

**ORDINANCE NO. 4911**

An ordinance to amend Grand Forks City Code § 21-0901, to clarify lack of consent from either owner or authorized operator, § 21-0907, to remove maximum fees for towing and towed vehicle storage fees, and § 21-0908, to require specific request from party owning or controlling parking lot before towing is authorized.

**BE IT ORDAINED** by the City Council of the City of Grand Forks, North Dakota, pursuant to its home rule charter, Grand Forks City Code and N.D.C.C. ch. 40-11 that:

**Section 1: Amending Clause to Amend Grand Forks City Code § 21-0901.**

Grand Forks City Code § 21-0901 is amended to read as follows (the amending language in bold, with deletions stricken through and additions underlined):

21-0901. – Towing license-Required.

No person, firm, entity, partnership, or corporation shall operate or be permitted to operate any tow truck or other vehicle for the purpose of towing or removing a motor vehicle, without the **consent of the** motor vehicle's owner's **or authorized operator, consent,** from private property within the city, without having first obtained a license under the provisions of this article.

**Section 2: Amending Clause to Amend Grand Forks City Code § 21-0907.**

Grand Forks City Code § 21-0907 is amended to read as follows (the amending language in bold, with deletions stricken through and additions underlined):

21-0907. Towing vehicles—Requirements; fees.

- (1) No towing vehicle shall be operated unless it is equipped with a sign in good condition to show the amount to be charged for each type of towing event.
- (2) It shall be unlawful for a towing patron to refuse to pay a lawful towing event at the termination of the towing event.
- ~~(3) No person, firm, or corporation holding authority under this article for the operation of a towing vehicle, or a driver of a towing vehicle, shall fix or charge a fee exceeding the following rate:~~
  - ~~(A) Towing charges: One hundred thirty five dollars (\$135.00).~~
  - ~~(B) Release charge prior to towing: Sixty dollars (\$60.00).~~
  - ~~(C) Additional fee for dolly tow or flat bed: Fifty dollars (\$50.00).~~

~~(D) For vehicles having a gross vehicle weight in excess of twenty-six thousand one (26,001) pounds, an additional towing charge of up to seventy-five dollars (\$75.00) may be imposed.~~

~~(4) No person, firm, or corporation holding operating authority under this article for the operation of a towing vehicle, or a driver of a towing vehicle, shall fix or charge a fee exceeding the following rates for vehicle storage or release:~~

~~(A) Free storage for the first twenty-four (24) hours after the time of the towing event.~~

~~(B) Each twenty-four-hour period after the expiration of the first free twenty-four-hour period: \$25.00.~~

~~(C) For vehicles having a gross vehicle weight in excess of twenty-six thousand one (26,001) pounds, a storage fee may be imposed for each twenty-four-hour period after the expiration of the first free twenty-four-hour period in an amount of up to fifty dollars (\$50.00).~~

~~(D) After-hours fee for access to vehicle for purposes of removing personal property or for the release of an impounded vehicle between the hours of 7:00 p.m. and 7:00 a.m. the fee of up to twenty-five dollars (\$25.00).~~

(3)~~(5)~~ A person, firm, or corporation holding authority under this article for the operation of a towing vehicle, or a driver of a towing vehicle, must be willing to accept payment in the following forms:

(A) Cash in United States currency;

(B) Traveler's checks or money orders paid in United States currency; and

(C) At least one (1) form of credit, debit, or charge card.

(4)~~(6)~~ Upon payment of all removal and storage fees, the person, firm, or corporation holding operating authority under this article for the operation of towing vehicles, or a driver of a towing vehicle, shall immediately give the vehicle owner or custodian a written receipt that contains the following information:

(A) The name and address of the towing vehicle service;

(B) The address from where the vehicle was towed;

- (C) The date and time the vehicle was towed;
- (D) The date and time the vehicle entered the facility where it was placed for storage;
- (E) An itemized list of all the fees being charged; and
- (F) A signature of an authorized representative of the towing vehicle service.

~~(5)~~(7) A person, firm, or corporation holding authority under this article for the operation of a towing vehicle must be able to respond to a motor vehicle owner patron's request for the release of his or her stored vehicle or property within the vehicle during the hours of 7:00 a.m. to 7:00 p.m. daily.

~~(6)~~(8) Any person, firm, or corporation holding authority under this article for the operation of a towing vehicle must be available to release a stored vehicle or property within the vehicle during the hours of 7:00 a.m. to 7:00 p.m. daily without the imposition of a release fee.

~~(7)~~(9) Any person, firm, or corporation utilizing a storage location or facility for purposes of storing towed vehicles must clearly display on the exterior of the main door or gate a sign that contains the following information:

- (A) The name and address of the owner or operator of the storage facility;
- (B) Hours and days of operation;
- (C) A current phone number.

**Section 3: Amending Clause to Amend Grand Forks City Code § 21-0908.**

Grand Forks City Code § 21-0908 is amended to read as follows (the amending language in bold, with deletions stricken through and additions underlined):

21-0908. Same-Private/public parking lots

No licensee shall remove vehicles from a privately or publicly owned parking lot unless:

- (1) The owner(s), manager(s), occupant(s), tenant(s) or controlling party of the parking lot has given authorization, **and made a**

**specific request for the removal of the unauthorized to  
remove** vehicles;

- (2) The towing firm, corporation, or driver of a towing vehicle has the ability to verify twenty-four (24) hours a day, **by either permit display, electronic vehicle registration, or confirmation from the owner(s), manager(s), occupant(s), tenant(s) or controlling party of the parking lot,** which vehicles are authorized to be parked in the private or public parking lot; and
- (3) The parking lot listed on the authorization agreement has adequate signage that complies with the requirements of section 8-0822.

**Section 5: Effectivity.**

This ordinance shall be in full force and effect after its final passage and approval as provided by law.

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Brandon Bochenski, Mayor  
Dated: 06/02/2025

**ATTEST:**

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Maureen Storstad, City Auditor  
Dated: 06/02/2025  
Introduction and first reading: 05/19/2025  
Public Hearing: 06/02/2025  
Second reading and final passage and approval: 06/02/2025  
Approved: 06/02/2025  
Published: Not required by law.



City of Grand Forks  
Staff Report

Committee of the Whole – ~~March 10, 2025~~, May 12, 2025  
City Council – March 17, 2025, May 19 and June 2, 2025

APPROVED & ACCEPTED  
by City Council  
05/19/2025  
*Maureen Storstad*  
Maureen Storstad  
City Auditor

APPROVED & ACCEPTED  
by City Council  
06/02/2025  
*Maureen Storstad*  
Maureen Storstad  
City Auditor

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**Agenda Item:** Consider amendment to City Code Section 21-0907(3) and (4) relating to towing vehicles Requirements; fees

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**Submitted by:** Maureen Storstad, Finance Director  
Sherie Lundmark, City Clerk

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**Staff Recommended Action:** Review maximum fees allowed for towing of vehicles from private property without the vehicle owner's consent and consider an increase in the fees allowed;

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**Committee Recommended Action:**

03/10: Meeting Cancelled and item moved directly to City Council with the removal of portions setting maximum allowable fees. Motion carried 6-1 with Berg dissenting.  
05/12: Motion by Osowski, second by Lunski to approve the ordinance with recommended clarifications and removal of max fees. Motion passed 6-1 with Berg dissenting.

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**Council Action:**

03/17: Motion by Osowski, second by Lunski to postpone this item for two (2) months. Motion passed unanimously.  
05/19: Motion by Weigel, second by Osowski to move forward with motion from Committee of the Whole. Motion carried 5-2 with Berg and Vein dissenting.  
06/02: Motion by Osowski, second by Fridolfs to give final approval. Motion passed 5-1 with Berg dissenting.

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**UPDATE:**

Since March, Staff and City Attorneys office have met with Interstate Towing to review City Code and discuss the request. As part of the City Code review some minor language cleanup is being proposed to clarify intent of that section. Consideration of removing the maximum rates from ordinance and changing to adoption by resolution could be a further update to this section of code. If City Council provides approval at Committee of the Whole to approve, a formal ordinance will be drafted and attached for the City Council meeting.

**BACKGROUND:**

City Code Chapter 21, Article 9, Towing Vehicles and Towing Vehicle Drivers License, was enacted September 6, 2011, in response to concerns relating towing of vehicles from private property without the vehicle owner's permission. This section of City Code set licensing requirements for any company's holding contracts to perform this service for private property owners and also set requirements for maximum fees allowed and regulations for the impound and release of towed vehicles. We currently have 2 companies holding licenses to provide this service.

The fees have not been reviewed and adjusted since adoption in 2011. Finance Department has received a request for an increase in the allowable fees to reflect changes in the industry and what is required to complete this service and increases in operational expenses. The proposed fees would be reflective of industry standards and provide a structure that better covers costs associated with this service.

We have reached out to other North Dakota comparative cities, however Fargo, Bismarck and Minot do not regulate fees associated with this type of towing service. We have also reached out

to several towing companies in those cities but none have responded with information on their rates. One stating that their rates vary by contract and they were not willing to disclose the information on those private business contracts.

### **ANALYSIS AND FINDINGS OF FACT:**

- City of Grand Forks regulates towing from private property without the vehicle owner's consent.
- Maximum allowable fees were set in 2011 and have not been reviewed or adjusted since.
- A request has been made to consider adjusting the fees due to increased costs and changes in the industry related to these services.
- If City Council is in favor of proceeding with an adjustment of fees, staff will work with City Attorney on an ordinance for consideration at the March 17 City Council meeting.

### **SUPPORT MATERIALS:**

- Request to adjust maximum fees allowed
- Revised City Code Section with maximum rates included in ordinance
- Revised City Code Section with maximum rates removed from ordinance and change to be adopted by resolution

Subject: Request for Adjustment of Private Property Tow Rates

I am reaching out to formally request a review and adjustment of private property tow rates in Grand Forks. The current fee structure no longer reflects the rising operational costs associated with fuel, equipment maintenance, and labor. To ensure fair compensation for services and maintain high-quality towing operations, I propose the following adjustments:

- Basic Impound Fee: Increase from \$135 to \$250
- Dolly Fee: Increase from \$50 to \$100
- After-Hours Release Fee: Maintain at \$25
- Early Release Fee: Increase from \$60 to \$100
- Labor Provisions: Add charges for additional services such as winching, shoveling, and Go-Jacks \$50

Heavy Vehicle Towing Rates:

- Vehicles over 10,000 lbs. (Gross): \$400
- Vehicles over 26,000 lbs. (Gross): \$600(includes Driveshaft removal, supply air, tow prep)
- RV Impound Fee: \$600

Storage Rate Increase:

- Passenger Vehicles: Increase from \$25/day to \$50/day
- Commercial Vehicles & RV: Increase to \$100/day
- Lot Fee: \$50 assessed to every vehicle that enters the lot

These changes would bring Grand Forks in line with industry standards while allowing towing providers to cover the increasing costs of operation. I would appreciate the opportunity to discuss this matter further and understand the process for implementing these adjustments. Please let me know the next steps or a time to meet and review this request.

Thank you for your time and consideration. I look forward to your response.

Adam Berry  
Manager  
Interstate Towing and Recovery