



City of Santa Barbara
Police Department

Memorandum

DATE: 5/24/2012

TO: Fire and Police Commission

FROM: Holly Perea, Police Technician

SUBJECT: Towing of Vehicles Application - Nieves Towing Service

On April 26, 2012, Robert Nieves, co-owner of Nieves Towing Service, submitted a "Towing of Vehicles" application to the Santa Barbara Police Department in accordance with Santa Barbara Municipal Code (SBMC) §5.30.020(a) Permit Required, Term and Fee: that states: "No person shall engage in, manage, conduct or operate a towing operation business without a towing permit..."

All required portions of the application were completed, with the exception of the "Proposed Permit Use Clearance" forms which are not applicable to this application because the tow company has no facilities within City limits.

Co-owners Robert Nieves and William Romero both underwent Live Scan fingerprinting as part of the application process. The fingerprint results of both applicants meet SBMC requirements.

Per SBMC §5.30.030(b): "Any person conducting a towing operation business shall maintain a physical location from which said business is directed. Such physical location shall provide an office with an adequate yard for vehicle storage and the location of the yard shall be subject to the approval of the Board." On March 28, 2012, Police Department staff conducted site visits of Nieves Towing Service's office, indoor storage facility, and outdoor storage yard, all of which are located in Goleta. Although the Municipal Code refers to the "physical location" in singular form, Nieves Towing's premises are divided between two locations so that the office and indoor facility are located on the same premise, and the outdoor storage lot is located at a separate address. However, owners assert that customers do not visit the outdoor lot, and all vehicles are released to customers at the office location only.

RECOMMENDATION:

Should the Board approve of the location of the company's storage yards, the Santa Barbara Police Department recommends that the Board then approves Nieves Towing Service's permit to operate as a tow service provider in the City of Santa Barbara.