

PUBLIC SAFETY COMMITTEE

14-050-O

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 33-259 OF THE DULUTH CITY CODE, 1959, AS AMENDED, REGARDING EMERGENCY WRECKER SERVICE FOR MOTOR VEHICLES AND TRAFFIC.

BY COUNCILOR FOSLE:

The city of Duluth does ordain:

Section 1. That Section 33-259 of the Duluth City Code, 1959, as amended, is hereby amended to read as follows:

Sec. 33-259. Emergency wrecker service.

An emergency wrecker service shall provide the following minimum services:

(a) Such service shall provide services with a wrecker or wreckers which meet the requirements of sections 33-257(a) and (c) and, where relevant, Section 33-257(b) of this Article;

(b) Such service shall provide 24 hour a day, seven day a week service;

(c) Such service shall come at all times when summoned by the chief of police to remove a disabled vehicle and, when summoned, shall remove such vehicle on all occasions;

(d) Such service's vehicles shall arrive at the scene of a disabled vehicle when summoned by the chief of police within a reasonable time after being summoned, such time not to exceed 20 minutes;

(e) Such services shall, upon the request of any peace officer, store any vehicle in a secured indoor storage facility which is inside a building which is reasonably weatherproof and secure for as long as is necessary to complete any police investigation of such vehicle;

(f) If the chief of police directs that any vehicle be towed to any location other than a storage location normally used by the

wrecker service providing such service, such wrecker service shall deposit such vehicle as directed; provided that if services provided pursuant to such direction would justify additional charges under this Article, the chief of police shall pay such charges;

(g) The city council may, from time to time, by resolution, set such fees for the following services ~~When summoned by the chief of police, the maximum fee for services rendered shall be as follows:~~

(1) ~~\$90 for all~~ Towing of disabled vehicles from one location in the city to another, or to a lot maintained outside the city by the service; when the vehicle requires dollying or a flat bed wrecker or when a flat bed wrecker is required by the police;

(2) ~~\$60 per hour for~~ Towing a vehicle which requires heavy duty wrecker equipment from one location in the city to another, or to the service's lot maintained outside of the city, unless a higher rate is authorized by the chief because of special circumstances;

(3) ~~\$20 per each 24 hours for~~ storage of towed vehicles, up to a maximum of 25 days;

(4) Operation of the wrecker's winch ~~if the vehicle to be towed is off of the roadway and requires more than 20 feet of winching, \$20 for each 15 minutes that the wrecker's winch is in operation;~~

(h) Licensee shall, if requested, release towed vehicles to their rightful claimants 24 hours per day, seven days per week on at least an on-call basis;

(i) No fees shall be charged if a licensee tows a vehicle from one location to another for its own purposes;

(j) In the event that the chief of police deems it reasonably necessary in his sole discretion to use more than one

wrecker vehicle to safely provide required emergency wrecker service to a disabled vehicle, he may authorize said use in which case the effected service may charge up to the maximum rates set forth above for each authorized wrecker vehicle used;

(k) When an emergency wrecker service is summoned by the chief of police and, as a result, performs services for a fee, the emergency wrecker service shall pay a fee, set by resolution, to the city of Duluth.

Section 2. That this ordinance shall take effect 30 days after its passage and publication.

Approved as to form:


Attorney

CCREQ/ATTY JF:GBJ:de 06/24/2014

STATEMENT OF PURPOSE: The purpose of this ordinance is to amend Section 33-259 of the Duluth City Code regarding emergency wrecker service so that the maximum fees for said services shall be set, and amended from time to time, by resolution by the city council.