, SALT LAKE CITY CODE].

that the vehicle may be immobilized or towed if parked without the property owner's permission [Section 5.84.190(1) and new Section 5.85.060(1)]. The sign shall state the dollar amount of the fee to release or recover the vehicle [Section 5.84.190(4) and new Section 5.85.060(4)]. The towing signs must contain a telephone number to make arrangements for release of the vehicle [Section 5.84.190(6)]. The booting signs must contain a 24-hour telephone number to make arrangements for release of the vehicle [New Section 5.85.060(6)].

2. Location of Signs The signage, with lettering on both sides where possible [Section 5.84.190(2) and new Section 5.85.060(2)], must be visible to the driver entering the property and from where the vehicle is parked [Section 5.84.190(1) and new Section 5.85.060(1)] and cannot be obstructed from view by vegetation or other objects [Section 5.84.190(5) and Section 5.85.060(5)].

3. Lettering The lettering, for at least the first half of the text, shall be no smaller than 1 ½ inches and the lettering in the remaining text shall be no smaller than ½ inches. The letters must be reflective and against a contrasting background [Section 5.84.190(3) and new Section 5.85.060(3)].

#### D. Prior Work Session

During the September 14, 2004 work session, the Council raised a number of questions about the proposed ordinances. Those questions are addressed in Exhibit A.

#### E. Summary

Title 5, Chapter 84 and the proposed Chapter 85, are each a balancing of the competing demands of a property owner to control his/her property with the vehicle owner's right not to have his/her control of the vehicle interfered with unless there is fair notice that there will be cause to do so.

#### **Legislative Document:**

Chapter 5.84 is an amendment to existing ordinances on towing. Chapter 5.85 is the creation of an ordinance which regulates the practice of immobilizing vehicles on private property.

#### **RECOMMENDATION:**

The City Attorney's Office recommends adoption of the amendments to the towing ordinance concerning maximum fines and notification of police as a means of reconciling conflicts with state law. With respect to booting, our office believes that the City has the authority to regulate booting in general, and to adopt the specific provisions that the Mayor, you and your staff have recommended.



SALT LAKE CITY ORDINANCE  
No. \_\_\_\_\_ of 2004  
(Amending Salt Lake City Ordinance Regarding  
Towing Operations)

AN ORDINANCE AMENDING SECTION 5.84.190, *SALT LAKE CITY CODE*, PERTAINING TO TOWING OPERATIONS, SIGN REQUIREMENTS; AMENDING SECTION 5.84.200, *SALT LAKE CITY CODE*, PERTAINING TO TOWING OPERATIONS, ILLEGAL TOWING ACTIVITIES DESIGNATED AND AMENDING SECTION 5.84.220, *SALT LAKE CITY CODE*, PERTAINING TO TOWING OPERATIONS, VIOLATION-PENALTY.

Be it ordained by the City Council of Salt Lake City, Utah:

**SECTION 1.** That Section 5.84.190 of the *SALT LAKE CITY CODE*, pertaining to Towing Operations, Sign Requirements, shall be, and the same hereby is, amended to read as follows:

**5.84.190 Sign Requirements.**

Signage required under the provisions of this chapter shall comply with the following:.

1. There is: (a) signage visible to the driver of a vehicle entering the property, and (b) signage visible to the driver from the location where the vehicle is parked. Such signage shall use words and/or symbols that reasonably provide notice that parking without permission or contrary to permission of the property owner or operator will subject the vehicle to being towed at the vehicle owner's expense.
2. The signs contain such notice on both sides unless one side is blocked by a structure.
3. The lettering for at least the first half of the text on the sign is no smaller than one and one-half inches (1½") in height, and the lettering for the remainder of the text on the sign is

no smaller than one-half inch (1/2") in height. The lettering shall be reflective and against a contrasting background.

4. The sign states the dollar amount of the towing fee.
5. No vegetation or other object obstructs the view of the signage by the driver of a vehicle as the driver enters or leaves the property.
6. The sign provides a telephone number that can be called to make arrangements for release of the vehicle.

**SECTION 2.** That Section 5.84.200 of the SALT LAKE CITY CODE, pertaining to Towing Operations, Illegal Towing Activities, shall be, and the same hereby is, amended to read as follows:

**5.84.200 Illegal Towing Activities Designated.**

Except when a wrecker or operator is acting as an agent for a legal repossession of a motor vehicle, it shall be unlawful:

A. For any wrecker or operator to tow or otherwise move a vehicle from any area or portion of a public street without the consent of the owner or custodian thereof, except at the direction of a law enforcement agency;

B. For any wrecker or operator, or any other person, to tow or otherwise move a vehicle or authorize the removal thereof from any private road or driveway, or from any other privately owned land or property within the city limits, except:

1. When such wrecker or operator is requested to perform towing services by the owner or custodian of the vehicle,
2. When the wrecker or operator is requested to perform such towing services by an owner or custodian of private property on which the vehicle is parked; provided, however, that

the foregoing notwithstanding, no person shall tow, remove or authorize the removal of a vehicle from private property without the consent of the owner or custodian of such vehicle, unless:

a. The property is posted with signs that comply with Section 5.84.190, SALT LAKE CITY CODE, or

b. A vehicle is parked in the driveway or in the easement of ingress and egress to a dwelling used for residential purposes or is parked on the private property owner's or custodian's grass or other landscaped space, and it is determined that the vehicle operator is not within the vehicle and is not an invitee of the owner or legal occupant of the real property having a right to use said driveway or easement, or

c. The vehicle has been abandoned. A vehicle shall be deemed abandoned for purposes of this section if it has been left unattended for seven (7) days.

C. For any wrecker or operator or any other person to fail to notify the police department immediately upon arriving at the place of storage or impound of the vehicle when removal of the vehicle is requested by a person other than the owner or custodian of the vehicle. All such notices to the police department shall include:

1. a description of the vehicle, including its identification number and license number;
2. the location of the vehicle;
3. date, time, and location from which the vehicle was removed;
4. reasons for the removal of the vehicle; and
5. identity of the person who requested the removal of the vehicle.

**SECTION 3.** That Section 5.84.220 of the SALT LAKE CITY CODE, pertaining to Towing Operations, Violation-Penalty, shall be and the same hereby is, amended to read as follows:

**5.84.220 Violation-Penalty.**

Any person guilty of violating any of the provisions of this chapter, except Section 5.84.190, shall be deemed guilty of a misdemeanor and punishable as set out in Section 1.12.050 of this code, or its successor. Any violation of Section 5.84.190 shall constitute a civil violation and shall be handled as provided by Chapter 2.75 of this Code. The civil penalty for each such violation shall be One Hundred Dollars (\$100.00).

**SECTION 4. EFFECTIVE DATE.** That this ordinance shall take effect on the date of its first publication.

Passed by the City Council of Salt Lake City, Utah, this \_\_\_\_ day of \_\_\_\_\_, 2004.

\_\_\_\_\_  
CHAIRPERSON

ATTEST:

\_\_\_\_\_  
CHIEF DEPUTY CITY RECORDER

Transmitted to the Mayor on \_\_\_\_\_  
Mayor's Action:  Approved  Vetoed

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CHIEF DEPUTY CITY RECORDER

(SEAL)

Bill No. \_\_\_\_\_ of 2004

Published: \_\_\_\_\_

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APPROVED AS TO FORM  
Salt Lake City Attorney's Office  
Date 4/14/05  
By [Signature]

SALT LAKE CITY ORDINANCE

No. \_\_\_\_\_ of 2005

(Enacting New Chapter 5.85 of the SALT LAKE CITY CODE Regarding  
Vehicle Immobilization)

AN ORDINANCE ENACTING CHAPTER 5.85, *SALT LAKE CITY CODE*, PERTAINING  
TO VEHICLE IMMOBILIZATION.

Be it ordained by the City Council of Salt Lake City, Utah:

**SECTION 1.** That Chapter 5.85 of the SALT LAKE CITY CODE, pertaining to Vehicle  
Immobilization, shall be, and the same hereby is, enacted to read as follows:

**CHAPTER 5.85  
VEHICLE IMMOBILIZATION**

**5.85.010 Definitions.**

As used in this chapter:

A. "Vehicle Immobilization" means immobilizing a vehicle without the vehicle owner's  
consent by the use of any device and generally releasing the vehicle only upon payment of a fee.

B. "Fee" means any charge, price, service, or thing of value.

**5.85.020 License Required.**

A. It is unlawful for any person to engage in Vehicle Immobilization within Salt Lake City  
limits unless the person has a valid Salt Lake City license granted in compliance with the provisions  
of this chapter.

B. The fee for the license shall be in accord with Section 5.04.070, SALT LAKE CITY CODE.

C. A person who already has a valid Salt Lake City business license for an existing business  
shall notify the City Licensing Authority in writing of the intent to engage in Vehicle  
Immobilization. Performing vehicle immobilization without receiving City authorization following  
submission of such notice shall be grounds for the revocation or suspension of the existing business

license. The procedure for a Police Department Investigation provided in Section 5.85.040 shall be followed except that a Police Department investigation will not be conducted if the person's existing business license was issued following a Police Department investigation. The fees, if any, associated with such notice shall be in accord with Section 5.04.070, Salt Lake City Code.

**5.85.030 Insurance Required.**

No Vehicle Immobilization shall be conducted unless there is on file with the City license office a certificate of liability insurance executed by an insurance company authorized to do business in this state. The insurance shall be in the minimum amount of \$25,000 and shall cover any damages caused to any vehicle or vehicle owner by the licensee.

**5.85.040 Investigation by Police Department.**

Each application for a license shall be referred to the Police Department for investigation. Except as hereinafter set forth, the following shall be a bar to issuance or renewal of a permit.

A. Any conviction of a crime involving moral turpitude, narcotics or dangerous drugs, or of property damage unless a period of not less than five (5) years shall have elapsed since the date of conviction or the date of release from confinement for such offense, whichever is later; or

B. Any conviction of a felony for any reason unless a period of not less than ten (10) years shall have elapsed since the date of conviction or the date of release from confinement for such offense, whichever is later.

C. Notwithstanding subsections A, and B of this section, if the Mayor or the Mayor's designated hearing officer receives letters or testimony at a hearing, as provided in Chapter 5.02 of this title, proving by a preponderance of the evidence that the applicant has reformed his/her moral character so as to pose no threat to members of the public, the license shall be issued. If the applicant is still on parole or probation, a letter from the parole officer or probation officer

recommending the applicant be granted a license, together with the reasons for the recommendation, shall be required.

In the event of any criminal citation or information pending against the applicant, the Police Department may recommend that a license not be issued or renewed prior to a hearing held in accordance with Chapter 5.02 of this title.

**5.85.050 Operational Requirements.**

A. Every licensee and employee of the licensee shall wear either (i) a readily identifiable shirt, blouse, or other top article of clothing with the name of the licensee and the first name of the employee contained thereon and readable from a distance of six feet (6') or (ii) a prominently visible identification badge on the front of his or her clothing with the name of the licensee and the first name of the employee contained thereon and readable from a distance of six feet (6').

B. Every licensee shall accept a charge placed upon a valid credit or debit card as payment for the fee if the person who is redeeming the vehicle prefers to pay with a card instead of cash. The immobilized vehicle shall be promptly released upon request and payment.

C. No fee greater than Fifty Dollars (\$50) may be charged for release of a vehicle that has not been moved from the spot where it was parked prior to being immobilized or impounded. An itemized bill shall be provided. No fee at all may be charged by the licensee for release of a vehicle or otherwise if the driver returns to the vehicle before immobilization of the vehicle is completed and the driver promptly removes the vehicle from the premises.

D. No licensee may immobilize a vehicle unless the licensee has a current valid written contract with the property owner authorizing the licensee to immobilize or impound vehicles parked upon their property without permission. All licensees or their employees shall have in their possession on the site where the vehicle is immobilized either (i) a copy of the agreement or (ii) a statement of authorization for the licensee signed by the property owner and shall show either said



agreement or said authorization upon demand by a City official or upon demand of the person redeeming the vehicle.

E. Any equipment used to immobilize a vehicle shall be placed on the driver's side of the vehicle, whenever practicable.

F. No licensee may immobilize a vehicle without placing a notice on the driver's door window using words and/or symbols that reasonably inform the driver that the vehicle has been immobilized.

G. If a vehicle has been immobilized, it may not be removed from the site sooner than two hours from the time it was immobilized.

H. No vehicle may be removed from the site unless it is removed by a towing service licensed by Salt Lake City Corporation.

I. No licensee may require the payment of a towing fee or any other fee or charge other than that authorized by Section 5.85.050(C) as a condition to releasing an immobilized vehicle.

J. If an immobilized vehicle is impounded, no fees of any kind relating to the immobilization may be charged in addition to the towing, storage, or other impoundment fees that may be applicable.

K. Any licensee who has no employee on site authorized to release the vehicle must promptly respond to the site, but in no event longer than one-half hour of a request for release of a vehicle. The person responding must have full authority to act for the licensee and shall have a copy of the agreement or statement of authorization with them as required by Section 5.85.050(D).

**5.85.060 Sign Requirements.**

No vehicle may be immobilized without the consent of the vehicle owner unless:

1. There is: (a) signage visible to the driver of a vehicle entering the property, and (b) signage visible to the driver from the location where the vehicle is parked. Such signage shall use

words and/or symbols that reasonably provide notice that parking without permission or contrary to permission of the property owner or operator will subject the vehicle to being immobilized at the vehicle owner's expense.

2. The signs contain such notice on both sides unless one side is blocked by a structure.
3. The lettering for at least the first half of the text on the sign is no smaller than one and one-half inches (1½") in height, and the lettering for the remainder of the text on the sign is no smaller than one-half inch (½") in height. The lettering shall be reflective and against a contrasting background.
4. The sign states the dollar amount of the immobilization fee.
5. No vegetation or other object obstructs the view of the signage by the driver of a vehicle as the driver enters or leaves the property.
6. The sign provides a telephone number that can be called at any time of the day or night to make arrangements for release of the vehicle.

**5.85.070 Violations – Penalty.**

- A. Licenses are subject to revocation and suspension in accordance with Chapter 5.02.
- B. Any violation of Section 5.85.050 and Section 5.85.060 shall constitute a civil violation and shall be handled as provided by Chapter 2.75 of this Code. The civil penalty for each such violation shall be one hundred dollars (\$100.00).
- C. Any violation of Section 5.85.020 and Section 5.85.030 shall be a Class B misdemeanor.

**SECTION 2. EFFECTIVE DATE.** That this ordinance shall take effect on the date of its first publication.

\_\_\_\_\_  
CHAIRPERSON

ATTEST:

\_\_\_\_\_  
CHIEF DEPUTY CITY RECORDER

Transmitted to the Mayor on \_\_\_\_\_  
Mayor's Action:  Approved  Vetoed

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CHIEF DEPUTY CITY RECORDER

(SEAL)

Bill No. \_\_\_\_\_ of 2005

Published: \_\_\_\_\_

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APPROVED AS TO FORM  
Salt Lake City Attorney's Office  
Date 4/11/05  
By [Signature]

## EXHIBIT A

### Questions Raised by City Council at September 14, 2004 Work Session

1. Is it better to set a maximum price for booting a vehicle on private property or to clearly warn drivers that their vehicles may be booted at X cost if they park without permission?

*The two options are not mutually exclusive. Logan (\$50), Orem (one-half the DOT maximum rate for towing, i.e. \$55) and Provo (\$50) all set a maximum rate, as does the proposed ordinance (\$50). Orem and Provo also require that that rate be stated on the sign. The proposed ordinance has been revised to require that the amount be stated on the sign.*

*The industry has stated opposition to the \$50 maximum (and the prohibition of collecting additional fees such as outstanding private parking tickets). The booting companies believe that more than \$50 per boot is necessary to cover expenses and they will be forced out of business if a limit is placed on how much they can collect. (Parking lot owners view their outstanding private parking tickets as lost revenue resulting from the unauthorized parking and they advocate that they should be able to recover that in addition to the booting charge.)*

2. Under towing, the ordinance should be revised to indicate clearly that if a vehicle is blocking a private driveway, it can be towed without the towing service [having] to first contact the Police Department.

*State law does not permit the City to eliminate the requirement of first contacting the Police Department. When a vehicle is located on public property, Utah Code Section 41-6-102.7 prohibits removing the vehicle without prior authorization of a law enforcement agency. Section 41-6-16 provides that the provisions of the Traffic Rules and Regulations Chapter, which includes Section 41-6-102.7, apply uniformly throughout all municipalities. Section 41-6-16 permits municipalities to adopt ordinances "consistent with this chapter," but prohibits "ordinances in conflict," which this proposal would be. (N.B. Section 41-6-103(1)(b)(i) does prohibit parking in front of a driveway, except in limited circumstances such as at the direction of a police officer and Section 41-6-102 does permit a police officer to direct the removal of an unattended vehicle parked in violation of Section 41-6-103. See also SLCC Code Section 12.56.440.A(12))*

3. The Administration should contact owners and operators of parking garages and lots to determine what effect, if any, the proposed booting ordinance would have on them.

*The Administration surveyed the managers of eight parking lots. A summary of the results is attached as Exhibit B to the Transmittal and the individual responses are attached as Exhibit C.*

4. Under the proposed ordinance, if a parking garage or parking lot owner or operator decided to start booting vehicles, would the owner or operator have to obtain a business license to boot vehicles in addition to the business license for operating a parking garage or parking lot?

*A business having an existing business license would not be required to obtain a separate license to boot vehicles. Instead, the business would notify the Licensing Office of its intent to engage in booting and the Licensing Office would add that to the existing license following investigation. There would be a charge of \$80 for the required background investigation unless a background investigation already had been done for the existing license.*

5. Should the proposed booting ordinance be limited to the D-1, D-2, D-3 and D-4 zones? (Is that where most of the vehicle booting incidents occur or is it a citywide problem?)

*No. Booting does occur primarily in the downtown area, but the Administration has recently received a few complaints from other areas of the City. The problems that the proposed ordinance is intended to address arise regardless of where the booting occurs.*

6. Should all private parking garages and parking lots have signs to warn drivers that their vehicles may be towed or booted if they park in those garages or lots without the owner's permission?

*Yes. However, the proposed ordinances have been revised to provide an exception from the signage requirements for abandoned vehicles. Thus, garages or parking lots that tow only abandoned vehicles would not have to comply with the signage requirements. The booting ordinances in Logan, Provo and Orem do not apply to lots having fewer than 4 spaces, but the Administration does not believe that that exception is warranted because the type of problems that booting presents is not affected by the number of spaces.*

*The question has been raised whether the proposed ordinance would apply to private property owners who do their own booting instead of hiring a booting company. (For example, a parking lot owner or the owner of a business which uses all its parking spaces for its employees or tenants and does not invite the public to use the space.) The Administration recommends that no exception be made.*

7. What is an appropriate warning sign? How large should its letters be? Should the ordinance require a background color so the letters will stand out? Does the parking garage/parking lot industry have an industry standard for warning signs?

*The parking garage/parking lot industry does not have an industry standard for warning signs. A notice "Violators will be Towed or Booted at Driver's Risk & Expense" is often*

*included as part of a large sign identifying the parking lot and the conditions for parking. See Exhibits A-1 and A-2.*

*The proposed ordinance requires minimum size lettering, while the ordinances in Provo and Orem require a sign at least 18 inches by 24 inches\* with "large" reflective lettering. (Logan also requires an 18" x 24" reflective sign, but is silent on the size of the lettering.) We have changed the proposed ordinance to require a contrasting background and reflective lettering.*

8. Should the ordinance require that warning signs for drivers be placed on the doors of a business that use Denver boots or a company that boots vehicles. Should the ordinance require that warnings should be stapled to take-out meal sacks?

*No. The proposed ordinance already provides for ample notice on signs in the parking area.*

9. Is there a way to establish an appeal process by ordinance for disputes arising out of the perceived unfairness of a vehicle being immobilized on private property?

*Independent of the proposed ordinance, a person could complain about the immobilization of his or her vehicle in two ways. First, if the booting company had violated any provision of the City Code, the person could file a complaint with the City's Business Licensing Division. While an isolated violation might not lead the Business Licensing Division to seek suspension or revocation of the company's license to do business, a pattern of violations generally would.<sup>1</sup> Second, the person potentially could file a civil "conversion" action in the Justice Court or the District Court (depending on the amount of damages claimed) on the ground that the booting company had wrongfully taken control of the vehicle.*

*Provo recently amended its booting ordinance to provide people whose vehicles have been illegally booted with a right to seek \$500 damages in court. (The prior version provided that the booter would be liable to the vehicle owner "for consequential and incidental damages arising from any interference with the ownership or use of the vehicle without specifying an amount.) The amended ordinance also provides for mediation by the BYU Housing Office when BYU students and university property are involved.*

*The Administration does not recommend creating new remedies or a new "tribunal" to hear these disputes.*

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\* For comparison purposes, the signs at the parking lot entrances to the nearby Burger King are 18" x 24" (plus a small add-on sign), while the signs by the parking spaces are 12" x 18".

<sup>1</sup> As drafted, most violations of the towing and booting provisions would be civil rather than criminal. However, if a criminal violation were involved (e.g. operating without a business license), complaint could also be made to the City Prosecutor's Office.

10. Should the ordinance require that parking garage or parking lot "tickets" clearly indicate that the tickets are a private company's fine and not a public citation issued by Salt Lake City?

*No. While the similarity of "private" tickets to Salt Lake City or other governmental tickets does raise concern that some consumers could be confused, existing law (e.g. "theft by deception") could address flagrant cases of abuse.*

11. Should parking lot operators that issue "tickets" for parking without an owner's permission receive the cost of the ticket or tickets as well as the cost of removing a boot from a vehicle?

*The State Towing regulations prohibit towing companies from requiring payment of any thing other than the authorized towing and storage rates. Rules R909-19-13(5) and R909-19-14(5). These rules do not apply to booting and therefore booting companies could be permitted to require payment of prior private tickets. However, the Administration recommends that the practice not be permitted because of the possibility of valid disputes over prior tickets. The parking lot operator can pursue such claims in a civil damages suit.*

*As noted, parking lot owners oppose this prohibition because the parking tickets represent lost revenue from the unauthorized parking ("theft of service") that they are entitled to recover.*

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## EXHIBIT B-1

In response to questions asked by the City Council  
at the September 14, 2004 Work Session regarding  
Privately Owned Parking Lots and Garages

On September 14, 2004, the Salt Lake City Council received a briefing regarding the proposed ordinances to amend city code pertaining to towing operations and to enact regulations pertaining to vehicle booting services. The council members had several questions they wanted the Administration to explore before they proceeded. Russell Weeks prepared a list of questions that were used to prepare a survey. A list of parking lots and garages was obtained from Salt Lake City Business Licensing. The managers were contacted and asked the survey questions. The individual answers are included in the attached grid. The following is a synopsis of the research.

### **Survey Participants**

The managers of the following eight parking lots and garages were contacted during the survey:

- Ampco
- Central Parking
- Deseret Parking
- Diamond Parking
- Internet Properties
- Salt Palace Parking
- Standard Parking
- Zions Securities

Those managers represent 67 lots or garages and over 26,000 parking spaces.

### **Method of Fee Collection**

There are three basic methods of collecting fees for parking in private parking lots. Many of the companies sell monthly parking passes for all or part of their lots and often designate reserved stalls. The parking lots and garages that are exclusive monthly parking do not have problems with people parking without paying because they use entry cards or monthly permits. The parking lots and garages that are mixed-use and designate reserved sections or stalls sometimes have problems with people parking in the wrong areas or in the reserved stalls.

Some companies have booths with attendants and require payment as a customer enters or leaves a lot. The parking lots and garages that are pay as you enter do not have problems with people parking without paying. The parking lots and garages that are pay as you leave sometimes have problems



with people without cash as they leave. These companies take checks, credit cards or even handwritten IOUs.

Some of the companies do not have attendants and collect fee with the use of fee drop boxes. These are mostly surface parking lots and they do have reoccurring problems with people parking without paying.

### **Towing Verses Booting**

The parking lots and garages that are monthly or employ an attendant have very few occasions where they either tow or boot. They are forced into this situation only if they discover a vehicle that appears to be abandoned. The common practice is to post a notice on the vehicle for one week and then contact the police to determine if it has been stolen. If not, they contact a private towing company to have the vehicle removed. According to the parking lot managers, abandoned vehicles in parking lots are rare.

Sometimes the pay as you leave lots have problems with repeat offender of the IOU system. They post notices on the vehicles and work with the offenders to recover the lost revenue. When that does not work, they install a boot. If there is no response to the boot, they contact a private towing company to have the vehicle removed.

The surface parking lots operators are the ones most likely to need measures to recover lost revenue, but the philosophy regarding which measure to use varies greatly. One of the operators only boots vehicles and does not tow unless he thinks the vehicle is abandoned. Two of the operators both tow and boot. Four of the operators only tow cars and do not boot. The companies that boot own the booting devices and do not contract with a separate booting company. The manager of Central Parking said he towed in the past, but he recently changed to booting only. He believes booting provides better customer service. He explained booting accomplishes the same thing as towing, of delivering a message to the customer and recovering his lost revenue, but is not as expensive for the customer as towing. The manager of Standard Parking said he does not boot and prefers to tow because it is "cleaner." He explained he is in the customer service business and booting puts you "face to face" with the customer and he hates that.

### **Parking Lots and Garages Signage**

Some of the parking lots and garages that are monthly or employ an attendant do not have signs warning violators they might be booted or towed. The managers said they have never felt it is necessary. The manager of Central Parking does not want to post signs that might appear rude to his regular customers.

The managers of some of the garages have signage that state the possibly of booting or towing. All of the surface lots that use fee boxes have signage that state the fee schedule and warn of the possibly of booting or towing. There does not appear to be an industry standard but all the managers were proud of the signs they use. The also often compare signs in other lots to look for ways to better communicate with their customers.

The size of the letters and the look of the signs seem to be determined by the circumstances of the garage or lot. The operators agreed that the signs should be large enough to be seen by the customers. Several of the operators said they did not believe the ordinance should dictate details about how they create their signs.

All of the managers did not agree with the concept of additional signage on doors of businesses or on take-out meal sacks. One manager explained his lots serve many different businesses and he cannot imagine they would agree to such signage. The managers described this requirement as, "overboard," "extreme" or "excessive." The manager of AMPCO said, "People do not pay attention to the signs in the lots. They won't pay any more attention to signs on the doors." The manager of the Salt Palace Parking said he believes drivers/parkers should assume some responsibility for breaking the rules and not blame the property owners or the parking lot managers.

### **Maximum Charge for Booting**

Most of the managers believe it is better to let the market set the price and the maximum should not be set by an ordinance. There is consensus that the rate should be posted on the signs. The manager of AMPCO explained he is in the customer service business and must be accountable to the property owners he serves. If the property owner receives too many complaints from their customers, they will hire someone else to manage the lot.

Philosophy regarding the price for booting varies greatly among managers. Deseret Parking only charges \$40 to remove a boot. The manager explained he does not have any addition overhead like the companies who only do booting. On the other hand, Central Parking currently charges \$80 and is worried that if the maximum is set at \$50 it will be too low to cover his costs and he will go back to towing which will cost the customer more.

Several of the managers expressed concern for the booting company operators that have contracts with private lot owners to keep the lots free of violators. Those operators have overhead expenses such as vehicles, signage, tickets, booting devices, uniforms, employee salaries, cell phone service for each employee, insurance and charge card fees. The manager of Central Parking said he knows he cannot recover his costs at \$50 per boot, so he is certain the booting companies will not be able to recover theirs. He said if they go out of

business, the property owners will go back to towing which will ultimately end up costing the customer more.

### **Tickets**

Parking lots and garages managers want their tickets to look official so it will not be ignored. They use their company logo, address or contact information so the violator knows how to pay the ticket. They do not use pink envelopes but instead use green, yellow or white.

### **Cost of Booting/Towing plus Outstanding Tickets**

All of the managers believe they should be able to recover their outstanding citations when they have a vehicle booted and/or towed. The manager of AMPCO said the reason he tows is to attempt to recover the revenue he has lost. He believes he works extremely hard to try to recover the cost of the stolen service and space directly from the violator before he has to resort to towing. If he is not allowed to collect the unpaid tickets, he will increase the cost of the towing and get the difference back from the tow truck driver. The owner of Central Parking said if he cannot receive the cost of the tickets as well as the cost of removing a boot, he will return to hiring a towing company. Because towing companies do not have a maximum on the amounts they can charge, he can have them recover his tickets and return the money to him.

The manager of Zions Securities currently charges \$50 to remove the boot plus a \$25 service fee. In addition, they collect the outstanding IOUs and parking fees (\$5). The manager believes it is reasonable to continue to do this because it reflexes the cost of doing business. He explained the \$25 service fee is in place so they can decide to wave it in an attempt to be compassionate which promotes positive customer service in an other wise negative situation.

### **Effect of Proposed Booting Ordinance on Business**

The major concern of the parking lots and garages managers is the cost to change their signage. Some managers do not want to put up signs at all.

If limits are placed on the maximum amount and if they are not permitted to recover the cost of their outstanding tickets, several of the managers will alter their current business practices. The manager of Zions Securities will start booting earlier so the offenders do not rack up so many outstanding citations. He will be disappointed that he will not be able exercise discretion regarding his \$25 service fee. Central Parking will stop booting and return to towing which will cost the customer more. The manager of Deseret Parking will stop doing business in Salt Lake City because he believes it would be a financial waste of time.

gs/4.7.05

## Exhibit B-2

### Salt Lake City Parking Lots and Garages

Operator	Lot Name	Address	Number of stalls
<b>AMPCO</b>	185 S State	185 S State	445
Scott Snow	Wells Fargo Center	299 S Main	1495
364-7275	First Security Bank	400 S Main	566
Main Office:	Squatters Parking	135 W 300 S	335
45 E 300 S	Bank One	275 S West Temple	139
SLC., UT 84111	Kearns Building	136 S Main St	272
	"175 Garage"	175 S West Temple	236
	Greek Church	200 S 300 W	266
	Broadway Pharmacy	266 W 300 S	94
	Broadway Pharmacy	242 E 300 S	45
	Exchange Place Garage	24 W 300 S	615
	Brighton Bank	311 South State	130
	Wells Fargo Plaza	36 W 200 S	408
	One Utah Center	201 So Main	1000
	141 Pierpont	141 Pierpont	14
	Prescott Lot	275 S 200 E	49
	Tomax Lot	200 S 200 W	50
	Crane Building	250 S 300 W	162
	Goodyear Lot	378 S West Temple	35
	GSBS	205 S 400 W	35
	Frank Edwards	132 S 300W	313
	Episcopal Church	265 E 100 S	60
	Zerox Building	650 E 500 S	<u>200</u>
		Total	6964
<b>Central Parking</b>	Broadway Center	111 East Broadway	
John Webster	Triad Center	50 North 300 West	
578-1770	322 S Main St	322 S Main St	
111 E Broadway #10	SLC Public Library	210 E 400 S	
SLC UT 84111	Blimpie Lot	157 E Broadway	
	136 E South Temple	136 E South Temple	
	Questar South surface lot	138 S 200 E	
		Total	3000 Approx
<b>Deseret Parking</b>	Westgate	200 S 300 W	50
Joel Touchet	Westgate Fine Arts Center	342 W 200 S	110
671-8982	Gateway Office Center	150 S 300 W	<u>40</u>
		Total	200
<b>Diamond Parking</b>	Oddfellow Hall	47 W Post Office Place	40

Mike Weller	Parkside Tower	215 S State	367
355-6699	225 S Floral St	225 S Floral St	50
PO Box DPS 1391	Hotel Monaco	200 S Main St	120
SLC., UT 84101+1391	Port O'Call	355 S West Temple	40
	223-231 South 300 E	223-231 South 300 E	100
	Matheson Courthouse	450 S State	300
	Broadway Pharmacy	256 E 300 S	114
	Delta Center- event lot	279 West South Temple	50
	Safety Brakes	165 E 600 S	30
	Chancellor Garage	220 S 200 E	65
	Walker Garage	29 E 200 S	<u>411</u>
		Total	1687

Internet Properties	23 East 400 South	23 East 400 South	13
Richelle Nelson			
355-0600			

<b>Salt Palace Parking</b>	190 W 200 S Garage	190 W 200 S	600
Darren Satterwhite	250 W 100 S Garage	250 W 100 S	<u>450</u>
534-6359		Total	1050

<b>Standard Parking</b>	Crossroads Mall	50 South Main	
Scott Bennett	The Gateway	450 W 100 S	
359-9221		Total	5000
450 W 100 S			
SLC., UT 84101			

<b>Zions Securities</b>	ZCMI Upper Lot	So. Temple and St. Street	1856
Kreston Lee	ZCMI Lower Lot	So. Temple and St. Street	523
321-8781	West Temple Lot	113 No. West Temple	168
	Main St. Lot	28 No. Main	390
	Regent St. Lot	19 So. Regent	1091
	Social Hall Lot	135 E Social Hall Ave.	275
	Eagle Gate Terrace	145 E Social Hall Ave.	625
	Social Hall Plaza Upper	200 E Social Hall Ave	73
	Social Hall Plaza Lower	200 E Social Hall Ave	468
	100 South Surface Lot	150 East 100 South	150
	Plum Lot	57 East 200 East	23
	Orpheum	132 South State Street	455
	Gateway Tower West Garage	15 West South Temple	344
	400 West Surface Lot	400 West South Temple	180
	Museum Lot	150 West North Temple	152
	Deseret Plaza Garage	50 East 100 South	202
	Triad Center	400 West North Temple	<u>1330</u>
		Total	8305

### Exhibit B-3

## Salt Lake City Parking Lot Survey

### AMPCO

How many parking lots do you own and/or operate?	23
How many parking stalls is that?	6964
How are fee gathered?	Some = Pay on the way in Some = Pay on the way out Some = Meter Box
Do you tow or boot vehicles if the parking rules are violated?	Yes, they tow, but only if they think the car has been abandoned. They post a notice on the car for one week and then contact the police to determine if the car has been stolen. If not, they contact a private towing company. They do not Boot.
Should all private parking garages and parking lots have signs to warn drivers that their vehicles may be towed or booted if they park in those garages or lots without the owner's permission?	Yes AMPCO has signs in all lots warning parkers that if they do not comply with the rules they may be towed.
What is an appropriate warning sign?	Scott said he would email me a photo of his sign.
Does the parking garage/parking lot industry have an industry standard for warning signs?	Not aware of any industry standard.
How large should its letters be?	Large enough to be seen by parker. Should not be dictated by ordinance.
Should the ordinance require a background color so the letters will stand out?	No. Should not be dictated by ordinance. There are many different ways to make the letters stand out and get the message across.
Should the ordinance require that warning signs for drivers be placed on the doors of a business that use boots or a company that boots vehicles.	No. That would be an excessive requirement and would not change anything. "People do not pay attention to the signs in the lots. They won't pay any more attention to signs on the doors."
Should the ordinance require that warnings should be stapled to take-out meal sacks?	No.
Do you believe it is better to set a maximum price for booting a vehicle on private property or to clearly warn drivers that their vehicles may be booted at X cost if they park without permission?	Scott believes it is better to let the market set the price and the maximum should not be set by an ordinance. He believes the rate should be posted on the sign. AMPCO is in the customer service business and they have to be accountable to the property owner. If they have too many complaints, the owner will hire

	someone else to manage the lot.
Should the ordinance require that parking garage or parking lot "tickets" clearly indicate that the tickets are a private company's fine and not a public citation issued by Salt Lake City?	Yes. Scott believes his tickets make it clear that they have violated the parking rules on private property. They use a yellow envelope so there is no confusion.
Should parking lot operators that issue "tickets" for parking without an owner's permission receive the cost of the ticket or tickets as well as the cost of removing a boot from a vehicle?	Yes First ticket = \$20 + original fee Second ticket = \$20 + original fee Third ticket = \$20 + original fee There is no set rule about when they tow. They use it as a last ditch effort. They always post a notice on the vehicle before they tow and take photos. If the rules are broken again, they tow. The reason they tow is to attempt to recover the revenue they have lost. Because they have worked so hard, they believe they should recover the cost of the stolen service and space. If they are not allowed to collect the unpaid tickets, they will increase the cost of the towing and get the difference back from the tow truck driver.
What effect, if any, would the proposed booting ordinance would have on your company?	It would be expensive to change all their signs.

## Central Parking

How many parking lots do you own and/or operate?	7
How many parking stalls is that?	Approximately 3000
How are fee gathered?	Some = Pay on the way in Some = Pay on the way out Some = Meter Box
Do you tow or boot vehicles if the parking rules are violated?	John used to tow, but he recently changed to booting only. He believes booting provides better customer service. Booting accomplishes the same thing as towing, of delivering a message to the customer and recovering his lost revenue, but is not as expensive for the customer as towing.
Should all private parking garages and parking lots have signs to warn drivers that their vehicles may be towed or booted if they park in those garages or lots without the owner's permission?	No. Some of Central's lots are monthly parking only so John would not want signs that are not necessary and look rude to his regular customers . He believes the lots that have a public parking aspect should have warning signs.
What is an appropriate warning sign?	Some of his lots are both monthly and public. John believes posting the reserved spaces is enough to warn violators in those spaces. For the other space he has signs the say, "Please read this before parking ....."
Does the parking garage/parking lot industry have an industry standard for warning signs?	His company is nation wide and he uses a regionally approved sign. He believes his wording is standard with the rest of the company.
How large should its letters be?	The size is different based on the circumstance of the lot/garage. John has clearly visible signs at the entrance of his garages and several larger signs in his surface lots
Should the ordinance require a background color so the letters will stand out?	No. That might not be the best for every situation.
Should the ordinance require that warning signs for drivers be placed on the doors of a business that use boots or a company that boots vehicles.	"No, that would be too extreme."
Should the ordinance require that warnings should be stapled to take-out meal sacks?	"No, that would be too extreme."
Do you believe it is better to set a maximum price for booting a vehicle on private property or to clearly warn drivers that their vehicles	John believes it would be better to let the market set the cost, but he does believe it should be clearly posted. If the maximum is



<p>may be booted at X cost if they park without permission?</p>	<p>set at \$50 it will be too low to cover his costs and he will go back to towing which will cost the customer more. He knows he cannot recover his costs, so he is certain the booting companies will not be able to recover theirs. If they go out of business, the property owners will go back to towing which will ultimately end up costing the customer more.</p>
<p>Should the ordinance require that parking garage or parking lot "tickets" clearly indicate that the tickets are a private company's fine and not a public citation issued by Salt Lake City?</p>	<p>John wants his tickets to look as official as possible. He does not want to put the language "not a public citation by Salt Lake City" because he is afraid the public will completely ignore it.</p>
<p>Should parking lot operators that issue "tickets" for parking without an owner's permission receive the cost of the ticket or tickets as well as the cost of removing a boot from a vehicle?</p>	<p>John's employees use handheld computers to issue tickets and track offenders. The cost of the ticket is \$20. If the ticket is paid, the tracking system goes to zero. If the same vehicle gets a second ticket, it contains a warning that if the vehicle gets a third ticket without paying the first two, the vehicle will be booted. If he cannot receive the cost of the tickets as well as the cost of removing a boot, he will return to hiring a towing company. He will do this because towing companies do not have a maximum on the amount they can charge and he can have them recover his tickets and return the money to him.</p>
<p>What effect, if any, would the proposed booting ordinance would have on your company?</p>	<p>If there is a maximum and he cannot recover his tickets, he will return to using a towing company. He believes this will be bad for the customers because they will have to pay more, but he feel strongly about recovering his costs.</p>

## Deseret Parking

How many parking lots do you own and/or operate?	3
How many parking stalls is that?	200
How are fee gathered?	During the day the lots are permits only. He uses a meter box in the evening.
Do you tow or boot vehicles if the parking rules are violated?	He both tows and boots, but he has only towed one car in the past year. He charges \$40 to remove the boot.
Should all private parking garages and parking lots have signs to warn drivers that their vehicles may be towed or booted if they park in those garages or lots without the owner's permission?	Yes. Joel has signs that warn that vehicles that break the rules will be towed or booted.
What is an appropriate warning sign?	Will sent photos. He believes his signs are perfect. "If you miss that sign, you are a complete idiot."
Does the parking garage/parking lot industry have an industry standard for warning signs?	Joel is not aware of an industry "standard," but he does believe there is an "understanding" about what good signs should say.
How large should its letters be?	Joel believes the size of the letters depends on the size of the lot, but 1" is large enough for the larger words and ½" for the smaller ones.
Should the ordinance require a background color so the letters will stand out?	Joel does not believe the ordinance should dictate that much detail about how he creates his signs.
Should the ordinance require that warning signs for drivers be placed on the doors of a business that use boots or a company that boots vehicles. Should the ordinance require that warnings should be stapled to take-out meal sacks?	No. Joel believes both of these requirements would be excessive. Because of his permit system, he knows all of his lot tenants and works hard to maintain a good relationship with them. He believes they would not want signs in there business
Do you believe it is better to set a maximum price for booting a vehicle on private property or to clearly warn drivers that their vehicles may be booted at X cost if they park without permission?	No. Joel believes the price should be market driven and not set by government. If the price gets too high and the property owners get too many complaints, they will either tell the booting company to lower the price or they will cancel the contract. Joel said, "If you are still in business, you must be doing something right."
Should the ordinance require that parking garage or parking lot "tickets" clearly indicate that the tickets are a private company's fine and not a public citation issued by Salt Lake City?	Joel's tickets do not say private, but they do say Deseret. He uses a green envelope.
Should parking lot operators that issue "tickets" for parking without an owner's	Absolutely! On the first ticket he charges \$20 and the original parking fee. If the ticket is

<p>permission receive the cost of the ticket or tickets as well as the cost of removing a boot from a vehicle?</p>	<p>paid the slate goes to zero. If the ticket is not paid, he usually boots on the second violation. His tickets clearly states that will happen. Weather or not he boots depends on the circumstances. He can produce tickets with dates to defend the boot. He always collects the outstanding tickets and original fees and he wants to be able to continue doing this.</p>
<p>What effect, if any, would the proposed booting ordinance would have on your company?</p>	<p>Joel believes this ordinance will have significant financial impact on his business if he has to redo all his signs. He is also very upset that me may not be able to collect outstanding ticket and original fees. If this occurs, he will cancel his contact in Salt Lake City and focus on lots outside of Salt Lake City. He believes it would be a financial waste of time to continue to do business here.</p>
<p>Additional Comments: Joel manages parking lots outside of Salt Lake City. He wants to know if he gets a business license in Salt Lake City will that govern how he has to manage the lots outside of Salt Lake City because his office is in Salt Lake City? If someone's office is outside of Salt Lake City do they have to get a license in Salt Lake City? If he already has a Salt Lake City business license, will he have to get a second occupational license for booting?</p>	

## Diamond Parking

How many parking lots do you own and/or operate?	12
How many parking stalls is that?	1687
How are fee gathered?	Some = Monthly Some = Pay on the way out Some = Fee Box
Do you tow or boot vehicles if the parking rules are violated?	Diamond parking does not boot. Mike Weller said he tows approximately twice per month. He tows vehicles that have been abandoned and that have numerous citations. When someone parks in a fee box lot and does not pay, a citation for \$25 is placed on the vehicle. After five violations, they receive a note asking them to please call or they will be towed. Mike tries to work something out with the parker, but when that does not happen, he calls a towing company. They have had parkers with as many as 10 citations. He tries to get the towing companies to recover the outstanding fees and citations, but is not always successful. He said the towing companies do not feel they have the authority to do this.
Should all private parking garages and parking lots have signs to warn drivers that their vehicles may be towed or booted if they park in those garages or lots without the owner's permission?	Yes. All of Diamond's lots have signs explaining the fees and warning that violator may be towed.
What is an appropriate warning sign?	Mike will send me a copy of his sign.
Does the parking garage/parking lot industry have an industry standard for warning signs?	Mike is not aware of a standard parking lot sign, but believes all of the lot owners try to have similar signs.
How large should its letters be? Should the ordinance require a background color so the letters will stand out?	Mike's signs contain a lot of verbiage because each one explains the fee schedule and a warning that the vehicle may be towed. He estimated the size of the letters to be ½ inch.
Should the ordinance require that warning signs for drivers be placed on the doors of a business that use Denver boots or a company that boots vehicles. Should the ordinance require that warnings should be stapled to take-out meal sacks?	No. Mike believes adequate signage in parking lots is all that is necessary. Not all of his lots are associated with a particular business.  No.
Do you believe it is better to set a maximum price for booting a vehicle on private property or to clearly warn drivers that their vehicles	Mike believes the City should not set a maximum price for booting and the operators should be able to set the price that works best

may be booted at X cost if they park without permission?	for their situation. He does believe it is necessary for the booting operators to post the amount of the boot.
Should the ordinance require that parking garage or parking lot "tickets" clearly indicate that the tickets are a private company's fine and not a public citation issued by Salt Lake City?	Diamond Parking citations contain the company name and contact information. He uses a yellow envelope.
Should parking lot operators that issue "tickets" for parking without an owner's permission receive the cost of the ticket or tickets as well as the cost of removing a boot from a vehicle?	Mike believes he should be able to collect the outstanding fee and citations when he is forced to tow. He feels this way because of all the time and energy he puts in to attempting to get the offenders to pay before he has to resort to towing.
What effect, if any, would the proposed booting ordinance would have on your company?	Mike does not ever plan to boot in any of his lots. He is concerned about the cost of replacing his signs if a new ordinance requires changes.

## INTERNET PROPERTIES

How many parking lots do you own and/or operate?	1
How many parking stalls is that?	13
How are fee gathered?	Monthly reserved parking only
Do you tow or boot vehicles if the parking rules are violated?	Yes, they used to call a tow company, but after time they felt it was not effective. The offending vehicle would often be gone by the time the tow truck arrived and this would make the tow company angry. Last summer they purchased a boot and this has been more effective. Someone stole their first boot so they purchased another one.
Should all private parking garages and parking lots have signs to warn drivers that their vehicles may be towed or booted if they park in those garages or lots without the owner's permission?	Yes
What is an appropriate warning sign?	The booting device they purchased came with a sign warning drivers the lot is private property and unauthorized parking will result in the vehicle being booted. This sign is posted at the entrance of the lot. In addition, each stall is posted with a reserved sign.
Does the parking garage/parking lot industry have an industry standard for warning signs?	The office manager felt the sign that came with the boot was probably the industry standard.
How large should its letters be?	Large enough to be seen by parkers.
Should the ordinance require a background color so the letters will stand out?	No opinion.
Should the ordinance require that warning signs for drivers be placed on the doors of a business that use boots or a company that boots vehicles.	No. Richelle believes the owners of the real estate company the law firm would not want to do that.
Should the ordinance require that warnings should be stapled to take-out meal sacks?	No.
Do you believe it is better to set a maximum price for booting a vehicle on private property or to clearly warn drivers that their vehicles may be booted at X cost if they park without permission?	Richelle believes it would be a good idea to post the amount to release the boot on the sign but she is not optimistic this will do anything to stop people from parking in her lot. She does not care very much if the maximum is \$50 or \$80. She just wants to have it high enough to deliver a message to the offenders.
Should the ordinance require that parking garage or parking lot "tickets" clearly indicate that the tickets are a private company's fine and not a public citation issued by Salt Lake City?	They tried tickets but Richelle said, "Tickets do not work. They just ignore them."

<p>Should parking lot operators that issue "tickets" for parking without an owner's permission receive the cost of the ticket or tickets as well as the cost of removing a boot from a vehicle?</p>	<p>No opinion</p>
<p>What effect, if any, would the proposed booting ordinance have on your company?</p>	<p>It the cost of the boot is required on the sign, they would have to replace their sign but that would be acceptable. It would also be acceptable if they are limited to only charging \$50. They would not be happy about being required to get a business license, get insurance and wear identification. Richelle believes those requirements should not apply to companies who only boot on their own private property.</p>

## Salt Palace Parking

How many parking lots do you own and/or operate?	2
How many parking stalls is that?	1050
How are fee gathered?	Pay at a booth on the way in.
Do you tow or boot vehicles if the parking rules are violated?	He does not boot. He does tow, but it is very rare. Both his garages go underground and not many tow truck will go down there. He only removes a car when he determines it has been abandoned.
Should all private parking garages and parking lots have signs to warn drivers that their vehicles may be towed or booted if they park in those garages or lots without the owner's permission?	No, it is not necessary because customers pay on the way in.
What is an appropriate warning sign?	NA
Does the parking garage/parking lot industry have an industry standard for warning signs? How large should its letters be? Should the ordinance require a background color so the letters will stand out?	NA
Should the ordinance require that warning signs for drivers be placed on the doors of a business that use boots or a company that boots vehicles. Should the ordinance require that warnings should be stapled to take-out meal sacks?	Darren is supportive of good signs, but believes both of these requirements would be overboard. He believes drivers/parkers should assume some responsibility for breaking the rules and not blame the property owners or the parking lot managers.
Do you believe it is better to set a maximum price for booting a vehicle on private property or to clearly warn drivers that their vehicles may be booted at X cost if they park without permission?	Darren is uncomfortable with the government setting a price limit and would rather see the market set the price. He believes that price should be clearly stated in lots that tow or boot on a regular basis.
Should the ordinance require that parking garage or parking lot "tickets" clearly indicate that the tickets are a private company's fine and not a public citation issued by Salt Lake City?	Darren has tried to make his tickets look "official." His lots are owned by Salt Lake County and his tickets say, "Salt Palace Executive Services."
Should parking lot operators that issue "tickets" for parking without an owner's permission receive the cost of the ticket or tickets as well as the cost of removing a boot from a vehicle?	Darren has no collection process himself, but he believes the lots that have meter boxes should be able to collect their outstanding tickets when they are forces to boot or tow.
What effect, if any, would the proposed booting ordinance would have on your company?	Darren is worried about being required to post signs. That would be an extra expense for the county using taxpayer money.



## Standard Parking

How many parking lots do you own and/or operate?	2
How many parking stalls is that?	5000
How are fee gathered?	Validate or pay at booth on the way out. Sunday is free.
Do you tow or boot vehicles if the parking rules are violated?	Scott does not boot and prefers to tow because it is "cleaner." He explained he is in the customer service business and booting puts you "face to face" with the customer and he hates that. He has, however, only towed 3 times during the 10 years he has managed the garages. He only tows after he believes a car has been abandoned. He leaves a note for a week and then contact the police to see if it is stolen. If not, he calls a tow company to have the car removed.
Should all private parking garages and parking lots have signs to warn drivers that their vehicles may be towed or booted if they park in those garages or lots without the owner's permission?	Scott does not currently have any signs and has never felt they are necessary. After our conversation, he thought he may consider posting a sign warning that abandoned vehicles will be towed.
What is an appropriate warning sign?	He is worried that too many signs and too many detailed on those signs may send a negative message to his customer.
Does the parking garage/parking lot industry have an industry standard for warning signs?	Scott did not know the answer to this question.
How large should its letters be? Should the ordinance require a background color so the letters will stand out?	Scott has never given this any thought.
Should the ordinance require that warning signs for drivers be placed on the doors of a business that use boots or a company that boots vehicles. Should the ordinance require that warnings should be stapled to take-out meal sacks?	Scott felt these requirements seem excessive.
Do you believe it is better to set a maximum price for booting a vehicle on private property or to clearly warn drivers that their vehicles may be booted at X cost if they park without permission?	Scott believes the market should dictate the rate but whatever that rate is, it should be posted.
Should the ordinance require that parking garage or parking lot "tickets" clearly indicate that the tickets are a private company's fine and not a public citation issued by Salt Lake City?	These lots do not issue tickets, but Scott thinks private lot should make it clear the tickets are not City tickets.

Should parking lot operators that issue "tickets" for parking without an owner's permission receive the cost of the ticket or tickets as well as the cost of removing a boot from a vehicle?	Scott believes the lots that issues tickets should be able to collect the tickets when they tow or boot.
What effect, if any, would the proposed booting ordinance would have on your company?	None, except he does not want to put up negative signs.

## Zions Securities

How many parking lots do you own and/or operate?	17
How many parking stalls is that?	8305
How are fee gathered?	Some = Monthly only Some = Pay on the way out Some = Fee Box
Do you tow or boot vehicles if the parking rules are violated?	Kreston might tow and/or boot in all of his lots, but it is rare. The company owns 2 or 3 boots and he uses them approximately 5 or 6 times per year. About 1 or 2 times per year, he will contact a tow company to remove a vehicle. Kreston will boot for multiple fee box violations. In pay as you leave parking lots the company will issue IOUs to people who do not have money to pay. When frequent abusers of this system are discovered, they are given a violation notice warning that they will be towed or booted. The next time they are discovered, he uses a boot. If the driver does not respond to the boot, the vehicle is towed. Abandon vehicles are also towed.
Should all private parking garages and parking lots have signs to warn drivers that their vehicles may be towed or booted if they park in those garages or lots without the owner's permission?	Zions Security currently does not have signs warning about the possibility of booting and towing in all of their lots, but only in the 8 surface lot that use a fee box. They have not felt it is necessary in their lots that are exclusively monthly parking only or for the pay as you leave lots. If the new ordinance requires it, Kreston will install the signs in those lots.
What is an appropriate warning sign?	Kreston said he would email me a copy of the sign he is currently using in his lots.
Does the parking garage/parking lot industry have an industry standard for warning signs?	Kreston is not aware of an industry standard. He routinely studies the signs in other parking lots to get ideas to improve his own.
How large should its letters be? Should the ordinance require a background color so the letters will stand out?	Kreston believes the answer to this question depends on the size of the lot and the location. His sign are black lettering on a white background.
Should the ordinance require that warning signs for drivers be placed on the doors of a business that use Denver boots or a company that boots vehicles. Should the ordinance require that warnings should be stapled to take-out meal sacks?	No  No

<p>Do you believe it is better to set a maximum price for booting a vehicle on private property or to clearly warn drivers that their vehicles may be booted at X cost if they park without permission?</p>	<p>Kreston believes the city should not set a maximum amount. He thinks it would be better to require the signage clearly warn the driver how much the charge will be for the towing or booting.</p>
<p>Should the ordinance require that parking garage or parking lot "tickets" clearly indicate that the tickets are a private company's fine and not a public citation issued by Salt Lake City?</p>	<p>Kreston believes it should be clear in the mind of the violator that the ticket came from a private company and not the City. His tickets have the company logo and address and they use a white envelop.</p>
<p>Should parking lot operators that issue "tickets" for parking without an owner's permission receive the cost of the ticket or tickets as well as the cost of removing a boot from a vehicle?</p>	<p>Zions Security currently charges \$50 to remove the boot plus a \$25 service fee. In addition they collect the outstanding IOUs and parking fees (\$5). Kreston believes it is reasonable to continue to do this because it reflexes the cost of doing business. He explained the \$25 service fee is in place so they can decide to wave it in an attempt to be compassionate which promotes positive customer service in an other wise negative situation.</p>
<p>What effect, if any, would the proposed booting ordinance would have on your company?</p>	<p>If the ordinance prohibits the collection of outstanding IOUs and violations, Kreston said he will start booting earlier so the offenders do not rack up so many. He will be disappointed if he is no longer allowed to charge (or choose to not charge) his service fee. He is not overly concerned about the cost of replacing or adding signage.</p>

Exhibit B-4

# Towing and Booting Signs

# Burger King

## 200 East 400 South

Photos 1, 2 & 3 Entrance Signs Size: 18" X 24"  
Letter size 1½" & 1¼"

Photos 4 & 5 Individual Signs Size: 12" X 18"  
Letter size 7/8", ¾" & 5/8"



HOME first.

WELCOMING  
FIRST

ATM

30 MINUTE  
BURGER KING  
CUSTOMER  
PARKING ONLY  
NO PARKING  
AND WALKING AWAY

PULL

NO STICKS OR  
NO STICKS OR  
NO STICKS OR

ATM  
ATM  
ATM

BURGER KING  
PH

CA's  
table  
network

CA'S  
2000



**30 MINUTE  
BURGER KING  
CUSTOMER  
PARKING ONLY**

**NO PARKING  
AND WALKING AWAY**  
A+ PARKING ENFORCEMENT 918-3.95

ALL VIOLATORS WILL BE  
IMMOBILIZED OR TOWED  
AT OWNERS EXPENSE







**30 MINUTE  
BURGER KING  
CUSTOMER  
PARKING ONLY**

**NO PARKING**

**AND WALKING AWAY**

A. PARKING ENFORCEMENT 918-7993

ALL VIO.ATORS WILL BE  
IMMOBILIZED OR TOWED  
AT OWNERS EXPENSE





THIS PRIVATE PARKING LOT  
IS FOR THE USE OF  
BURGER KING  
CUSTOMERS ONLY  
WHILE VISITING THE RESTAURANT  
PLEASE DO NOT LEAVE THE  
PREMISES OR YOUR VEHICLE WILL  
BE IMMOBILIZED OR TOWED  
THANK YOU

A+ PARKING ENFORCEMENT  
918-3995



# Carl's Jr.

## 200 South State Street

Photos 1, 2 & 3 Entrance Signs Size: 18" X 24"  
Letter size: 1 3/4" & 1"

Photos 4 & 5 Individual Signs Size: 12" X 18"  
Letter size: 1 3/4" & 1"



  
**Carl's Jr.**  
**CUSTOMER  
PARKING ONLY**

---

ALL VIOLATORS WILL BE  
IMMOBILIZED OR TOWED  
AT OWNERS EXPENSE.  
NO PARKING AND  
WALKING OFF PROPERTY  
PLATINUM PARKING CONTROL  
801-366-3312

 **Carl's Jr.**


**LOANS**  
**TOOLS** **CRAFTSMAN** **D-WALT** **GUNS** **TOYS & HOBBIES**

**ELECTRONICS** **TVS** **BOOKS**

**DRAS** **NEW**



**Carl's Jr.**

**CUSTOMER  
PARKING ONLY**

---

**ALL VIOLATORS WILL BE  
IMMOBILIZED OR TOWED  
AT OWNERS EXPENSE.**

**NO PARKING AND  
WALKING OFF PROPERTY**

**PLATINUM PARKING CONTROL**

**801-366 -3312**



**Carl's Jr.**  
**CUSTOMER  
PARKING ONLY**

ALL VIOLATORS WILL BE  
IMMOBILIZED OR TOWED  
AT OWNERS EXPENSE  
NO PARKING ANY  
WALKING OFF PROPERTY  
PLATINUM PARKING CONTROL  
801-346-3112



Carl's Jr.

**1/2 HOUR  
CUSTOMER  
PARKING**

---

**WHILE DINING IN  
ONLY**

---

**NO PARKING & WALKING  
OFF PROPERTY  
YOUR VEHICLE WILL BE  
BOOTED OR TOWED  
\$80 MINIMUM**

**PLATINUM PARKING CONTROL  
801-366-3312**





# The Other Place Restaurant 500 East 300 South

Photos 1 Entrance Signs Size: 12" X 18" and 18" X 24"

English Letter size: 2", 1 1/4" & 1"

Christmas Box Sign Size: 18" X 24"

Christmas Box Letter Size: 2 3/4" & 1"

Photo 1 & 2 Spanish Sign Size: 18" X 24"

Spanish Letter size: 3 1/2", 2 3/4" & 1 3/4"

Photos 3 & 4 Individual Signs Size: 12" X 18"

Letter size: 1 3/4" & 3/4"

**NO TRESPASSING**  
PARKING ONLY FOR  
THE OTHER PLACE  
RESTAURANT  
**VEHICLES WILL BE TOWED OR  
BOOTED AT OWNERS EXPENSE**

**NO  
CHRISTMAS PROGRAM  
PARKING AT ANY TIME**

VIOLATORS WILL BE TOWED  
PARK IN OTHER AREAS

**NO HAY PARQUEO  
POR EL PROGRAMA NAVIDEÑO AQUI**

*Violadores de esta tendrán  
sus autos llevados por grua*

**NO HAY PARQUEO  
POR EL PROGRAMA NAVIDEÑO AQUÍ**

---

*Violadores de estira tendrán  
sus autos llevados por grua*

**PARKING ONLY FOR  
THE OTHER PLACE  
RESTAURANT**

**VEHICLES WILL BE TOWED OR  
BOOTED AT OWNERS EXPENSE**



# Firestone Tire

## 300 South 200 East

Photos 1 Entrance Sign Size: 18" X 24"  
Letter size: 3", 1 1/2", 1", 3/4" & 5/8"

Photos 2 & 3 Individual Signs Size: 6" X 12"  
Letter size: 7/8" & 1/4"

**PRIVATE PARKING**  
NO PARKING AND  
WALKING AWAY  
24 HOURS A DAY  
7 DAYS A WEEK  
NO COURT ACCESS PARKING  
VIOLATORS WILL BE IMMOBILIZED  
OR TOWED AT OWNERS EXPENSE  
**NO ESTACIONARSE**  
PLATINUM PARKING CONTROL  
309-3113  
8374-DINBY

PRIVATE PARKING  
NO ESTACIONARSE





# PRIVATE PARKING

NO PARKING AND  
WALKING AWAY

24 HOURS A DAY  
7 DAYS A WEEK  
NO COURT ACCESS PARKING

VIOLATORS WILL BE IMMOBILIZED  
OR TOWED AT OWNERS EXPENSE

**NO ESTACIONARSE**

D&S PARKING ENFORCEMENT

801-366-3312



# Internet Properties

## 23 East 400 South

Photos 1 & 2 Entrance Sign Size: 24" X 30"  
Letter size: 2" & 1 5/8"

Photo 3 Individual Signs Size: 18" X 24"  
Letter size: 2" & 1 5/8"

**NOTICE**

**PRIVATE  
PROPERTY**

**VIOLATORS WILL BE  
TICKETED & BOOTED**

**AT OWNER'S RISK  
AND EXPENSE**

*Sally  
Peatts*

*k.org*

RESERVED FOR  
J. Gu  
ONLY  
Violators will  
at owners

RESERVED PARKING  
L. DeLand  
ONLY  
Violators will be towed  
at owners expense

**NOTICE**  
**PRIVATE**  
**PROPERTY**  
VIOLATORS WILL BE  
TICKETED & BOOTED  
AT OWNER'S RISK  
AND EXPENSE

RESERVED PARKING  
G. Albee  
ONLY  
Violators will be towed  
at owners expense

RESERVED PARKING  
J. Gurr  
ONLY  
Violators will be towed  
at owners expense



*Nightclub and Warehouse*

*A private club for members*

RESERVED PARKING  
E. Fuhrman  
ONLY  
Violators will be towed  
at owners expense

PRIVATE PARKING  
TOWING ENFORCED  
24 HOURS A DAY  
If your car is towed call  
CAR TOW 801-530-1268

RESERVED PARKING  
R. Nelson  
ONLY  
Violators will be towed  
at owners expense



# Deseret Parking Enforcement



**Permit Parking Only!**

**7:00 AM - 5:00 PM**

**Must Display Current Monthly Pass!**

---

**Tenant Visitor Parking Along Building**

**Public Parking After 5:00 PM  
and on Weekends**

**\$3.00 or Posted Rate  
Pay in Advance at Pay Box**

*Violators Will Be Towed or Booted At Driver's Risk & Expense*



Westgate

Business Center

**\$3.00**

or posted rate

**Pay here in advance**

**Public Parking**

**After 5:00 P.M.**

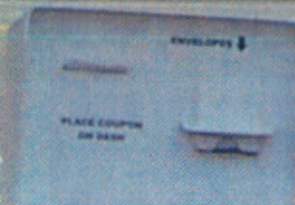
**&**

**on weekends**

**Place Payment Envelope into Pay Box.**

*Violators Will Be Towed or Booted At Driver's Risk & Expense*

NOUVEAUX



# Zions Securities



**zsc parking**

WWW.ZSCPARKING.COM

321-8779

**\$3.00**

**Pay Here In Advance**

**Payment Instructions**

- . Park in a numbered stall.**
- . Insert payment for your stall at the fee box**
- . Oversize vehicles please pay for each stall used.**

**Violators will be Impounded**

**\$50.00 Impound Fee  
\$25.00 Service Charge  
Plus all delinquent parking fees**

**No out and back in privileges  
No overnight parking  
No advertising  
For monthly parking call 321-8779**

42"

30  $\frac{1}{2}$ "

1

30  $\frac{1}{2}$ "

2

66"

**Miscellaneous**  
**Outside the Central Business**  
**District**

**Clawson  
KC Travel  
Parking  
Only**

**Violators Will  
Be Booted  
and Fined \$75**

**PRIVATE**  
**NO**  
**PARKING**  
VIOLATORS WILL  
BE TOWED AT  
THEIR EXPENSE



**PARKING FOR  
ST. CATHERINE CATHOLIC  
NEWMAN CENTER  
ONLY**

**ALL OTHERS WILL BE TOWED**



**CHURCH  
PARKING  
ONLY**

ALL OTHERS  
WILL BE TOWED  
AT OWNER'S EXPENSE

**NO OVERNIGHT  
PARKING**







© 2010 CENTER SIGNAGE, INC.

**PIE  
PIZZERIA**  
PARKING ONLY  
OTHERS WILL BE TOWED



**PRIVATE  
ALLEY**  
**NO PARKING**  
TURN AROUND  
AREA ONLY  
VIOLATORS WILL  
BE TOWED  
AT OWNER'S EXPENSE



**BEYOND THIS POINT**  
**OFFICE MAX**  
**CUSTOMER AND**  
**EMPLOYEE**  
**PARKING ONLY**

---

**UNAUTHORIZED**  
**VEHICLES TOWED**  
**OR IMMOBILIZED AT**  
**OWNER/OPERATOR**  
**EXPENSE**

**OfficeMax**  
**CUSTOMER**  
**& EMPLOYEE**  
**PARKING**  
**ONLY**

**UNAUTHORIZED VEHICLES**  
**TOWED AT OWNERS EXPENSE**

# MAX 2 HOUR PARKING

(UNLESS OTHERWISE POSTED)

FOR  
EMPLOYEES AT WORK  
AND  
CUSTOMERS  
WHILE SHOPPING

VIOLATORS CITED OR TOWED  
AT OWNERS EXPENSE

MONITORED BY  
DIAMOND PARKING



## TERMS & CONDITIONS:

CAREFULLY READ THESE TERMS PRIOR TO PARKING.  
BY PARKING ON THIS LOT YOU ARE ENTERING INTO A  
CONTRACT WITH PARKING LOT OPERATOR.

By parking your vehicle on this parking lot, you signify that (1) you accept and agree to all posted terms, conditions and requirements for parking, (2) you agree to pay all applicable fees, charges and penalties, including those listed below, and (3) you understand that this contract may affect your legal rights. Do not park your vehicle on this lot if you do not agree to these contract terms.

All posted parking fees must be paid in advance. If you (1) fail to pay the posted parking fee in advance, (2) exceed the posted time limit for parking your vehicle, or (3) improperly park your vehicle in any manner, you agree that the parking lot operator may impound/immobilize your vehicle. You further agree that the parking lot operator may assess the Parking Penalty Fees listed below, and that if you fail to pay any assessed fee or charge within 15 days you will be required to pay an additional Late Payment Charge of \$25.00. The parking lot operator reserves the right to refer unpaid accounts for collection.

Parking Penalty Fees:	
No Advance Payment	\$25.00 (if paid within 15 days)
Overtime (Exceeding Posted Time Limit)	\$25.00 (if paid within 15 days)
Improper/Insufficient Payment	\$25.00 (if paid within 15 days)
Improperly Parked Vehicle	\$25.00 (if paid within 15 days)
Unauthorized Vehicle	\$25.00 (if paid within 15 days)
Late Payment Charge:	
	\$25.00 (if paid after 15 days)
Total Charge:	\$50.00 (if paid after 15 days)

# MAX 2 HOUR PARKING

(UNLESS OTHERWISE POSTED)

FOR  
EMPLOYEES AT WORK  
AND  
CUSTOMERS  
WHILE SHOPPING

VIOLATORS CITED OR TOWED  
AT OWNERS EXPENSE

MONITORED BY  
DIAMOND PARKING



## TERMS & CONDITIONS:

CAREFULLY READ THESE TERMS PRIOR TO PARKING.  
BY PARKING ON THIS LOT YOU ARE ENTERING INTO A  
CONTRACT WITH PARKING LOT OPERATOR.

By parking your vehicle on this parking lot, you signify that (1) you accept and agree to all

## DIAMOND PARKING



### TERMS & CONDITIONS:

**CAREFULLY READ THESE TERMS PRIOR TO PARKING.  
BY PARKING ON THIS LOT YOU ARE ENTERING INTO A  
CONTRACT WITH PARKING LOT OPERATOR.**

By parking your vehicle on this parking lot, you signify that (1) you accept and agree to all posted terms, conditions and requirements for parking, (2) you agree to pay all applicable fees, charges and penalties, including those listed below, and (3) you understand that this contract may affect your legal rights. Do not park your vehicle on this lot if you do not agree to these contract terms.

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#### **Parking Penalty Fees:**

No Advance Payment	\$25.00 (if paid within 15 days)
Overtime (Exceeding Posted Time Limit)	\$25.00 (if paid within 15 days)
Improper/Insufficient Payment	\$25.00 (if paid within 15 days)
Improperly Parked Vehicle	\$25.00 (if paid within 15 days)
Unauthorized Vehicle	\$25.00 (if paid within 15 days)

Late Payment Charge: \$25.00 (if paid after 15 days)

Total Charge: \$50.00 (if paid after 15 days)



**EINSTEIN BAGELS**  
AVENUES BAKERY  
**CUSTOMER  
PARKING  
ONLY**  
**ALL OTHERS  
WILL BE  
TOWED**



Parking  
for  
SQUIRREL  
BROTHERS  
Only  
Violators will  
be towed at  
owners expense

## Ready Made Parking lot Signs

Because City Council members asked about an industry standard for parking lot signs and the proposed ordinance contains sign requirements, research was done regarding availability of signs. The Administration does not want to place an unreasonable burden on business or property owners. The signs on these pages are available at a retail store or can be ordered by way of the internet. Signs regarding towing were easy to locate, but no signs regarding booting were found.

From Home Depot:

"12 in. x 18 in. heavy-duty aluminum "NO PARKING UNAUTHORIZED VEHICLES WILL BE TOWED AWAY AT VEHICLE OWNERS EXPENSE" sign has black lettering and red graphics on white background and is predrilled for easy mounting to poles, fences and walls. This sign is used to help property owners and managers of commercial structures protect their property. Price: \$9.99/ea"



"This 12 in. x 18 in. heavy-duty aluminum "NO PARKING TOW AWAY ZONE" sign has red lettering on a white background and is predrilled for mounting to poles, fences or walls. This sign is used to help property owners and managers of commercial structures protect their property. Price: \$9.99/ea"



From Street Signs USA <http://www.street-signs-usa.com/>

"18 gauge steel Size: 18" x 24" Add your custom wording with high performance vinyl and ships within 2 business days. \$ 35.00"



"18 gauge steel Size: 18" x 24" Custom lettered with high performance vinyl and ships within 2 business days. \$35.00"



From Hy-Ko Custom Signs: [http://www.hy-ko.com/custom\\_signs/index.htm](http://www.hy-ko.com/custom_signs/index.htm)

"Private Parking Only - 18 gauge steel - Size: 18" x 24" - Add your custom wording - \$35.00"



"Illegally Parked Vehicles - Size: 18 x 24 inch - \$23.00"



"Customer Parking - Size: 12" X 18" - \$16.00"



"Private Parking - Size: 12" X 18" - \$16.00"



"15" X 19" Heavy Duty Plastic Signs - \$16.00"



"12 x 18 .063 Aluminum Non Reflective 26.25"



"18 x 12 .063 Aluminum Non Reflective 26.25"



"12 x 18 .063 Aluminum Non Reflective 26.25"

