

ORDINANCE 713

ESTABLISHING A WRECKER ROTATION SCHEDULE AND REGULATIONS FOR WRECKER AND TOWING SERVICES FOR THE CITY OF ROANOKE

BE IT HEREBY ORDAINED by the City Council of the City of Roanoke, Alabama
as follows:

I. ESTABLISHMENT OF WRECKER ROTATION SCHEDULE. The Mayor and City Council shall establish and maintain a Wrecker Rotation Schedule to be utilized in accordance with the provisions here set forth. Said schedule shall include only those wrecker services meeting the requirements, and from time to time request to be so included.

II. FEES

A. Day Time- ~~50.00~~ ^{60.00} ~~\$45.00~~ plus 20.00 for ~~excessive work~~

B: Night Time ~~70.00~~ ^{80.00} ~~\$65.00~~ plus 20.00 for ~~excessive work~~

C. All Fees for vehicles towed outside the City limits will be set by the wrecker
Owner

D.

III. EQUIPMENT AND FACILITY REQUIREMENTS FOR PARTICIPANTS ON ROTATION SCHEDULE. All participants on the Rotation Schedule:

- A. Shall have a valid business license issued by the City of Roanoke.
- B. Shall have its business premises located in the City of Roanoke.
- C. Shall have space available to accommodate a minimum of ten (10) vehicles enclosed by a 6 ft privacy fence and gate to secure vehicles and their contents Against further damage and theft.
- D. Shall have one (1) or more licensed wreckers available for service which meet the

Following standards:

- 1. A minimum of $\frac{3}{4}$ ton factory recommended capacity. Dummy dual wheels are prohibited.
- 2. A power or hand-operated winch, winch line and boom with factory rated and/or tested lifting capacity of not less than eight thousand (8,000) pound single line capacity.
- 3. One (1) sling and stay-bar or other type of devices capable of protecting a disabled vehicle while being towed.
- 4. Name of wrecker service painted on both doors in minimum of four (4) inch letters of contrasting color to vehicle.

5. Standard equipment on each wrecker:

- A. Tow bars
- B. Safety Chains
- C. One or more dry chemical, B.C. rating, fire extinguishers having a minimum of twenty pounds total capacity.
- ~~D. Pry or wrecker bar capable of prying open doors.~~
- E. Push type broom
- F. Axe
- G. Shovel
- H. At least one (1) amber, rotating or flashing beacon and an emergency flasher system capable of emitting two (2) amber lights to the front and two (2) red lights to the rear of the vehicle and which shall flash simultaneously. All lighting systems must be visible for a minimum of five hundred (500) feet.
- I. One set of road flares

E. Shall have a minimum of one (1) "dolly" available for use by its wreckers.

IV. RECORDS TO BE MAINTAINED BY OPERATOR. Each operator shall maintain a log

And /or record system covering all services performed in pulling or towing of vehicles.

This will include the following:

- A. Date
- B. Time
- C. Name of person requesting service
- D. Location of Vehicle
- E. Description of Vehicle (Driver's License No., Tag No., & Identification No.)
- F. Owner of Vehicle
- G. Fee \$ _____
- H. Vehicle Tag should reflect according to sufficient quantity of capacity.

V. LIABILITY FOR INJURY OR DAMAGE AND REQUIREMENTS FOR INSURANCE:

- A. Each operator, from the time he moves or otherwise makes contact with any vehicle to
Be towed, assumes liability for injury to persons, damage to property, fire or theft resulting from the operator's negligent acts.

- B. Each operator shall maintain a valid bond or insurance policy issued by a surety or an Insurance company currently authorized to issue bonds or policies of insurance covering

Risks in the State of Alabama. The bond or insurance policy shall protect the public against loss of life, bodily injury to person and damage to property in the following amounts:

1. Not less than 100,000.00 for bodily injury to any one person.
2. Not less than 200,00.00 for bodily injury to any one accident.
3. Not less than 50,000.00 for damage to property, other than the towed vehicle and its contents while being towed and while in storage.
4. Not less than 25,000.00 in Garage keeper's legal liability, which must include fire, explosion, theft, riot, and civil commotion, vandalism, collision with a deductible no greater than 500.00.
5. Each Wrecker Service must provide a copy of their liability insurance policy and tag receipt when purchasing a business license from the city.

VI. OPERATION OF ROTATION SCHEDULE:

- A. Wrecker services rotation shall provide 24 hour towing service.
- B. The rotation period for each wrecker service will be for a seven (7) day period beginning on a Sunday morning and continuing until the following Sunday morning.
- C. Wrecker services shall provide the police department with a day phone number (7:00 a.m.- 5:00 p.m.) and a night phone number (after 5:00 p.m.-7:00 a.m.)
- D. Vehicles towed in for traffic violations, as ordered by the police department, shall be available to the owners at the time upon the payment of any wrecker fees due unless otherwise ordered by the Police Department.
- E. Wrecker fees for vehicles towed for traffic violations shall be the same for all wrecker services participating on the rotation schedule.
- F. No Roanoke Police Officer, either on or off duty, shall recommend any wrecker service to anyone needing a wrecker service.
- G. At all accident scenes where towing of vehicle(s) is required, the police officer investigating the accident will determine if a rotation wrecker is required or if the vehicle owner has a wrecker preference, then the officer at the scene will fill out a wrecker request slip and have the owner sign it. This request slip will be kept at City Hall until thirty (30) days have past. A rotation wrecker will be used if the vehicle owners have no wrecker service preference.

- H. Each wrecker service participating on the rotation schedule should come to the scene of an accident only when requested by the Police department.
- I. Each wrecker service participating on rotation must be willing to tow the vehicles at an accident scene to where the vehicle owner request it to be towed. This includes towing it to another wrecker service or body shop, within the city limits, upon payment.
- J. The rotation wrecker will remove all glass and debris from the accident scene.
- K. If a rotation wrecker on call is unable to answer a call or for any other reason then the next wrecker service on rotation shall be asked by the police department to handle the call. Wrecker services not meeting all qualifications for rotation shall not be called unless any and all rotation wreckers are unavailable for service.
- L. There will be no soliciting by wrecker services at any time at the scene of an accident.
- M. Emergency lights will be operated whenever a vehicle is being towed.
- N. All traffic laws of Alabama shall be strictly adhered to.
- O. No wrecker service shall accept any request for services unless the operator has a vehicle immediately available to perform the requested service.
- P. No wrecker operator shall respond to a call while under the influence of alcohol or drugs or when he reasonably appears to have been drinking alcoholic beverages.
- Q. No wrecker driver, owner or operator shall be on the rotation list unless said driver or owner or operator is proficient and competent in the operation of said wrecker.
- R. Only a person with valid Alabama Driver's license and a Commercial Motor Vehicle license and tag issued by the State of Alabama shall drive or operate any wrecker.

VII. INSPECTION:

Vehicle must be inspected annually, and have documentation that the vehicle has been

Inspected by the Public Safety Department.

VIII. PENALTIES FOR NON-COMPLIANCE AND NON-RESPONSE:

- A. Any wrecker service failing to abide by any and all of the rotation schedule rules and Regulations described by this provision shall be removed from the rotation list and shall be reinstated only upon re-application and approval by the Mayor, City Council, and Chief of Police.
- B. Any wrecker service unjustifiably failing to respond within a reasonable time to any Request for service made during its rotation period shall be removed from the rotation list and shall be reinstated only upon the re-application and approval by the Mayor, City Council, and Chief of Police.

This Ordinance shall take effect and be in force immediately upon its publication.

Adopted this 13th day of March 2000.

ATTEST:

Ellen Farmer
Ellen Farmer, City Clerk

Betty S. Ziglar
Betty S. Ziglar, Mayor

Walter Sudduth
Councilmember

Mark A. Bell
Councilmember

Lester Johnson
Councilmember

[Signature]
Councilmember

Jamie S. Holley
Councilmember