

DEPARTMENT OF TRANSPORTATION

**Section A: Tow Away Permit Applicant ("PERMITTEE")**

Name: \_\_\_\_\_ Title: \_\_\_\_\_  
 Organization/Company: \_\_\_\_\_  
 Street Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
 Daytime Phone: \_\_\_\_\_ Cell: \_\_\_\_\_ Pager: \_\_\_\_\_

**\* (Note: The person posting the signs must include his/her name and contact information on the posting log)**

**Section B: Work Activity Information**

1. Describe the specific construction work activity(s) to be performed within the street right-of-way:

\_\_\_\_\_

2. City-issued temporary tow-away signs will be posted at the following location(s):

Street 1: \_\_\_\_\_ between \_\_\_\_\_ and \_\_\_\_\_

Street 2: \_\_\_\_\_ between \_\_\_\_\_ and \_\_\_\_\_

If work will be performed at multiple locations, check the box & attach a list of street locations.

Total Number of Parking Metered Spaces (if any): \_\_\_\_\_ Meter Number: \_\_\_\_\_

Meter Number (cont.): \_\_\_\_\_

3. The effective days, dates, and times to be shown on the face of tow-away signs are:

Effective Days:  Mon.  Tues.  Wed.  Thurs.  Fri.  Sat.  Sun.

Effective Date(s): From: \_\_\_\_\_ To: \_\_\_\_\_

Effective Hour(s): From: \_\_\_\_\_ To: \_\_\_\_\_

4. City Job No. and City Inspector Name/No. : \_\_\_\_\_

**Section C: Tow Away Permit Fee (\$30 permit fee, \$.50/sign plus tax, \$5/day lost meter revenue if applicable)**

Total amount due: \$ \_\_\_\_\_ Total # of signs: \_\_\_\_\_

**Section D: Permittee's Statement of Understanding**

I have read, understand, and agree to follow the attached instruction sheet entitled "TOW AWAY PERMIT CONDITIONS AND POSTING INSTRUCTIONS". This Tow-Away permit is issued with the understanding that a fee covering lost revenue on metered spaces will be charged if meters are affected by the tow away zone. Additional fees for the removal and replacement of meter heads and poles may also be charged under separate cover if applicable. **A copy of this permit must be displayed on all work vehicles parked within the tow-away zone.**

Applicant's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Section E: Department of Transportation Authorization**

The City's Department of Transportation hereby grants permission to the applicant to post temporary Tow-Away/No Stopping signs for the dates, times, and locations indicated above in accordance with the "TOW AWAY PERMIT CONDITIONS AND POSTING INSTRUCTIONS".

By: \_\_\_\_\_

On behalf of James Helmer, Director,  
 Department of Transportation

Date: \_\_\_\_\_

Cashier: \_\_\_\_\_

Receipt No.: \_\_\_\_\_

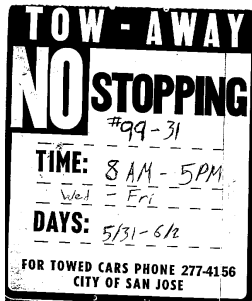
Date: \_\_\_\_\_



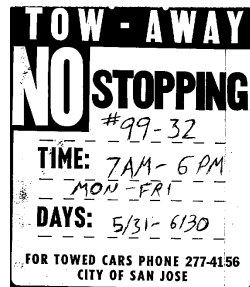
## TOW-AWAY PERMIT CONDITIONS AND POSTING INSTRUCTIONS

The following conditions apply to all tow-away permits issued by The Department of Transportation. **It is the sole responsibility of the Permittee to meet the conditions described herein.** Failure to meet these tow-away permit conditions will render the tow-away permit invalid and result in parking control officers/police personnel not responding for a tow request:

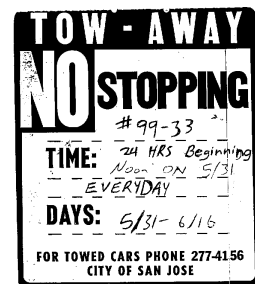
1. Permittee cannot alter the front side of the permit. Any alteration made will render the permit invalid.
2. **Permittee shall notify the City of San Jose's Parking Compliance Unit by calling (408) 534-2900 AND fax a copy of the log sheet to (408) 288-7322 IMMEDIATELY after the tow-away signs have been posted.** Failure to notify and/or fax the log sheet will render the tow-away permit invalid and result in parking control officers/police personnel not responding for a tow request:
3. Permittee must clearly print the PERMIT NUMBER, TIME, DATES, and DAYS and of actual work on EACH temporary tow-away sign prior to posting. Examples of completed temporary tow-away signs are shown below:



Three consecutive days



Weekdays Only - Extended period



Weekdays & Weekends - 24-hour period

4. Permittee understands that any temporary tow-away signs displaying incomplete information and/or altered information is rendered invalid and unenforceable. Permittee further understands that posting any temporary tow-away signs, other than City-issued tow-away signs, is not allowed and renders the signs invalid. Permittee may not post reproduced tow-away signs and is responsible for maintaining posted signs.
5. **Permittee shall post City-issued temporary tow-away signs in their proper locations at least twenty-four (24) hours in advance, but not more than seventy-two (72) hours of when actual work will occur on a particular street.** Permittee must maintain the temporary tow-away signs at all times. Failure to do so will render the temporary tow-away signs invalid and the Permittee will be responsible for the payment of all the costs related to an illegal tow resulting from the Permittee's failure to post and maintain the temporary tow-away signs at all required times. The permit only authorizes Permittee to post and maintain temporary tow-away signs on the days, times, and exact locations identified on the face of the permit.
6. Permittee shall use packing tape or string to attach temporary tow-away signs to poles, survey stakes or meter pipes. Permittee may also mount tow-away signs on A-frame barricades. **Duct tape, wire or other material that may damage the poles, meters, or tree guards may NOT be used to mount temporary tow-away signs.**
7. Permittee must post one sign for each metered space. In non-metered areas, the Permittee must post a sign a minimum of every **50 feet** at a consistent height, unless poor visibility requires posting at shorter intervals. Permittee must also post a temporary tow-away sign at the beginning and at the end of the work area. All signs must be posted within 6 feet of the face of curb on the side of the street on which parking is to be restricted.

8. Permittee must remove all tow-away signs and fastening materials from poles and meters upon completion of work on a particular street. Permittee shall pay for the repair of any damage caused to any public property to which the temporary tow-away sign was attached. Permittee shall pay the actual cost to the City of having to remove any signs the Permittee fails to remove.
9. Permittee must remove any posted tow-away signs if work on any particular street has been delayed or suspended for any reason and shall make good faith efforts to not unnecessarily restrict public parking.
10. In the event that the Department of Transportation approves the original permit for extension, Permittee shall post new temporary tow-away signs with the extended term in accordance with conditions 1-9 stated above.
11. Permittee shall be responsible for properly initiating all tows under the permit. A copy of the Tow Away Posting log sheet must be faxed to the Parking Compliance Office at (408) 288-7322.
12. Permittee may initiate a tow request by contacting the Parking Compliance Unit at (408) 534-2900 during the hours of 8:00am to 5:00pm Mon. through Fri. For all other times call the non-emergency number 311(City Communication Center). Permittee MAY NOT contact a towing company directly since a law enforcement officer must issue the tow request.
13. When initiating a tow request, the Permittee shall provide the law enforcement officer with a copy of the permit along with the completed original Documentation in Support of Tow-Away form and a record of the time, date, and location of when the signs were posted, as well as the name of the person posting the signs. Photocopies of signed declarations will not be accepted.
14. The Permittee will indemnify and hold harmless the City from all damages, losses or claims arising out of or resulting from a tow initiated by Permittee pursuant to his/her tow-away permit. Permittee must pay for all costs associated with invalid tows.
15. The Department of Transportation reserves the right to revoke tow-away permits or revise the approved days, hours or street locations on any Tow Away permit application at any time.
16. **Unless specifically stated on the permit, this permit is not to reserve parking space(s) for personal use. Only construction related vehicle(s) that are continuously used are allowed in the tow-away zone.**
17. **A valid copy of the Tow-Away permit must be clearly visible on the dashboard of all vehicles parked within a tow-away zone. Absolutely no personal vehicles will be allowed to park within the tow-away zone. Any personal vehicles parked within the restricted area regardless of displaying a valid Tow-away permit will be subject to a citation.**

**I acknowledge that I have read and understand the above "Tow-Away Permit Conditions and Posting Instructions"**

**Permittee Name (signature):** \_\_\_\_\_

**Permittee Name (printed):** \_\_\_\_\_

**Permittee Phone Number:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**\* Permittee must sign above prior to permit being issued**



# TOW-AWAY PERMIT POSTING LOG WORKSHEET

(for Permittee use only)

DEPARTMENT OF TRANSPORTATION

**PERMIT NO.** \_\_\_\_\_

- The below table is intended to be used by the Permittee to log the time, date, and locations of when the signs are posted, as well as the name of the person posting the signs, as required by Item 13 in the Tow-Away Permit Conditions and Posting Instructions. When initiating a tow request, the Permittee shall provide this information to the law enforcement officer with a copy of the permit along with the completed original Declaration in Support of Tow-Away form.
- **Notify the City of San Jose’s Parking Compliance Unit by calling (408) 534-2900 AND fax a copy of the log sheet to (408) 288-7322 IMMEDIATELY after the tow-away signs have been posted (see item 2 in the Tow-away condition).**

Street	Cross Street 1	Cross Street 2	Posted by (name and phone number)	Date & Time of Posting	Dates and Times of Restrictions



# TOW-AWAY PERMIT FEE CALCULATION WORKSHEET

(office use only)

DEPARTMENT OF TRANSPORTATION

PERMIT NO. \_\_\_\_\_

## I. TOW AWAY PERMIT FEES

Description	Quantity	Unit Cost	# of Days	Sales Tax	Sub-Total
Permit Application - Processing Fee		\$30.00			
Tow-Away Sign - Material Fee		\$.50		8.25%	
Lost Meter Revenue Fee (daily)		\$5.00			
Meter Head Removal		\$25.00			
Meter Pole Removal		\$75.00			
<b>Total Cost:</b>					

- A \$30.00 administrative processing fee is assessed for each permit application issued. One permit application is required per job contract, which can include multiple streets, as long as the same work activity is performed on these streets under a single contract.
- A \$.50 (plus tax) material fee is assessed for each Tow-Away sign issued.
- A \$5.00/day fee is assessed for each parking meter that is affected by tow away sign posting. This fee covers lost revenue to the City while meters are temporarily out of service. Finance can bill the customer for lost meter revenue or the customer can pay DOT directly.
- No fee is assessed for extending the dates on an existing permit. However, if work is being done on new street locations not originally included on the permit or new work activities are occurring, then a new permit must be processed and all fees assessed.

## II. PARKING METER FEE INFORMATION

- Customer is responsible for providing meter I.D. numbers for all meters that need to be removed and replaced.
- In addition to all other fees, a \$25.00 fee is assessed for each meter head that needs to be removed. Meter heads may need to be removed from the pole if the work involves oversized equipment that may damage the meter.
- In addition to all other fees a \$75.00 fee is assessed for each meter pole (pole + meter head) that needs to be removed. Meter poles may need to be removed if the work involves oversized equipment that may damage the meter pole.

**Customer is responsible for contacting the, Parking Division at (408) 534-2922 to schedule parking meter removal/replacement. Customer will be billed under separate cover by Parking Division staff.**

- Customer may rent a meter hood at \$5.00/day per meter hood. A meter hood is a bag that a customer can place over a meter to exempt him/her from having to pay the meter, but this does not reserve a metered parking space. There is a \$50.00 deposit for each meter hood rented. This is a convenience service available to contractors working on job sites located within metered zones.



# DOCUMENTATION IN SUPPORT OF TOW-AWAY REQUEST

## CONSTRUCTION OR SERVICE COMPANIES:

Please complete Section A and sign where indicated at the time the tow-away notices (signs) are posted. When requesting vehicle(s) be towed, complete Section B and call the Parking Compliance Unit (408) 534-2900 between the hours of 8:00 a.m. to 5:00 p.m. Mon. thru Fri. If no one answers or the request is for any other time call 311 (SJPDC Communications Non-emergency Line) and request a Parking Compliance or Police Officer to tow the vehicle(s) in violation.

**Declaration(s) shall be completed for each vehicle to be towed prior to calling.**

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### **Section A** DECLARATION (Permittee or designated representative)

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\_\_\_\_\_ was issued Tow-away Permit No. \_\_\_\_\_ for the following location(s):  
*(Name/Phone number of Permittee)*

The Permit is valid from \_\_\_\_\_ to \_\_\_\_\_. On \_\_\_\_\_ at \_\_\_\_\_  
*(beginning date) (ending date) (date) (time)*

permittee and/or designated representative posted or caused to be posted and maintained Temporary Tow-Away Signs in conformance with the requirements set forth in the Tow-Away Permit Conditions and Posting Instructions attached to the Permit. The public was notified at least 24 hours before the intent to tow. Posting approved by (signature of permittee or representative):

\_\_\_\_\_

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### **Section B** DECLARATION (Requestor)

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- The above-referenced temporary tow-away signs are clearly visible and were posted and maintained in the proper location at least 24 hours and no more than 72 hours prior to this tow-away request.
- The Permit is valid.
- The undersigned is authorized to make this tow request on behalf of the Permittee.

The undersigned declares under penalty of perjury that the above statements are true and correct, and that his/her request to tow is based upon such statements. I understand that supplying incorrect information or acting improperly in regards to posting and maintaining temporary tow-away signs will result in the permittee and/or requestor being held liable for all fees and costs resulting from an improper tow. Furthermore, an improper tow based on any fraudulently supplied information or fraudulent act made by the permittee and/or requestor may result in criminal prosecution and/or revocation of current and denial of future permits.

Requestor \_\_\_\_\_ Signature \_\_\_\_\_ Phone \_\_\_\_\_ DATE \_\_\_\_\_  
*(Name/Title)*

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### **Section C** VERIFICATION (Responding Officer)

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On \_\_\_\_\_ at \_\_\_\_\_ the following vehicle was found within the prohibited work areas at the location shown:

EXACT LOCATION \_\_\_\_\_  
*(i.e. address, x-street or feet from x-street)*

LICENSE# \_\_\_\_\_ MAKE \_\_\_\_\_ YEAR \_\_\_\_\_ Verified by CLETS: YES NO  
*(circle one)*

- The closest temporary Tow-Away sign to the front of the above-referenced vehicle is posted approximately \_\_\_\_\_ feet from the front of the vehicle.
- The closest temporary Tow-Away sign to the back of the above-referenced vehicle is posted approximately \_\_\_\_\_ feet from the rear of the vehicle.

Case # \_\_\_\_\_ Citation # \_\_\_\_\_ Officer's Name/Badge # \_\_\_\_\_

**OFFICER INFORMATION:** This form is the authority to tow the violators' vehicle. Attach this form to your CHP180 report. Your tow authority is CVC 22651 (L) or (M). The parking violation is SJMC Section 11.36.190\* or 11.36.200\* \*, which is to be issued at the time of tow. For any questions, call 277-4931.

\*11.36.190 Parking prohibited where use of street is necessary for cleaning, repair, or construction of street or installation of underground utilities. Tow Authority CVC 22651(L)

\*\*11.36.200 Parking prohibited where use of street is authorized for purposes other than normal flow of traffic. Tow Authority CVC 22651(M)