

ORDINANCE NO. 22-4538

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DECATUR, ALABAMA as follows:

Section 1. That Section 24.5-55 of the Code of Decatur Alabama is hereby amended to read as follows:

“Sec. 24.5-55. - Rates and charges.

The maximum fees for wrecker services provided by any wrecker service operator on the rotation list in regard to services provided as a result of a rotation system dispatch shall not exceed the following amounts per wrecker, unless otherwise indicated:

- (1) Towing of wrecked or disabled vehicle: Two-axle vehicle weighing 10,000 lbs. or less—\$200.00.
 - (2) Towing of wrecked or disabled vehicle: Two-axle vehicle weighing 10,001 lbs. through 26,000 lbs.—\$250.00.
 - (3) Towing of wrecked or disabled vehicle: Two-axle vehicle weighing 26,001 lbs. or more, or any vehicle with more than two (2) axles—\$500.00.
 - (4) Towing of any vehicle other than a wrecked or disabled vehicle: Two-axle vehicle weighing 10,000 lbs. or less—\$125.00.
 - (5) Towing of any vehicle other than a wrecked or disabled vehicle: Two-axle vehicle weighing 10,001 lbs. through 26,000 lbs.—\$250.00.
 - (6) Towing of any vehicle other than a wrecked or disabled vehicle: Two-axle vehicle weighing 26,001 lbs. or more, or any vehicle with more than two (2) axles—\$500.00.
- [Note: Towing services provided hereunder include cleaning of debris from roadway, pickup and towing of vehicle to any destination not to exceed ten (10) miles from the scene of the call, and disconnect.]
- (7) Oil dry: Included in towing services.
 - (8) Righting: Two-axle vehicle weighing 10,000 lbs. or less—\$150.00 per hour.
 - (9) Righting: Two-axle vehicle weighing 10,001 lbs. through 26,000 lbs.—\$300.00 per hour.
 - (10) Righting: Two-axle vehicle weighing 26,001 lbs. or more, or any vehicle with more than two (2) axles—\$500.00 per hour.
 - (11) Winching: Two-axle vehicle weighing 10,000 lbs. or less—\$150.00 per hour.

(12) Winching: Two-axle vehicle weighing 10,001 lbs. through 26,000 lbs.—\$300.00 per hour.

(13) Winching: Two-axle vehicle weighing 26,001 lbs. or more, or any vehicle with more than two (2) axles—\$500.00 per hour.

(14) Righting or lifting vehicle by airbag, per pound lifted: \$0.07.

(15) Forklift, backhoe, track hoe, and any other necessary recovery equipment services shall be at commercial rental rates plus ten (10) percent per hour (not including operator).

(16) No keys to vehicle: Rate same as disabled vehicle.

(17) Passenger vehicle storage rates:

a. First 24 hours: No charge.

b. Second 24 hours: \$40.00.

c. Each day thereafter: \$40.00.

(18) After-hours vehicle release: \$50.00.

The rates and charges as established herein do not relate to or regulate consensual wrecker services, being those situations where the vehicle's owner or operator expressly requests towing or wrecker services from a specific wrecker operator and enters into a private contract with that wrecker operator for services."

Section 2. That Section 24.5-53 of the Code of Decatur Alabama is hereby amended to read as follows:

"Sec. 24.5-53. - Penalties.

Evaluated within a twelve-month term, the following penalties shall be assessed for violations of the provisions of this article by operators being granted a position on the rotation list:

(1) First violation: Written warning.

(2) Second violation within twelve (12) months of the first violation: Thirty-day suspension from rotation list.

(3) Third violation within twelve (12) months of the first violation: Ninety-day suspension from rotation list.

(4) Fourth violation within twelve (12) months of the first violation: One (1) year suspension from rotation list.

(5) Fifth violation within twelve (12) months of the first violation: Permanent removal from rotation list.

(6) The above notwithstanding, if a wrecker service refuses or does not respond to a rotation request twice within any 30 day period: Thirty-day suspension from rotation list.

(7) The above notwithstanding, if a wrecker service refuses or does not respond to a rotation request three times within a twelve month period beginning with the first refusal or non- response: Ninety-day suspension from rotation list."

Section 3. This Ordinance shall become effective on December 1, 2022.

ADOPTED this 17th day of October 2022.

APPROVED this 17th day of October 2022.

/s/Tab Bowling, Mayor

ATTEST:

/s/Stephanie Simon, City Clerk