



CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

SUBMITTER: Daniel Heyman, Staff Attorney **MEETING DATE:** June 28, 2023
AGENDA SECTION: PRESENTATIONS **DEPARTMENT:** Legal
TITLE OF ITEM: Proposed regulations related to predatory towing and wheel locks – *Daniel Heyman, Staff Attorney*

SUGGESTED MOTION(S):

N/A.

SUMMARY: The City Council requested that Legal staff research regulations to protect the public from predatory towing practices on private property. “Predatory towing” commonly refers to practices by motor vehicle tow service providers that are illegal or unethical, but there is no definition for the term in North Carolina. There may also be some disagreement about what towing practices are predatory.

Some examples of predatory towing practices may include: (1) charging exorbitant fees for owners to retrieve their vehicles; (2) utilizing spotters to identify vehicles to tow even when there has been no request or complaint from a property owner; and (3) towing a vehicle from a spot that is not clearly marked as being in a potential tow-away zone.

The Legal department has researched regulations that North Carolina municipalities are authorized to enact and has prepared a proposed ordinance for City Council’s review.

The proposed ordinance is being presented for discussion only at this time. Legal staff will also advise on regulations that are preempted by state and/or federal law, and will discuss comments received from other City staff.

ATTACHMENTS:

PROPOSED ORDINANCE