

**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

By Ald. Ramkissoon

Sec'd by Ald. Sommers

Date of Adoption: 02-18-14

Index No: 62-14

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Kleiner	X			
Ald. Witt	X			
Ald. Johnson	X			
Ald. Ramkissoon	X			
Ald. Sommers	X			
Ald. Jean-Francois	X			
Ald. Burr				X
Ald. Masi	X			
Pres. Rodrigues	X			
TOTAL	8			1

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and amends the City of Middletown Code Chapter 440 Towing and adds the following:

Chapter 440 Section 1 Definitions:

Day

A 24 hour period from time of tow

Winching and Dolly Work

Work above and beyond that required of a normal town service. Winching and Dolly Work is work used to remove a vehicle that is not in a position to be towed by normal means that may be off the roadway. Winching a vehicle onto a flatbed shall not be considered a winching under this statute.

Chapter 440 Section 5 Fee for unrestricted License

F. An owner/operator may not assign their turn in the Police Roster to any other town company, nor shall they substitute any tow vehicle for on not consistent with the application on file with the police department.

Chapter 440 Section 6: towing fees:

- (1) For all passenger cars, regardless of weight, and for other vehicles 1 1/2 tons and lighter, not to exceed \$100, excluding incidental work such as winching and dolly towing, during the period including 6:00 a.m. through and including 6:00 p.m., and \$130 during the period including 6:01 p.m. through and including 5:59 a.m.
- (2) Winching and Dolly work fees are limited to a maximum of \$100 per vehicle/tow.
- (3) City Administrative fee of \$30.00 for City paperwork on impounds.

Chapter 440 Section 7 Storage Fees:

No license shall be issued unless the applicant agrees to charge no more than a maximum of \$60 per day for outside storage and no more than a maximum of \$75 per day for inside storage. All vehicles must be stored on the premises of the licensee in a gated or locked secure facility, whether indoors or outdoors, and shall not be permitted to be parked or stored on City streets.

Chapter 440 Section 15 Penalties for offenses

An offense against any provision of this chapter shall be a violation of the ordinance, which shall be punishable by a fine of not less than \$100 nor more than \$500 for individuals, nor more than \$500 for corporations.

LET IT BE FURTHER RESOLVED; that the City of Middletown Common Council authorizes to amend Chapter A490-1 City of Middletown Fee Schedule as per the above changes to the code.