



**APPEAL PROCEDURES FOR VEHICLES
TOWED OR IMMOBILIZED (BOOTED)
BY THE CITY OF WILMINGTON**

1. You have the right to an administrative hearing if your vehicle has been towed or immobilized (booted) by the City of Wilmington.
2. The request for the hearing must be submitted in writing to the Civil Appeals Director, Louis L. Redding City/County Building, 800 North French Street, 3rd Floor, Wilmington, Delaware 19801, within five (5) business days upon receipt of notice that the vehicle is towed or immobilized. Failure to file a request for a hearing within this time period constitutes a waiver of the right to a hearing. A form for requesting a hearing is attached for your convenience.
3. The hearing will be conducted by the Towing Appeal Officer within forty-eight (48) hours of receipt of the request for a hearing, excluding Saturday, Sunday and City Holidays, or at such other time that may be agreed upon by the parties.
4. The hearing will be held at a central location (Public Safety Building) during regular City business hours, or at such other time and place that may be agreed upon by the parties.
5. The sole issue to be determined at such hearing shall be whether reasonable cause existed to believe that the vehicle towed or immobilized (booted) was in violation of the traffic ordinances or laws of the City of Wilmington, State of Delaware, or United States and that the towing or immobilization (booting) of such vehicle was authorized by law.
6. The person requesting the hearing shall be afforded a reasonable opportunity to demonstrate through witnesses and other evidence that the tow or immobilization (booting) was invalidated or unjustified.
7. The owner or any person duly authorized on behalf of the owner whose vehicle was immobilized or impounded by the City shall have the right to leave the vehicle in the tow yard or immobilized by a boot, pending the outcome of the hearing referred to above. Alternatively, such person may obtain immediate release of the vehicle by the payment in full of all outstanding parking tickets, the towing or booting fee, and any storage charges at a hearing, provided that the request for a hearing is submitted to the Towing Appeal Officer as provided in paragraph #2 above.

Towing Appeal Procedures (continued)
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8. If the Towing Appeal Officer determined that the vehicle was immobilized or impounded without reasonable cause to believe that it was in violation of the traffic ordinances and laws of the City of Wilmington, the State of Delaware, or United States or that the towing or booting was unauthorized by law, the owner or any person on behalf of the owner shall be entitled to the immediate release and return of the vehicle without the payment of any booting or towing fee or storage charges, or to a refund within thirty (30) days of the decision of the Towing Appeal Officer of any booting or towing fees and storage charges previously paid.
9. If the Towing Appeal Officer determines that the vehicle is immobilized or impounded with reasonable cause, the owner or any person on behalf of the owner may obtain release of the vehicle by payment in full of all outstanding parking tickets, booting and/or towing fees and accrued storage fees.
10. The owner or any person on behalf of the owner may waive the right to an expedited hearing as set forth in paragraphs #2 and #4 above, or immediate release of the vehicles are set forth in paragraph #7, and await a hearing in due course on the underlying traffic or criminal offense, if any, according to the regular procedures of the Municipal Court or other court.
11. Any person discharged or acquitted of the underlying traffic or criminal offense at the appropriate court proceeding or pursuant to any subsequent appeal, shall have the right upon presentation of evidence thereof, to immediate return of the vehicle without payment of any booting, towing or storage fees, or to the refund within thirty (30) days of the discharge or acquittal of any booting or towing fees and storage charges previously paid.
12. Any person who has a hearing scheduled pursuant to this section and without good cause shown, as determined by the Towing Appeal Officer, fails to appear at such hearing, shall not be entitled to have such hearing rescheduled.
13. The owner and any other person who has an interest in the vehicle shall only be entitled to one hearing for each immobilization or tow to that vehicle.
14. The determination of the Towing Appeal Officer is final and is not subject to appeal.
15. For information with respect to the towing or your vehicle, please call the Police Department's Records Division, (302) 576-3800. If your vehicle was immobilized (booted), please call the Finance Revenue Division at (302) 571-4320 option # 3.



**NOTICE OF APPEAL OF TOW OR IMMOBILIZATION
SUBMIT TO TOWING APPEAL OFFICER**

**Civil Appeals Director
Louis L. Redding City/County Building
800 North French Street, 3rd Floor
Wilmington, DE 19801
(302) 576-3908**

DATE: _____ TIME: _____

NAME: _____
(Last) (First) (Middle Initial)

ADDRESS: _____

(City) (State) (Zip) (Home Phone)

BUSINESS ADDRESS: _____

(City) (State) (Zip) (Work Phone)

MAKE OF CARE: _____ MODEL: _____

TAG NUMBER: _____ STATE: _____

WAS THIS VEHICLE TOWED OR IMMOBILIZED (BOOTED)? _____

DATE OF TOW OR BOOT: ____/____/____ LOCATION: _____

AS OF THE DATE OF THE FILING OF THIS APPEAL REQUEST, HAVE YOU OR ANYONE ACTING ON
YOUR BEHALF OBTAINED A RELEASE OF THIS VEHICLE? ____ YES ____ NO

IF YES, DATE OF RELEASE: ____/____/____ AMOUNT PAID: \$ _____

NOTICE OF APPEAL FORM (continued)
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REASON WHY YOU BELIEVE THE TOW/IMMOBILIZATION WAS IMPROPER: _____

DATES AND TIMES WHEN YOU ARE AVAILABLE FOR A HEARING ON THIS MATTER: _____

DATE OF HEARING: _____

DECISION OF THE TOWING APPEAL OFFICER: _____

NOTES: _____

SIGNATURE: _____

CIVIL APPEALS DIRECTOR

SIGNATURE: _____

APPEALER