



**SAN JOSE POLICE DEPARTMENT**  
PERMITS UNIT  
Ph: (408) 277-4452



**All fees are non-refundable**

**PRIVATE PROPERTY INSTRUCTIONS**

The City of San Jose enacted Chapter 6.66 of the Municipal Code in order to protect the rights of property owners and citizens when vehicles are towed from private property. The provisions of Chapter 6.66 require that certain conditions be met **PRIOR** to the removal of a vehicle. These conditions include, but are not limited to the following:

1. The property owner must submit a properly completed application to the San Jose Police Permits Unit. **An original application is required. A photocopy of the completed original will not be accepted.**
2. The appropriate fee payment must accompany the application. The fee is currently set by City Council. Fees can be found on our website [http://www.sjpd.org/Records/Fees\\_Public\\_Safety\\_Permits.asp](http://www.sjpd.org/Records/Fees_Public_Safety_Permits.asp). If applying by mail, **DO NOT SEND CASH.** Make check payable to the **City of San Jose.**
3. The permitted Tow Companies for private property towing can be found on our website <http://www.sjpd.org/COP/PermittedTowCompanies.html>.
4. **All entrances** must display the required signs, which must be **clearly visible** to the public. All signs must be posted **before** submitting the application.
5. **All signs must conform to Municipal Code section 6.66.280.** Attached is a copy of that section. **Authorized Only** section of the sign **must** have a **name and phone number.** Manager / Management is not acceptable.
6. Upon receipt of the completed application and fee, an on site inspection will be conducted. Towing vehicles is prohibited until the application has been approved. **Properties requiring additional inspections may be assessed an additional inspection fee.**
7. The property owner or his agent must sign a tow receipt authorizing the Tow Company to remove a vehicle at the time of **each** tow.
8. Change in property ownership or tow company voids the private property tow permit on file. A new application must be submitted within **10 days** of change. If a tow company or ownership is changed, the required fees must also be submitted.

Please fill out all of the information that is requested on the application. This is the address that application will be filed under. All future updates must list this address. If there is more than one address associated with the property, then all other addresses need to be listed in the body of the application. Please submit a map of the property when possible.

After completion please return it along with the appropriate fees to:

**San Jose Police Department**  
**Permits Unit**  
**201 West Mission Street**  
**San Jose CA 95110**  
**(408) 277-4452**



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**PRIVATE PROPERTY TOW APPLICATION**

**NEW**       **UPDATE**       **ADDED SIGNERS**       **TOW COMPANY/OWNER CHANGE**

Name of Property (Business/HOA/Complex Name):				
Property Address:		Street	City	State      Zip
Property Owner:			Property Owner Phone:	
Property Owner Address:		Street	City	State      Zip
Property Owner Email:				
<b>#1</b>	Name of Owner/Agent authorizing vehicle(s) to be towed:		Owner/Agent Business Phone:	
	Owner/Agent Email:		Owner/Agent Home Phone:	
<b>#2</b>	Name of Owner/Agent authorizing vehicle(s) to be towed:		Owner/Agent Business Phone:	
	Owner/Agent Email:		Owner/Agent Home Phone:	
Tow Company Name:			Tow Company Phone:	

Address/Number	
Direction	
Street Name	
St/Ct/Dr/Wy/Ln	
Major Cross Street	

My designated agent(s) or I will assume responsibility for the authorization of any tows from the listed property. I agree to comply with conditions on the Private Property Tow permit and with provisions set forth by SJMC Chapter 6.66 Tow-Car Business and 22658 of the California Vehicle Code. I understand that failure to abide by these conditions or any other violation of local, state or federal law can result in immediate revocation and possible denial of future Private Property Tow permits issued by the San Jose Police Department.

Owner/Agent Signature: \_\_\_\_\_ Date: \_\_\_\_\_

OFFICE USE ONLY				
DATE PAID _____	FEE _____	RECEIPT _____	ACCT _____	
INITIAL INSPECTION DATE _____		OFFICER APPROVED <input type="checkbox"/> YES <input type="checkbox"/> NO		
APPROVED BY _____	BADGE# _____	DATE _____		
NOTES _____				
DATE RECEIVED: _____	INITIAL _____	BADGE NO. _____		
OFFICE USE ONLY				
DATE PAID _____	FEE _____	RECEIPT _____	ACCT _____	
REINSPECTION DATE _____		OFFICER APPROVED <input type="checkbox"/> YES <input type="checkbox"/> NO		
APPROVED BY _____	BADGE# _____	DATE _____		
NOTES _____				
DATE RECEIVED: _____	INITIAL _____	BADGE NO. _____		



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## IMPORTANT LOCAL & STATE CODES FOR PRIVATE PROPERTY OWNERS

### **San Jose Municipal Code 6.66.270(D)**

No property owner or agent shall cause the removal of any vehicle from such private property unless the property owner **FIRST SIGNS** the tow receipt in the possession of the tow car driver or tow car business assistant; and, by such signature declare that at the time of the tow the signs were displayed in **PLAIN VIEW** at each **ENTRANCE** to the property, sufficient signs giving the public warning that public property is prohibited/restricted and that all unauthorized vehicles would be towed and stored.

#### **NOTE: TOW RECEIPT MUST BE SIGNED AT THE TIME OF THE TOW:**

Fire lanes and handicapped parking may be towed without signature if the property was approved for this during the initial permit inspection.

### **CALIFORNIA VEHICLE CODE 22953(A)**

Every owner or person in lawful possession of any private property which is held open to the public, or discernible portion thereof, for parking of vehicles at no fee, **SHALL NOT TOW** or remove, or cause the towing or removal, of any vehicle **WITHIN ONE HOUR OF THE VEHICLE BEING PARKED.**

### **CALIFORNIA VEHICLE CODE 22658(1)**

A towing company shall not remove or commence removal of a vehicle from private property **WITHOUT FIRST OBTAINING WRITTEN AUTHORIZATION** from the property owner or lessee, or an employee or agent thereof, **WHICH SHALL BE PRESENT AT THE TIME OF REMOVAL.** General Authorization to remove or commence removal of a vehicle at the towing company's **DISCRETION SHALL NOT BE DELEGATED TO A TOWING COMPANY** or its affiliates except in the case of a vehicle unlawfully parked within 15 feet of a fire hydrant or in a fire lane, or in a manner which interferes with any entrance to, or exit from, the private property.



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SAN JOSE MUNICIPAL CODE 6.66.280

**6.66.280 - Posting required signs upon private property -Maintenance of signs required - Responsibility.**

- A. It shall be the responsibility of the owner of real property to maintain the required signs prior to causing the removal of any vehicle from said private property.
1. The property owner shall be liable to the vehicle owner in the event required signs were not properly posted;
  2. The property owner is solely responsible for the proper posting and maintaining of the required signs;
  3. Each sign shall be no smaller than eighteen inches high and twenty-four inches wide;
  4. Each sign shall carry the warning: "PARKING RESTRICTED 24 HRS. A DAY-UNAUTHORIZED VEHICLES WILL BE TOWED AWAY AT THE VEHICLES OWNER'S EXPENSE"--"PARKING AUTHORIZED ONLY BY:"-and the name of the business establishment authorizing the public parking;
  5. There shall exist a marked contrast between the painted letters and the background, with the words "PARKING RESTRICTED 24 HRS. A DAY" and "TOWED AWAY," and "AUTHORIZED ONLY BY:" giving additional highlighting.
  6. The words "PARKING RESTRICTED 24 HRS. A DAY," "TOWED AWAY," and "AUTHORIZED ONLY BY:" shall be printed in letters no less than three inches high. The remaining warning shall be printed in letters not less than one inch high.
  7. Each sign shall convey the message in words no less than one inch in height that the persons seeking to locate their towed vehicles should contact the San José police department, auto desk, **(408) 277-4156** and the name of the tow company and telephone number.
  8. In accordance with the California Vehicle Code, all signing or curb markings warning of tow-away where determined necessary by the Chief of Police may require warning as to who determines which vehicles are authorized, length of permitted parking to conduct necessary business, and other appropriate cautions to warn away the prohibited public use of the property.

(Prior code § 6711.31a; Ords. 21568, 21906.)

**THIS SIGN CONFORMS TO SAN JOSE MUNICIPAL CODE REQUIREMENTS  
SIGN MUST BE NO SMALLER THAN 18 INCHES HIGH AND 24 INCHES WIDE**

