Chapter 9.54 TOWING PROCEDURES*

*Cross references: Business licenses and regulations, Tit. 10; transportation, Tit. 11; streets and rights-of-way, Tit. 24.

State law references: Towing and storage lien, AS 28.10.502; towing abandoned vehicles, AS 28.11.090.

9.54.005 Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section:

Rotational tow program shall mean the voluntary Municipality of Anchorage, Anchorage Police Department (APD) Rotational Tow Program, for providing towing services to APD on a rotational call list basis;

Tow operator or towing operator shall mean any person or entity providing towing services;

Tow service or towing service shall mean:

1. Transportation of a vehicle by a commercial towing vehicle from a private location pursuant to Section 9.54.020 to an owned or subcontracted storage facility described in Section 9.54.040, at the request of the person who owns, controls or possesses the premises from which the vehicle is removed;

2. Transportation of a vehicle by a commercial towing vehicle pursuant to contract or rotational tow program with the municipality;

3. Transportation of a vehicle by a commercial towing vehicle at the request of a registered owner or other person authorized to request transportation of the vehicle; and

4. All services related to such transportation by a commercial towing vehicle, including but not limited to curbside release, release from owned or subcontracted storage, and owned or subcontracted storage.

(AO No. 2005-90, § 2, 1-1-05)

9.54.010 Compliance with chapter; applicability of chapter.

A. The following persons and entities shall comply with this chapter:

1. Every tow operator who renders towing services within the municipality;

2. Every person procuring towing services for vehicles parked on private property
subject to the person's ownership, possession, or control; and

3. Any towing services provided to the municipality pursuant to contract or rotational tow program.

(AO No. 83-49; AO No. 2005-90, § 3, 1-1-05)

9.54.020 Parking in private areas.

A. Parking in area adjacent to commercial enterprise. It is unlawful for a person to park or cause to be parked a motor vehicle in a private area which is adjacent to a commercial enterprise, and which is owned or controlled by another person, if such private area has been signed, posted or otherwise clearly designated as a private area in accordance with this chapter.

B. Parking in other areas. It is unlawful for a person to park or cause to be parked a motor vehicle in a private area which is not adjacent to a commercial enterprise, and which is owned or controlled by another person, without the express permission of such person.

C. Blocking ingress or egress. It is unlawful for a person to park or cause to be parked a motor vehicle at such place or in such position as would block the way of ingress or egress of a motor vehicle to a private area owned or controlled by another person.

D. Blocking access to dumpster. It is unlawful for a person to park or cause to be parked a motor vehicle in a public right-of-way in such a manner as to block or impede access to a dumpster. For purposes of this subsection, the term "dumpster" means a metallic bulk refuse container of at least one cubic yard capacity designed to be mechanically lifted.

E. Towing of vehicles; report by towing operator. A person who owns, possesses or controls a private area described in subsection A or B of this section may cause any vehicle to be removed and towed to a motor vehicle storage facility at the expense of the owner of the vehicle. The vehicle may be retained at the storage facility until the owner thereof pays the towing service charges lawfully claimed by the towing operator. The vehicle may be sold if unclaimed, in the manner provided by law. A towing operator which has removed a vehicle under this subsection shall immediately, and in any event not more than two hours after the arrival of the vehicle at a storage facility, inform the chief of police or his authorized agent of:

1. The make, model year, if known, color and body type of the vehicle.
2. The license plate number of the vehicle.
3. The vehicle identification number (VIN number) of the vehicle.
4. The business name and location of the storage facility where the vehicle is kept.
5. The location from which the vehicle was towed and the time of its removal.
6. Any other information which the chief of police or his agent may reasonably request to aid in the identification of the vehicle or its owner.

(AO No. 83-49)

Cross references: Zoning district regulations, Ch. 21.40; supplementary district regulations, Ch. 21.45.

9.54.025 Participation fee for rotational tow program.

A. Tow operators shall pay an annual fee of $500.00, to participate in the APD Rotational Tow Program, to the municipality by no later than January 15 of the program year, pursuant to the
rotational tow program guidelines.

B. The annual participation fee is non-refundable and not subject to pro-ration.

(AO No. 2005-90, § 4, 1-1-05)

9.54.030 Rates.

A. Each towing operator shall maintain a published itemized list of all fees that it charges for towing services. Each towing operator shall maintain a current copy of that list on file with the municipal clerk and shall conspicuously post that same list at the towing operator's office. All such fees shall be reasonable.

B. It is unlawful for a towing operator to charge or collect a fee which is greater than that which is filed with the municipal clerk on the date that the towing services to which the fee pertains are rendered. Any fee which includes a fine or penalty shall be deemed unreasonable.

C. Failure by the tow operator to publish an itemized list of all fees charged shall result in a fine of $300.00 and $10.00 for each additional day that the fees are not published as required by law after written notice is sent to the operator.

D. Tow operator rate changes may be submitted bi-annually only during the months of January and July of each year. No exception to these periods for submission of rate changes shall be allowed.

E. The published, itemized list of fees shall be typed or computer generated only.

(AO No. 83-49; AO No. 2005-84(S), § 1, 1-1-06)

9.54.040 Office and storage facilities of towing operators.

A. Each towing operator shall maintain an office in the municipality and shall maintain at least one telephone line to that office which is used solely in connection with towing services. The office shall be staffed by at least one person at all times.

B. Each towing operator shall store all vehicles it tows in a secure and safe location.

(AO No. 83-49)

9.54.050 Tow-away from privately owned areas.

No vehicle may be towed from a privately owned area pursuant to Section 9.54.020. A unless the person who controls, owns or possesses that area has conspicuously posted it with signs as follows:

A. Signs shall be no smaller than 30 inches by 30 inches, with letters a minimum of two inches high.

B. Signs shall be posted no less than five feet and no more than six feet above the ground.

C. Signs shall be posted in conspicuous locations which will be clearly visible to a person seated in a vehicle parked in the prohibited area during the day and during the night by use of artificial illumination, reflective materials or other method.

D. Signs shall:

1. Describe the private area in which parking is prohibited;
2. The telephone number at which information about a towed vehicle’s location may be obtained and the street address where the vehicle may be retrieved;

3. It is the responsibility of the private property owner to order, purchase and post signs, including all associated costs, in compliance with this section.

(AO No. 83-49; AO No. 85-31; AO No. 2005-84(S), § 2, 1-1-06)

**Cross references:** Business licenses and regulations, [Tit. 10](#); transportation, [Tit. 11](#); supplementary district regulations, [Ch. 21.45](#).

### 9.54.060 Enforcement of chapter.

A person who is aggrieved by a violation of this chapter may pursue a civil remedy in any court of competent jurisdiction. A person who has been charged an unreasonable fee may be entitled to recover three times the amount deemed to be unreasonable.

(AO No. 83-49)