

ORDINANCE NO. 1156

AN ORDINANCE TO AMEND TITLE 9, CHAPTER V OF THE ATHENS CITY CODE BY DELETING THE EXISTING CHAPTER V, “WRECKER AND TOWING SERVICE,” IN ITS ENTIRETY AND REPLACING IT WITH A NEW CHAPTER V, “TOWING SERVICES”; TO ESTABLISH REGULATIONS, PERMITTING REQUIREMENTS, ROTATION PROCEDURES, INSURANCE REQUIREMENTS, FEE LIMITATIONS, RECORDKEEPING REQUIREMENTS, AND ENFORCEMENT PROCEDURES FOR TOWING SERVICES REQUESTED BY THE ATHENS POLICE DEPARTMENT

WHEREAS, the City of Athens has authority to regulate the use of its streets, public rights-of-way, public property, and law enforcement towing procedures in furtherance of the public health, safety, and welfare;

WHEREAS, the City Council desires to update the City’s wrecker and towing service regulations to provide clear standards for towing companies responding to calls requested, authorized, or directed by the Athens Police Department;

WHEREAS, the City Council finds that a fair and orderly rotational towing system, together with appropriate permitting, insurance, equipment, recordkeeping, and fee requirements, will promote safe and efficient removal, transportation, storage, and release of vehicles;

WHEREAS, the City Council further desires to align the City’s towing regulations with applicable Tennessee law and the Tennessee Department of Safety and Homeland Security Tennessee Highway Patrol Towing Service Standards Manual, as amended or replaced; and

WHEREAS, the City Council finds that the adoption of this ordinance is in the best interest of the City and its citizens.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF ATHENS AS FOLLOWS:

SECTION 1.

Title 9, Chapter V of the Athens Municipal Code, currently titled “Wrecker and Towing Service,” is hereby deleted in its entirety and replaced with the following new Chapter V, “Towing Services”:

9-111 Purpose and Policy

- (1) The purpose of this chapter is to establish regulations, procedures, and standards for towing companies called by the City of Athens Police Department to remove disabled, wrecked, abandoned, immobile, unattended, seized, or impounded motor vehicles from City streets, public rights-of-way, public property, or other locations where the Police Department has lawful authority to request towing services.
- (2) It is the policy of the City to use a fair rotational call system for City-requested towing services, except when a vehicle owner, operator, or authorized agent requests a specific towing company, when public safety requires another response, or when the Police Department directs otherwise under law.
- (3) This chapter is intended to:
 - (a) Promote the safe and efficient removal, transportation, storage, and safekeeping of vehicles placed in the custody of towing companies at the request of the Police Department.
 - (b) Require towing companies to comply with this chapter, the City fee schedule, the Tennessee Department of Safety and Homeland Security Tennessee Highway Patrol Towing Service Standards Manual, as amended, Tenn. Code Ann. § 55-31-104 (Motor Vehicle Portal), and any other applicable Tennessee law.
 - (c) Ensure that towing companies used by the Police Department are reputable, reliable, properly permitted, properly insured, properly equipped, and staffed by qualified drivers.
 - (d) Protect vehicle owners, lienholders, insurers, and the public from unreasonable fees, unsafe practices, solicitation at crash scenes, improper release of vehicles, loss of personal property, and inconsistent rotation practices.

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9-112 Applicability

- (1) This chapter applies to towing services requested by, authorized by, or directed through the City of Athens Police Department. It does not regulate purely private towing transactions.
- (2) A towing company called at the request of a vehicle owner, operator, or authorized agent is not required to be on the City rotation list unless the Police Department determines that the vehicle creates an immediate traffic hazard or the requested towing company is unavailable, unwilling, or unable to respond in a reasonable time.

9-113 Definitions

Abandoned motor vehicle. A motor vehicle meeting the definition of an abandoned motor vehicle under Tenn. Code Ann. § 55-31-102, as amended, including a vehicle left unattended on public property for statutory periods, a vehicle in obvious disrepair, a vehicle illegally left on public property, or other vehicles defined by state law.

City-requested tow. A tow requested, authorized, or directed by the Police Department, including through dispatch, when the owner, operator, or authorized agent does not request a specific towing company or when public safety or law enforcement necessity requires City-directed towing.

Disabled, immobile, or wrecked vehicle. A motor vehicle that cannot safely move under its own power due to accident, mechanical failure, damage, weather, emergency conditions, or other circumstances requiring towing or recovery.

Owner-requested tow. A tow requested by the vehicle owner, operator, or authorized agent. The Police Department will honor such requests unless public safety, response time, equipment availability, or law enforcement needs require a City-requested tow.

Police Chief. The Chief of Police of the City of Athens or the Chief's designee.

Rotation list. The list maintained by the Police Department of towing companies approved and permitted by the City to respond to City-requested towing calls on a weekly rotating basis.

Storage facility. A lot, building, or other facility used by a towing company for the storage and safekeeping of vehicles towed at the request of the Police Department.

Tennessee Manual. The Tennessee Department of Safety and Homeland Security, Tennessee Highway Patrol Towing Service Standards Manual, revised January 2017, as amended, superseded, or replaced.

Towing company. Any person, firm, corporation, partnership, association, or other entity engaged in the business of offering towing, recovery, transport, or storage services by use of tow trucks and storage facilities.

Tow truck. A vehicle used to tow, recover, transport, or carry motor vehicles and classified under this chapter and the Tennessee Manual as Class A, B, C, or D, as applicable.

Winching. Involving the use of a motor-powered spool of cable to recover a vehicle from locations not accessible for direct hook-up. This process is used to move vehicles from areas like ditches, mud, or embankments to a position where they can be towed, separate from standard loading or towing procedures.

Working days. Monday through Friday, excluding official City holidays, unless state law requires a different calculation for a specific notice or deadline.

9-114 Administration

- (1) The Police Chief shall administer and enforce this chapter. The Police Chief may approve, issue, renew, suspend, revoke, or deny permits under this chapter; maintain the rotation list; establish administrative forms and procedures; conduct inspections and audits; investigate complaints; and issue written directives consistent with this chapter.

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- (2) The Police Chief's action granting, denying, suspending, or revoking a towing company permit or driver permit is subject to review by the City Manager upon written appeal to the City Manager within ten (10) calendar days after written notice of the decision as provided in this chapter or as otherwise required by law.

9-115 Permit Required; City Rotation Eligibility

- (1) No towing company, tow truck, or tow truck driver shall participate on the City rotation list unless approved by the Police Chief and issued the required City permit.
- (2) As a condition of initial and continuing eligibility, a towing company shall:
 - (a) Be listed on the Tennessee Highway Patrol rotation list for the applicable towing class.
 - (b) Be licensed and registered to do business in Tennessee and comply with all applicable federal, state, and local requirements.
 - (c) Maintain the insurance required by this chapter at all times.
 - (d) Maintain tow trucks, equipment, drivers, records, and storage facilities in compliance with this chapter and the Tennessee Manual.
 - (e) Charge no more than the fees authorized by the City's fee schedule and applicable Tennessee law.

9-116 Initial Application

- (1) A towing company seeking placement on the City rotation list shall submit a complete application to the Police Department during the annual application period of June 1 through June 30, unless the Police Chief opens an additional application period due to public need.
- (2) The application shall include, at a minimum:
 - (a) Proof of current Tennessee Highway Patrol rotation status.
 - (b) A completed Towing Service Application (SF-1112), Driver Qualification Form (SF-1117), Tow/Storage Rates Disclosure Form (SF-1118), Company Information Disclosure Form (SF-1119), Facilities and Equipment Inspection Form (SF-1120), Driver/Vehicle Inspection Report for each tow truck (SF-1156), and any successor or substantially equivalent form required by the Police Department.
 - (c) Current certificates of insurance identifying required vehicle liability, garage keepers' liability, and on-hook coverage.
 - (d) Proof that each owner and driver responding to City-requested calls has completed required Traffic Incident Management training.
 - (e) Criminal history check for the towing company's owner(s) and all tow truck drivers. A felony conviction or pending felony charge shall prohibit the owner or drivers from being permitted to be on the City's rotation list.
 - (f) A copy of a sample customer invoice.
 - (g) A certification that the applicant has read, understands, and will comply with this chapter, applicable Tennessee law, the Tennessee Manual, and Police Department directives.

9-117 Permit Term; Renewal; Changes During Permit Year

- (1) Permits shall be valid for one (1) permit year, beginning July 1 and ending June 30, unless suspended or revoked earlier. Renewal applications shall be submitted between June 1 and June 30 each year with the same information and forms as the original application but updated to reflect current information.
- (2) A towing company shall promptly notify the Police Department, in writing, of changes in ownership, business name, business address, telephone number, storage facility, insurance, tow trucks, drivers, or any other material application information. New or substitute tow trucks and drivers may be approved during the permit year if they meet all requirements of this chapter before responding to City-requested calls.

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- (3) During renewal, the Police Department may inspect records, tow trucks, equipment, driver qualifications, storage facilities, insurance, and rates. If deficiencies are found, renewal may be denied, delayed, conditioned, or withheld until the deficiencies are corrected.

9-118 Fees and Fee Schedule

- (1) Application fees, renewal fees, permit fees, service fees, and maximum towing and storage charges shall be established by the City Council through the annual budget process.
- (2) No towing company responding to a City-requested tow shall charge a rate or fee exceeding the City fee schedule, the maximum fee approved by the Tennessee Highway Patrol for the same service, or any other applicable state-law limitation, whichever is most restrictive.

9-119 Required Insurance

- (1) Each approved towing company shall maintain insurance covering towing and storage operations at all times. The policy shall be in the name of the towing company or the towing company's owner and shall identify the tow trucks covered.
- (2) A certificate of insurance shall be filed with the City before placement on the rotation list and upon renewal, policy change, expiration, cancellation, or request by the Police Chief. Certificates must itemize vehicle liability, garage keepers' liability, and on-hook coverage.
- (3) For purposes of this section, the following definitions shall apply:
 - (a) Vehicle Liability: insurance that pays for damages due to bodily injury and property damage to others for which the towing company is responsible.
 - (b) Garage Keepers Liability: insurance that protects a garage keeper against liability for damage to vehicles in his/her care, custody, or control.
 - (c) On-Hook Coverage: insurance that will normally pay to repair or replace a vehicle that the towing company did not own if it is damaged by a collision, fire, theft, explosion, or vandalism while being towed or hauled.

Tow Truck Class	Minimum Vehicle Liability	Minimum Garage keepers Liability	Minimum On-Hook Coverage
Class A and Class D	\$1,000,000	\$75,000	\$75,000
Class B	\$1,000,000	\$150,000	\$150,000
Class C	\$1,000,000	\$200,000	\$200,000

- (4) An umbrella policy is acceptable as long as it covers the required categories and provides total coverage equal to or greater than the applicable minimums. Nothing prevents a towing company from obtaining greater coverage.
- (5) The towing company assumes responsibility for personal injury, property damage, and loss or damage to vehicles and contents caused by the towing company's intentional, reckless, or negligent acts or omissions from the time the towing company makes contact with a vehicle or takes custody of a vehicle.

9-120 Tow Truck Classifications

- (1) Tow trucks shall be classified as Class A, Class B, Class C, or Class D in accordance with this chapter and the Tennessee Manual. Each tow truck shall be listed in only one class for rotation purposes unless separately approved by the Police Chief.

Class	Primary Use	Minimum Standard
Class A	Passenger cars, pickup trucks, small trailers, and recovery work where winching or recovery is required.	14,000 lbs. GVWR minimum; 4-ton boom and power winch; 100 feet of 3/8-inch cable or 7/16-inch synthetic rope; wheel-lift or sling/cradle equipment; safety restraints.

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Class B	Medium-size trucks, trailers, and similar vehicles.	26,000 lbs. GVWR minimum; double boom with 8-ton individual boom/winch capacity or single boom with 16-ton capacity; 200 feet of 7/16-inch cable; cradle tow plate or sling.
Class C	Large trucks, road tractors, tractor-trailer combinations, and heavy recovery.	35,000 lbs. GVWR minimum; double boom with 12.5-ton individual boom capacity or single boom with 25-ton capacity; 200 feet of 9/16-inch cable; air brakes; tandem live-drive axles; under-reach capable of towing an 80,000-lb. tractor-trailer combination.
Class D	Car carriers or rollback vehicle transporters for passenger cars, pickup trucks, and small trailers where extensive recovery is not required.	14,000 lbs. GVWR minimum; carrier bed with required cylinders; 4-ton winch; 50 feet of 3/8-inch cable; two safety chains; not intended for extensive winching or recovery.

9-121 Required Equipment for Each Tow Truck

- (1) Each tow truck responding to a City-requested tow shall carry and maintain all equipment required by the Tennessee Manual and this chapter. Required equipment includes, at a minimum:
 - (a) One functional, amber-colored rotating, strobe, or LED warning light permanently mounted on top of the tow truck. Sirens are prohibited.
 - (b) Emergency flashers and directional lights visible to the front in amber color.
 - (c) One heavy-duty push broom; one shovel; one axe; one pinch bar, pry bar, or crowbar; one set of bolt cutters; and equipment necessary to remove glass, debris, and other injurious substances from the roadway.
 - (d) Flood lights mounted high enough to illuminate the scene at night.
 - (e) One fully charged 20-pound fire extinguisher or two fully charged 10-pound fire extinguishers with an Underwriters Laboratories rating of 4A:B:C or greater, securely mounted.
 - (f) At least 50 pounds of fluid absorption compound for Class A, Class B, and Class D tow trucks and at least 100 pounds for Class C tow trucks.
 - (g) Three red emergency reflectors.
 - (h) A light bar capable of displaying two tail lamps, two stop lamps, and two turn signals on the rearmost vehicle while in tow when the towed vehicle's lights cannot be displayed.
 - (i) All additional chains, straps, dollies, cribbing, blocking, absorbent, tarps, securement devices, and safety equipment reasonably necessary for the class of tow and scene conditions.
- (2) Each tow truck shall display the towing company's name, address, telephone number, and USDOT number if applicable. The information shall be permanently affixed or painted on both sides of the tow truck, visible from 50 feet. Magnetic signs are not permitted.

9-122 Driver Qualifications and Conduct

- (1) Each driver responding to City-requested calls shall:
 - (a) Be at least 21 years of age unless a specific exception is required by state law.
 - (b) Possess a valid Tennessee driver license or commercial driver license appropriate for the tow truck and work performed.
 - (c) Have no felony conviction or pending felony charge that disqualifies the driver under the Tennessee Manual or this chapter.
 - (d) Complete required Traffic Incident Management System training before responding to City-requested calls.
 - (e) Wear a high-visibility traffic safety vest, shirt, or coat meeting ANSI Class 2 or higher while working at or near the scene and use amber colored lights on scene and while towing a vehicle.

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- (f) Comply with all lawful directions of the Police Department officer in charge of the scene.
- (g) Operate safely, lawfully, and professionally, and avoid conduct that reflects adversely on the City or creates a safety risk.
- (h) The towing company shall maintain a current driver list and shall notify the Police Department before any new driver responds to City-requested calls. A driver who becomes disqualified shall not respond to City-requested calls until reinstated by the Police Chief.

9-123 Business Office and Storage Facilities

- (1) Each towing company shall maintain a business office with a highly visible exterior sign displaying the towing company's name, address, and telephone number. Current tow and storage rates shall be posted conspicuously at the business office in a form clearly visible to customers.
- (2) The business office and storage facility shall be accessible to customers and the Police Department from 8:00 a.m. to 5:00 p.m., Monday through Friday, excluding City holidays, and at other reasonable times for law enforcement purposes, vehicle release, or emergency conditions.
- (3) Each towing company shall provide adequate, safe, and secure storage for vehicles towed at the request of the Police Department. Storage facilities shall be secured by fencing, lighting, and surveillance cameras and other security measures approved by the Police Chief to deter theft and vandalism.
- (4) If the storage facility is separate from the business office, the storage facility shall have a highly visible exterior sign displaying the towing company's name, address, and telephone number. No two towing companies, including affiliated or parent/subsidiary entities, may share the same storage facility unless expressly approved by the Police Chief for good cause and consistent with the independence requirements of this chapter.

9-124 Rotation List and Dispatch Procedures

- (1) The Police Department shall maintain the rotation list by tow truck company. Rotation list shall be seven (7) days for each permitted towing company. Calls shall be made through dispatch or other Police Department procedures approved by the Police Chief.
- (2) A towing company shall have at least one properly equipped, operating, permitted tow truck and qualified driver available 24 hours per day, including holidays, during its rotation. If the towing company cannot respond, lacks proper equipment, does not answer, or declines the call, the next towing company on the rotation list shall be called.
- (3) The towing company shall respond to a wreck or disabled vehicle within 20 minutes after being called, except for verifiable extenuating or unusual circumstances approved by the Police Department. Class C heavy-duty calls may be allowed additional response time when necessary due to equipment availability, distance, scene complexity, or public safety needs.
- (4) If a towing company misses two calls within one rotation cycle, the Police Chief may suspend, condition, or remove the company from the rotation list.
- (5) The Police Department officer in charge of a scene may direct the towing company to remove the vehicle creating the greatest hazard first, to use additional equipment, to preserve evidence, to avoid entering a vehicle, or to transport a vehicle to a particular facility.

9-125 Owner-Requested Towing Companies

- (1) The Police Department shall honor the request of the owner, operator, or authorized agent of a disabled, wrecked, abandoned, immobile, or unattended vehicle to call a specific towing company, whether or not that towing company is on the City rotation list, unless:

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- (a) The requested towing company is not available, refuses the call, or cannot respond within 20 minutes, or within 30 minutes for a Class C heavy-duty tow, unless a longer time is approved by the Police Department officer in charge;
- (b) The vehicle presents an immediate traffic hazard or public safety risk requiring prompt removal;
- (c) The requested towing company lacks the equipment needed for the vehicle or scene;
- (d) The tow is connected to a seizure, impound, arrest, investigation, evidence hold, or other law enforcement need requiring City-directed handling; or
- (e) The request is otherwise inconsistent with applicable law or public safety.

If any exception applies, the Police Department may call the towing company on the City rotation list.

9-126 Towing, Recovery, Scene Cleanup, and Transport Standards

- (1) Each towing company responding to a City-requested tow shall:
 - (a) Tow, recover, transport, and store vehicles safely and in accordance with this chapter, the Tennessee Manual, applicable law, and industry best practices.
 - (b) Use the tow truck class, equipment, and personnel appropriate for the vehicle and scene.
 - (c) Remove glass, vehicle parts, and other injurious substances from the street or highway as required by Tenn. Code Ann. § 55-8-170 and this chapter. Debris shall not be placed in the passenger compartment of a vehicle.
 - (d) Not intentionally drain vehicle fluids onto the road, right-of-way, stormwater system, soil, or surrounding environment.
 - (e) Use reasonable care to prevent additional damage to the vehicle and its contents.
 - (f) Transport the vehicle to the towing company's approved storage facility, a destination requested by the vehicle owner or operator after charges are agreed upon, a Police Department impound facility, or another location directed by the Police Department.
 - (g) Not perform repairs or additional services unless requested by the vehicle owner, operator, authorized agent, insurer, or lienholder, or unless necessary to safely remove a hazard.
 - (h) Not solicit towing work at or near a crash, disabled vehicle, or law enforcement scene unless called by the vehicle owner, operator, authorized agent, or Police Department.

9-127 Vehicle Holds, Release, Personal Property, and Firearms

- (1) No towing company shall release a vehicle impounded by, seized by, or held at the direction of the Police Department without authorization from the Police Department. If no law enforcement hold exists, the vehicle shall be released to a verified owner, lienholder, insurer, or authorized agent upon proof of the right to possess the vehicle and payment of lawful charges.
- (2) A towing company shall safeguard personal property in towed or stored vehicles. Unless the Police Department places a hold or otherwise directs, the towing company shall release personal property or cargo to the verified owner or authorized agent during normal business hours without charge.
- (3) If a firearm is found in a stored vehicle, the towing company shall follow Tennessee law (§ 55-31-105) and any Police Department procedure governing notification, safekeeping, transfer, and release.

9-128 Billing, Invoices, and Records

- (1) Each towing company shall use a standard invoice form containing the towing company's name, physical address, storage facility address, telephone number, and email address.

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- (2) An invoice shall be prepared for each City-requested tow. When the owner, operator, or authorized representative is present and circumstances permit, a copy shall be provided at the scene or as soon as practicable. The towing company shall retain duplicate invoices and tow records for at least two (2) years or a longer period in a chronological order as required by law or City policy.
- (3) Each invoice shall include, at a minimum:
 - (a) Date, time, and location of the tow;
 - (b) Name and address of the person requesting or authorizing the tow, if known;
 - (c) Name and address of the vehicle owner, operator, or person involved, if known;
 - (d) Vehicle year, make, model, color, license plate number, state, and VIN, if available;
 - (e) Tow truck class used and destination of the vehicle;
 - (f) Itemized charges, including towing, mileage, winching, recovery, storage, notification, and any approved additional charges;
 - (g) A good-faith estimate of charges when final charges cannot be determined at the scene;
 - (h) Daily storage rate and the date and time storage charges begin;
 - (i) Name of the driver or employee preparing the invoice.
 - (j) Invoices, rates, dispatch records, release forms, notices, photographs, storage logs, and other records related to City-requested tows shall be available for inspection by the Police Chief during normal business hours or during an investigation.

9-129 Independence, Prohibited Conduct, and Conflicts

- (1) A towing company on the City rotation list shall be independent of every other towing company on the City rotation list. Unless approved by the Police Chief for good cause, no towing company may share a telephone number, address, business license, storage facility, tow trucks, or required operating equipment with another rotation towing company.
- (2) A towing company and its owners, officers, employees, agents, and drivers shall not:
 - (a) Refer, sell, assign, subcontract, delegate, or transfer a City-requested call to another towing company without approval from the Police Department.
 - (b) Solicit towing work at a crash, disabled vehicle, or law enforcement scene unless requested by the vehicle owner, operator, authorized agent, or Police Department.
 - (c) Charge unauthorized rates, hidden fees, administrative fees, gate fees, release fees, credit card surcharges, or other fees prohibited by the City fee schedule or state law.
 - (d) Refuse lawful release of a vehicle, personal property, or cargo after the person seeking release presents required proof and pays lawful charges, unless a Police Department hold or legal restriction applies.
 - (e) Use an unpermitted tow truck or unqualified driver for a City-requested call.

9-130 Audits, Inspections, and Complaints

- (1) The Police Chief may inspect or audit any approved towing company's tow trucks, equipment, business office, storage facility, insurance, driver files, rates, invoices, tow records, notices, and release records during normal business hours or at other reasonable times when needed for public safety, compliance, or investigation.
- (2) Complaints may be submitted by vehicle owners, operators, lienholders, insurers, towing companies, City employees, or members of the public. The Police Chief may investigate complaints and may require written responses, records, photographs, invoices, or other information from the towing company.
- (3) Failure to cooperate with an audit, inspection, complaint investigation, or records request is grounds for the towing company to be deleted from the City rotation list.

9-131 Suspension, Revocation, Removal, and Corrective Action

- (1) The Police Chief may deny, suspend, revoke, condition, or refuse to renew a permit; remove a towing company, tow truck, or driver from the City rotation list; or require corrective action for any violation of this chapter, City policy, the Tennessee Manual, applicable law, or public safety standards.

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- (2) Grounds for being removed from the rotation list include, but are not limited to:
- (a) False, misleading, incomplete, or fraudulent application information or records;
 - (b) Failure to maintain insurance, equipment, tow truck registration, qualified drivers, required training, or storage facilities;
 - (c) Failure to answer, timely respond to, or properly complete City-requested calls;
 - (d) Use of unpermitted tow trucks or unqualified drivers;
 - (e) Overcharging, unauthorized fees, refusal to honor the fee schedule, or failure to provide itemized invoices;
 - (f) Improper solicitation, kickbacks, referral arrangements, call delegation, or conflicts of interest;
 - (g) Failure to safeguard vehicles, personal property, cargo, or evidence;
 - (h) Failure to release vehicles or property when release is legally required;
 - (i) Failure to comply with notice, recordkeeping, or audit requirements;
 - (j) Unsafe operations, discourteous conduct, criminal conduct, or conduct creating a risk to the public, the City, or the Police Department;
 - (k) Any violation of this chapter, the Tennessee Manual, or applicable state or federal law.
- (3) The Police Chief may impose immediate temporary suspension when continued participation presents a public safety risk, threatens loss or damage to vehicles or evidence, involves lapsed insurance, or otherwise requires immediate action.

9-132 Appeal

- (1) A towing company or driver aggrieved by a denial, suspension, revocation, removal, or refusal to renew may file a written appeal with the City Manager within ten (10) calendar days after written notice of the decision, unless a different period is required by law.
- (2) The City Manager, or the City Manager's designee, shall review the record and may affirm, reverse, modify, or remand the decision. The City Manager's decision shall be final administrative action of the City unless otherwise provided by law.

9-133 City Liability and Payment Responsibility

- (1) The City is responsible for payment only for fees and charges the City expressly authorizes or is legally required to pay, including charges associated with vehicles seized, impounded, or held by the Police Department when City payment is required by law, court order, or written authorization.
- (2) Except as provided in this section, the City is not responsible for towing, recovery, preservation, storage, administrative, or related charges owed by a vehicle owner, operator, lienholder, insurer, or other responsible party.

SECTION 2.

CODIFICATION AUTHORITY.

The City Manager or designee is authorized to make ministerial, non-substantive corrections necessary to codify this ordinance, including formatting, numbering, lettering, internal sequencing, typographical, citation, and cross-reference corrections, and to update internal references affected by renumbering, provided that no change is made to the substantive meaning, effect, or legislative intent of this ordinance.

REPEALER.

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

SEVERABILITY.

If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

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EFFECTIVE DATE.

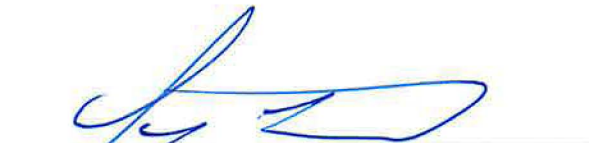
This ordinance shall take effect upon final passage, the public welfare requiring it.

First Reading:	May 19, 2026	Passed
Public Hearing Notice:	May 27, 2026	Published
Second Reading:	June 16, 2026	Passed
Date of Public Hearing	June 16, 2026	6:00 P.M.

ATTEST:



Bridget Roberts, Interim City Manager


Larry Eaton, Mayor

APPROVED AS TO FORM:



Christopher Caldwell, City Attorney