

**From:** [Pike Porter](#)  
**To:** [Curtis, Christopher](#)  
**Cc:** [Boyles, Gavin](#); [Kisicki, Emily G.](#); [Farmer, Roger](#); [Minoli, Wanda](#); [Ferenc, Aaron](#); [Rushing, Kevin](#); [Morrison, Jennifer](#); [Hibbert, S. Lauren](#); [Smith, Michael](#); [Zach Tomanelli](#); [Barbara Rachelson](#)  
**Subject:** Re: UPDATE: Due To Weather Conditions: Online Only Public Hearing: Towing Practices  
**Date:** Monday, November 20, 2023 12:59:54 PM

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**EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.**

Mr. Curtis,

If you are still taking public comments, please include this email.

The late-night trolling of private property by towing companies disturbs the sleep and peaceable enjoyment of neighboring residents. The noise created by tow trucks is loud. Where I live in Burlington, tow trucks trolling late at night clearly violate the city noise ordinance, yet the police turn a deaf ear to the problem. State noise statute reads:

#### **Subchapter 004 : Other Disturbances of the Peace**

##### **(Cite as: 13 V.S.A. § 1022)**

##### **§ 1022. Noise in the nighttime**

A person who, between sunset and sunrise, disturbs and breaks the public peace by firing guns, blowing horns, or other unnecessary and offensive noise shall be fined not more than \$50.00. However, this section shall not prevent a person employing workers, for the purpose of giving notice to his or her employees, from ringing bells or using whistles or gongs of such size and weight, in such manner, and at such hours as the selectboard members of the town, the aldermen of the city, or the trustees of the village may prescribe in writing.

The motors used to tow automobiles, and the alerts from the tow trucks when they reverse are offensive when they occur at 1 am in the evening.

I bought a commercial property in Burlington about 20 years ago in foreclosure. One day shortly after purchase, I walked outside to collect something from my car and found my car gone. My own car had been towed from my own property by Handy's. They apparently had permission from the former owner to tow cars. The police would not intervene, saying it was a civil matter and Handy's would not return the car without payment. I mention this experience to demonstrate how towing companies have special status with the police. In what other situation is someone else allowed to take another's property worth thousands of dollars? Why can a tow company create offensive noise in the middle of the night?

Please ensure that any policy you draft makes it clear that tow companies must work within the same rules as the rest of us.

Thanks

Pike Porter

On Thu, Nov 9, 2023 at 8:19 AM Curtis, Christopher <[Christopher.Curtis@vermont.gov](mailto:Christopher.Curtis@vermont.gov)>

wrote:

All,

Due to weather conditions and for safety reasons – and, because I have not heard from anyone that they plan to appear “in person” – I am moving this public hearing to **online only**. If I need to warn another public meeting in a couple of weeks I will do so. But, given the paucity of interest in a physical location and hazards on the roads it makes no sense to move forward with a physical location that only state agency personnel may attend.

I will contact DFR and/or security at the building and request that a notice be posted at the facility on the off chance that any member of the public appears at that location with instructions to contact me by telephone or email and that if they so request another meeting may be set. Thank you.

Recall that this is the link to the meeting:

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