City of Alexandria, Virginia

MEMORANDUM

DATE: MAY 21, 2024

TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

THROUGH: JAMES F. PARAJON, CITY MANAGER

FROM: ADRIANA CASTAÑEDA, DIRECTOR, TRANSPORTATION AND ENVIRONMENTAL SERVICES

SUBJECT: COUNCIL UPDATE: TOWING ADVISORY BOARD

The purpose of this memo is to inform the Mayor and Members of the City Council that staff reconvened the Towing Advisory Board (TAB) on March 26, 2024.

BACKGROUND:

In 2020, the Virginia Code was amended to allow private companies to charge up to $150 for towing passenger cars, but Alexandria's City Code remained at $135. Under Virginia law, Alexandria's tow fee must be between $135 and $150. Va. Code § 46.2-1233. Despite the TAB's recommendation to increase the fee to $150 in June 2021, it was not adopted in the City Code. In a memo to Council dated September 26, 2022, staff highlighted that while neighboring Fairfax County charges $150, Alexandria's fee matches Arlington County's $135. Considering the potential financial strain on lower-income families, staff suggested maintaining the current fee unless City Council deemed it necessary to change the ordinance.

Alexandria's most recent update was on June 13, 2015, which included changes to two fees within Section 9-13-3, focusing on towing and storage regulations. Notably, the adjustment affected private tows, raising the maximum fee for vehicles under 7,500 pounds gross weight from $125 to $135. Additionally, the height requirement for Warning Sign letters was modified from a minimum of three inches to one and one-half inches under Section 9-13-10. However, it is important to note that the fee for public tows remains unchanged at $125.

DISCUSSION:

Under city and state regulations, the composition of the TAB requires two members from Alexandria law enforcement agencies, two members representing licensed towing and recovery operators in the city, and one citizen at-large, preferably possessing expertise in property management or business. The board can convene a maximum of four times per calendar year, with at least one meeting mandated annually.

Per city and state regulations, the TAB convened for its annual meeting on March 26, 2024. During this session, the board appointed a Chair, Vice Chair, and Secretary, each to serve a twelve-month term. The meeting also entailed a comprehensive discussion and establishment of Bylaws, encompassing meeting frequency, quorum requirements, procedures for filling vacancies, and protocols for administering resignations and terminations, particularly in cases of excessive absences. Unanimously, the board adopted these Bylaws.

The discussion and recommendations regarding rates and policies for towing vehicles from private property by property owners or their authorized agents were thoroughly addressed. Currently, the towing fee stands at $125 for public tows and $135 for private tows. There was a previous suggestion to increase the private tow fee to $150 to align with the maximum set by the Commonwealth of Virginia, which Alexandria is legally authorized to deviate from. Other fees, such as After-Hours charges, were also discussed but not put to a vote. Currently, these charges amount to $25, whereas the state maximum is set at $30.

Recently the TAB considered their recommendations from discussions in 2021 and decided to provide these recommended items to the City Council for consideration. Staff has reviewed the recommendation and has requested additional data from the towing board to determine the primary locations where tows originate and whether they disproportionately affect lower-income communities. It is worth noting that private tows per fiscal year typically range from 20,000 to 30,000, while public tows range from 1,000 to 2,000.

Generally, staff supports an increase in the towing rate with the condition that any ordinance change to amend this code section include language to address required updates to the sign content such as font size and placement, as well as inclusion of any recently applicable legislation.

Attachment I – Comparator Agency Towing Rates for Private (Trespass) Tows

STAFF:
Emily A. Baker, Deputy City Manager
Tarrence Moorer, Assistant Director, T&ES
Darryl Syler, Division Chief Fleet Management, T&ES

Comparator Agency Towing Rates for Private (Trespass) Tows			
Planning District 8 Trespass Towing Fees	**Hookup and Initial Towing Fee (GVWR of 7,500 pounds or less)**	**Towing between 7:00 p.m. and 8:00 a.m.**	**Towing on any Saturday, Sunday, or Holiday.**
City of Alexandria	$135	$25	$25
Arlington County	$135	$25	$25
City of Falls Church	$135	$25	$25
City of Fairfax *	$150	$30	$30
Fairfax County	$150	$30	$30
City of Manassas *	$150	$30	$30
City of Manassas Park *	$150	$30	$30
Loudoun County *	$150	$30	$30
Prince William County **	$150	$30	$30
Prince George's County	$175	Rates do not change based on the time of day, night, or holidays.	

*These Planning District 8 localities do not regulate trespass towing or limit fees. Absent local limits on trespass towing fees set pursuant to Va. Code§46.2-1233, operators can charge no more than the maximum charges provided in Va. Code§46.2-1233.1. **Hookup and Initial Towing Fee (GVWR of 10,001 or less).