

RESOLUTION
BOARD OF POLICE COMMISSIONERS

ADMINISTRATIVE FEE

WHEREAS, the Municipal Code for the city of Detroit (the “Code”) was adopted by the Detroit City Council and published in 1983, pursuant to authority granted by the Michigan Home Rule Cities Act [MCL 117.5b; MSA 5.20184(2)]; and

WHEREAS, the Code provides in Section 55-15-5 and 14-85 that the Detroit City Council has the authority to establish maximum and standard rates for police authorized tows; and

WHEREAS, the Detroit City Council approved the rate fee schedule recommended by the Tow Rate Commission; and

WHEREAS, the approved rate fee schedule includes a seventy-five (\$75.00) dollar administrative fee which is designated for the city of Detroit; and

WHEREAS, the seventy-five (\$75.00) administrative fee applies to all *impounded vehicles, boats, trailers, recreational vehicles, or any miscellaneous items* (hereinafter the “Impounded Property Item”); and

WHEREAS, the owner of an Impounded Property Item is responsible for the seventy-five (\$75.00) administrative fee even if the owner does not redeem the Impounded Property Item but is allowed to remove personal items from it; and

WHEREAS, if the administrative fee is not collected from the owner, and the unclaimed Impounded Property Item is scheduled for auction, then the seventy-five (\$75.00) administrative fee shall be added to the opening bid amount for the Impounded Property Item that is offered for sale at public auction; and

WHEREAS, the Police Authorized Towers (PAT) are responsible for collecting the seventy-five (\$75.00) administrative fee and paying the collected fees directly to the city of Detroit; and

WHEREAS, Detroit Board of Police Commissioners (the “Board”) has the responsibility under the 2012 City Charter to establish policies, rules and regulations for the Detroit Police Department; and

WHEREAS, the Board supports the Tow Rate Commission’s recommendation authorizing the PAT’s to collect the seventy-five (\$75.00) administrative fee and to pay the same to the city of Detroit, which recommendation was approved by the Detroit City Council.

NOW, THEREFORE BE IT RESOLVED THAT the Board of Police Commissioners authorizes the Police Authorized Towers to continue or begin collecting the seventy-five (\$75.00) administrative fee in accordance with the aforementioned paragraphs of this Resolution, and directs the Detroit Police Department to promulgate a directive that immediately implements the above requirements.

Date: January 9, 2014