

ORDINANCE 2025 - 20
TO AMEND CHAPTER 4.32 OF THE BLOOMINGTON MUNICIPAL CODE
ENTITLED “NON-CONSENSUAL TOWING BUSINESS”

Re: Updating Towing License Requirements and Permissible Towing and Storage Fees for Non-consensual Towing Services under Chapter 4.32

- WHEREAS, The City of Bloomington (hereafter “City”) licenses businesses engaged in non-consensual towing and imposes restrictions and requirements pertaining to the manner in which non-consensual towing is performed within City jurisdiction; and
- WHEREAS, The Common Council finds that the restrictions and requirements pertaining to non-consensual towing need to be updated to ensure compliance with Indiana law and to reflect best practices in non-consensual tow business licensure; and
- WHEREAS, The proposed amendment to Title 4 Chapter 4.32 has been duly considered by the Common Council of the City.

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA, THAT:

SECTION 1. Section 4.32.060 of the Bloomington Municipal Code entitled “Non-consensual tow business license – Application” is hereby amended as reflected in the amended Section 4.32.060 in “Attachment 1,” such that it reads as follows:

4.32.060 Non-consensual tow business license—Application.

Any person or towing company who wishes to obtain a license under this chapter must first complete an application prescribed by the department of economic and sustainable development.

- (a) An application for a non-consensual towing business shall include the following information:
 - (1) The towing company’s taxpayer identification number;
 - (2) Applicant’s full name and current physical address;
 - (3) The telephone number and e-mail address of the primary place of business;
 - (4) The address, telephone number, and hours of operation of any vehicle storage facility where towed vehicles will be towed and stored;
 - (5) A telephone number where the principal owner(s) of the towing company can be reached in the event of an emergency; and
 - (6) The business hours for which vehicles can be picked up without an additional fee. Towing companies are required to offer at least forty business hours per week including at least some hours on Saturday and Sunday.
- (b) Insurance Required. Upon application for the tow business license, a towing company shall provide proof of insurance and meet the requirements of Bloomington Municipal Code Section 4.32.090.
- (c) Change in Licensee Information. In the event that the information provided by the licensee in the licensee’s application changes during the term of the license, the towing company shall give written notice of such changes to the city within fifteen (15) business days of the occurrence of the change.
- (d) Background check. In order to be eligible for a license, a towing company will be subject to a background check. The background check shall be clear of formal violations and outstanding fees from the City of Bloomington and any jurisdiction outside of the City of Bloomington within the last 12 months.
- (e) Denial or Non-Renewal of License. The license administrator may decline to issue or renew a license issued under this chapter if the license administrator finds:

- (1) The applicant has previously violated any provision of this chapter and has been subject to any of the penalties listed under Bloomington Municipal Code Section 4.32.160(a); or
- (2) The applicant has been previously found to be in violation of any other similar law promulgated by a different governmental entity; or
- (3) The applicant has previously had a license issued under this chapter suspended or revoked.

(Ord. No. 20-03, § 1, 2-19-2020)

SECTION 2. Section 4.32.110 of the Bloomington Municipal Code entitled “Signs required to be posted at parking lot; exception” is hereby amended as reflected in the amended Section 4.32.110 in “Attachment 1,” such that it reads as follows:

4.32.110 Signs required to be posted at parking lot; exception.

- (a) Before July 1, 2028, it shall be unlawful for any tow business or tow truck operator to tow a vehicle unless the parking lot in which the vehicle is parked has signage, posted in plain view and visible to the public at each entrance and exit. The signs must be installed for a minimum of twenty-four hours prior to any vehicle being removed. Such signage shall provide the following information:
 - (1) A statement that the area in the immediate vicinity of the sign is a tow-away zone;
 - (2) The name of the towing company licensed in the City of Bloomington;
 - (3) A twenty-four-hour phone number vehicle owners may call to locate their vehicle; and
 - (4) A description of persons permitted to park in the affected area, if applicable.
- (b) On or after July 1, 2028, it shall be unlawful for any tow business or tow truck operator to tow a vehicle unless the parking lot in which the vehicle is parked has signage that meets the following requirements:
 - (1) MINIMUM SIZE: 12 inches by 18 inches.
 - (2) MATERIAL: Weather resistant to ensure durability.
 - (3) LEGIBILITY: Reflective material, easily read from at least 6 feet away with high contrast and simple font.
 - (4) LOCATION: Prominently displayed at every vehicular access point to the parking lot, including entrances and exits. Signs must have been installed for a minimum of twenty-four hours prior to any vehicle being removed.
 - (5) CONTENTS:
 - (A) A statement that the area in the immediate vicinity of the sign is a tow-away zone;
 - (B) The name of the towing company licensed in the City of Bloomington;
 - (C) A twenty-four-hour phone number vehicle owners may call to locate their vehicle; and
 - (D) A description of persons permitted to park in the affected area and hours of enforcement, if applicable.

Signs shall comply with the requirements of Bloomington Municipal Code 20.04.100.
- (c) Pursuant to Indiana Code § 24-14-4-2 and notwithstanding the provisions of subsection (a) above, a private property owner may have a motor vehicle towed from the owner's commercial private property without first displaying signage if the vehicle is removed under Indiana Code § 9-22-1-16.

(Ord. No. 20-03, § 1, 2-19-2020)

SECTION 3. Section 4.32.120 of the Bloomington Municipal Code entitled “Additional requirements” is hereby amended as reflected in the amended Section 4.32.120 in “Attachment 1,” such that it reads as follows:

4.32.120 Additional requirements.

- (a) A towing company and a tow truck operator must comply with all applicable federal, State of Indiana, and City of Bloomington laws.
- (b) A towing company and a tow truck operator must display their city-issued license in a conspicuous fashion visible from the exterior of the vehicle.
- (c) The practice of booting or otherwise disabling a vehicle to hold it for towing is prohibited.
- (d) All vehicles that are towed under this chapter shall be towed directly to a vehicle storage facility leased or owned by the towing company, and shall not be placed or kept in any temporary holding area.
- (e) All vehicles towed must be stored within Monroe County.
- (f) A towed vehicle shall be available to be claimed within sixty minutes of its arrival at a vehicle storage facility, and the vehicle shall be released promptly upon demonstration of proof of ownership, such as title or registration of vehicle, and payment of fees, in accordance with Indiana Code 24-14-7-2.
- (g) A towing company and tow truck operator shall allow the vehicle's owner a reasonable amount of time to inspect the vehicle or to remove or retrieve personal property or possessions that are not affixed from a vehicle. The inspection or retrieval of possessions may be at the scene of the tow or at the vehicle storage facility prior to payment. A towing company or tow truck operator is prohibited from charging a fee for this inspection or retrieval as prohibited under Indiana Code § 24-14-9-2 or from refusing to allow retrieval of such possessions.
- (h) A release or waiver of liability of any kind is prohibited as a condition of the release of the vehicle. A tow business may require proof of identification of the person retrieving a vehicle. The person retrieving the vehicle shall be the vehicle's owner, as defined in Section 4.32.030.

(Ord. No. 20-03, § 1, 2-19-2020)

SECTION 4. Section 4.32.130 of the Bloomington Municipal Code entitled "Towing and storage fees" is hereby amended as reflected in the amended Section 4.32.130 in "Attachment 1," such that it reads as follows:

4.32.130 – Towing and storage fees.

- (a) It shall be unlawful to charge any fee associated in any way with the towing and storage of a vehicle under this chapter, except as follows:
 - (1) For the towing of a vehicle, the maximum fee shall be \$150.00 so long as the weight of the vehicle is under 10,001 pounds. For vehicles weighing more than 10,001 pounds the cost shall be an additional fee of \$450.00.
 - (2) Fees for special treatment, including dollies and skates, shall not exceed an additional \$50.00. Special treatment that includes the use of winching may not exceed \$150.00.
 - (3) For the storage of a towed vehicle the maximum fee for each twenty-four-hour period of storage shall be \$30.00; provided however, that a storage fee may not begin to accrue until twenty-four hours have passed since the vehicle arrived at the storage facility. The storage fee may incorporate additional fee not to exceed \$75.00 if pick up is made outside of business hours as defined in the license application described in Section 4.32.060(a)(6).
 - (4) A towing service may charge an administrative fee not to exceed \$25.
- (b) This fee limitation does not restrict fees being charged for other services, provided that said other services are requested by the vehicle's owner.
- (c) Notwithstanding the provisions of subsection (a) of this section, the fee limitation does not apply to a towed vehicle having a gross vehicle weight of thirteen thousand pounds or greater.
- (d) If it is determined that a vehicle is towed in violation of this chapter, towing and storage fees which have been paid may be recovered by the vehicle's owner. Liability for damage to a towed vehicle is not limited by the provisions of this chapter.

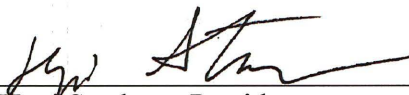
- (e) It is unlawful for a person, including a towing company or tow truck operator to offer, pay, or rebate money or other valuable consideration to the owner of a parking lot for the authority to tow vehicles from that owner's parking lot.
- (f) When the owner or operator of a motor vehicle is present and desires to instead personally operate and remove his/her own vehicle from a parking lot before the vehicle is in the process of being towed, the vehicle shall not be towed nor shall any fee be charged. However, when the owner or operator of a motor vehicle arrives at the location of the motor vehicle when it is already in the process of being towed, the towing company shall, pursuant to Indiana Code § 24-14-4-4, give the owner or operator either oral or written notification that the owner or operator may pay a fee in the amount that is not greater than half of the amount of the fee the towing company may normally charge for the immediate release of a motor vehicle. For purposes of this section, a motor vehicle is in the process of being towed when it is attached to the tow truck and at least two tires of the vehicle are off the ground.

(Ord. No. 20-03, § 1, 2-19-2020)

SECTION 5. If any section, sentence or provision of this ordinance, or the application thereof to any person or circumstances shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions, or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

SECTION 6. This ordinance shall be in full force and effect from and after its passage by the Common Council of the City of Bloomington, approval of the Mayor and all other requirements of the Indiana Code.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 17 day of December, 2025.


Hopi Stosberg, President
Bloomington Common Council

ATTEST:


NICOLE BOLDEN, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this 22 day of December, 2025.


NICOLE BOLDEN, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this 22 day of December, 2025.


Kerry Thomson, Mayor
City of Bloomington

SYNOPSIS

Ordinance 2025-20 updates the maximum fees authorized towing services may charge when performing non-consensual towing and imposes additional requirements for licensing and operation of towing companies within the City's jurisdiction.

Note: At the December 17, 2025 Regular Session, the Council adopted Amendment 01 to Amendment 03. Amendment 01 to Amendment 03 modifies the date on which new signage requirements will be in effect from July 1, 2026 to July 1, 2028.

Note: At the December 17, 2025 Regular Session, the Council adopted amended Amendment 03 to this ordinance. The amendment establishes parameters for the business hours a towing company must keep and clarifies that the background check also applies to violations and fees from the City of Bloomington. It modifies the signage requirements for parking lots, starting on July 1, 2028. The amendment also amends the time period after which storage fees may be charged from twelve to twenty-four hours.

Note: At the December 17, 2025 Regular Session, the Council adopted Amendment 04 to this ordinance. The amendment allows a towing service to charge an administrative fee not to exceed \$25.

Distributed to: Clerk, Council Attorney, Legal, and Mayor.