

## Chapter 23 WRECKERS AND WRECKING SERVICES

### **Sec. 23-1. Record to towing to be kept; when permitted at scene of accident or wreck.**

- (a) All persons operating a wrecker or providing wrecker service in the city, and who respond to a request by the police department to tow in a motor vehicle, shall keep a record of such motor vehicle which shall include the make, style, motor number and license number and other identifying features. Such information shall be furnished to the police department so that a record of such vehicle may be maintained by the wrecker owner or operator and by the police department.
- (b) It shall be unlawful for the owner or operator of a wrecker to go to the scene of an accident or wreck unless he has been called or summoned by the owner, the operator of such motor vehicle or the police department. If a wrecker goes to the scene of an accident without being called by the owner, the operator of a motor vehicle or the police department, the owner or operator of such wrecker shall keep a record of the name and telephone number of the person calling for such service and furnish same to the police department upon request.
- (c) This section shall not apply to motor vehicles moved or towed in at the request of the owner thereof.

### **Sec. 23-2. Prerequisites to engaging in business.**

No person shall engage in the wrecker or towing service business within the city and be listed on the rotating call list of the city unless:

- (1) A wrecker business on private property is maintained within the city limits;
- (2) A business license for the operation of a wrecker business is obtained from the city;
- (3) A permit as set forth in this chapter is issued by the wrecker inspector and the rules and regulations promulgated herein are followed.

### **Sec. 23-3. Wrecker inspector designated.**

The taxi inspector of the city shall also serve as the wrecker inspector and shall perform such inspections and issue the permits required by this chapter.

**Sec. 23-4. Permit application; information required.**

Any person set forth in section 23-2 shall complete an application containing the basic information hereinafter set forth or as may be required from time to time by the city manager:

- (1) The name, home address and business address of the applicant;
- (2) The hours during which the business will be open for service;
- (3) The number and description of the wreckers or towing trucks owned by the applicant setting forth the serial number of each vehicle and if not owned, the name of the owner or lessor;
- (4) The number of available storage spaces which applicant will have available for storing wrecked or disabled motor vehicles, together with a description of the building or enclosure in which the vehicles will be stored;
- (5) The daily or weekly charge for the storage of a vehicle;
- (6) The names of the drivers and attendants who will operate the wrecker or towing vehicle. The drivers shall be of good character and the applicant shall list all state or city traffic violations in which the driver has been involved for the past three (3) years and the disposition thereof and shall list all criminal charges against the drivers for the past five (5) years and the disposition thereof;
- (7) Such other information as the city manager may deem necessary to carry out the purposes of this chapter.

**Sec. 23-5. Storage of wrecked or disabled vehicles.**

All wrecked or disabled vehicles stored by companies listed on the rotating wrecker call list shall be stored within the city limits for a period of not more than twenty (20) days, unless the property on which storage is made is zoned and licensed for the storage of vehicles for a longer period of time.

**Sec. 23-6. Business license and insurance required.**

- (a) In addition to obtaining a business license in accordance with the business license ordinance, each applicant will furnish and file with the wrecker inspector a copy of an insurance policy or policies showing the following minimum coverage:
- (1) A garage keeper's liability policy covering fire, theft or any damage which may result to a person's motor vehicle in the care or under the control or in storage with the applicant in the amount of at least fifteen thousand dollars (\$15,000.00), and with collision coverage subject to a deduction for not more than one hundred dollars (\$100.00);
  - (2) A garage liability insurance policy covering the operation of applicant's business equipment or vehicles in an amount not less than the minimum amount required by state law for a general automobile liability policy of an individual.
- (b) Such copy of insurance policy or certificate of insurance shall provide that the insurer will give to the city not less than thirty (30) days prior notice of any change or cancellation of such policy or policies.

**Sec. 23-7. Charges for services.**

All charges for wrecker or towing services and all storage charges shall be furnished to the wrecker inspector at the time of the filing of an application for a permit and such charges must be approved by the city manager. After approval by the city manager, such charges may not be increased without the prior written approval of the city manager.

**Sec. 23-8. Maintenance, availability of vehicles.**

Any person operating a wrecker or towing service in the city and desiring to be listed on the wrecker rotating call list shall maintain his vehicles in a good state of repair at all times and have such vehicles available to the public during the hours of operation set forth in the application.

**Sec. 23-9. Inspection of vehicles; issuance, contents of permit sticker.**

The wrecker inspector, upon approval of an application, shall inspect the wrecker vehicle to determine that the same is safe for operation in the city and shall issue a sticker indicating the issuance of a permit, which sticker will be numbered, show the date of issuance and the date of the expiration of the permit. Such sticker will be prominently displayed on the lower right-hand corner of the windshield of the towing vehicle.

**Sec. 23-10. Determination of persons listed on rotation list; rules and regulations; maintenance of list.**

- (a) The city manager is authorized to issue rules and regulations setting forth the criteria to be considered in selecting operators subject to call from the city's rotation call list and shall approve or reject, subject to appeal to city council, persons submitting applications as provided in section 23-4, as approved, that shall be put on the wrecker rotation call list.
- (b) The wrecker inspector of the city will maintain a permanent list of names and addresses of companies or business who have complied with this chapter and are located on the rotation call list.

**Sec. 23-11. Right of vehicle owner to elect and obtain service of his choice.**

Notwithstanding the provisions of this chapter, the owner of any wrecked or disabled vehicle may elect and obtain a wrecker service of his own choice, if he does not desire the wrecker company next on the rotating call list to handle his vehicle.

**Sec. 23-12. Persons listed on rotation list not to respond to calls unless requested to do so.**

No person holding a permit from the city and listed on the wrecker rotation call list shall answer any call or offer its services to the owner of any wrecked or disabled vehicle unless specifically requested by the owner.

**Sec. 23-13. Solicitation of business at scene of wreck prohibited.**

No person, whether listed on the city wrecker rotating call list or not, shall seek or solicit business at the scene of any wreck.