

<b>TITLE</b> OPERATIONS MANUAL	<b>STANDARD</b> INSTRUCTION 04		<b>DEPARTMENT</b> FIRE
<b>SUBJECT</b> FIRE COMPANY INSPECTION PROGRAM: VEHICLE TOW-AWAY	<b>SECTION</b> 03	<b>PAGE</b> 1 of 3	<b>EFFECTIVE DATE</b> 07/01/01

### III. VEHICLE TOW-AWAY

#### A. Purpose

The purpose of this instruction is to further establish policy regarding issuance of parking citations and tow-away of vehicles from private property.

#### B. Scope

Fire and Life Safety personnel may legally issue parking citations to vehicles parked on private property (fire lanes/handicapped parking), when observed or upon receiving a complaint from the property owner or person in charge of the property. Removal of parked vehicles from private property requires a Private tow-away by the property owner or person in charge of the property.

#### C. PROCEDURES FOR A PRIVATE TOW-AWAY OR ISSUANCE OF PARKING CITATION ON PRIVATE PROPERTY

1. Vehicle parked on private property when legal signs are posted (non-emergency situations).
  - a. Legal signs must have been posted at least 72 hours prior to a private tow-away, or issuing a citation to a vehicle parked on private property.
  - b. The sign, no less than twelve (12) by eighteen (18) inches in size, shall be prominently placed on private property at each driveway access within five (5) feet from the public right-of-way.

The notice shall clearly display:

TOW AWAY public parking is prohibited and unauthorized vehicles will be towed away at owners expense. SDPD 531-2000 San Diego Municipal Code 016028 (or California Vehicle Code 22658).

- c. Vehicles parked on private property will be cited when parked in fire lanes or handicapped parking spaces.

Non-emergency situations will require the Private tow-away to be established on vehicles left in fire lanes for over 72 hours. Once the Private tow-away is in effect, the property owner or person in charge of the property shall also be responsible for keeping fire lanes clear.

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- d. The following guidelines apply to a Private tow-away from private property:
  1. This is a civil action and it is the property owner's responsibility to call the tow company.
  2. It is the property owner's responsibility to advise the vehicle owner of the tow-away (22658a CVC).
  3. If the property owner does not comply with tow away procedures from private property, the vehicle owner may recover expenses from the property owner or person authorizing the tow away (22658e CVC).
  4. The person ordering the tow-away is required to telephone the Police Vehicle Impound Desk, 531-2844, and report pertinent details concerning the tow-away. The private tow-away information is retained for 30 days. Normally, the tow company will report the tow-away information for the property owner.
  5. Towing fees are arranged between the person ordering the tow and the tow company. Officers should not make statements concerning towing fees.
  6. The liability of the private property owner, and the difficulties in obtaining towing fees by the tow company are unacceptable reasons for the parties involved to request a police impound from private property.
2. During emergency operations when a vehicle is parked on private property, in a fire lane and legal signs are posted:
  - a. If the vehicle is obstructing fireground operations the Fire Officer should request immediately a tow-away of the vehicle through the Communications Center.
  - b. If the vehicle is not obstructing fire ground operations, the Fire Officer may elect to have the vehicle impounded by requesting a Police Department field unit or issue a fire lane parking citation.

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- c. Any unusual condition concerning enforcement of fire lanes on private property, the Fire Officer should request Police Department assistance.