

ORDINANCE

ORDINANCE NO. O-30-2014

AN ORDINANCE OF THE
COUNCIL OF THE CITY OF
KNOXVILLE AMENDING
CHAPTER 26, ARTICLE IV, §
26-410 OF THE KNOXVILLE
CITY CODE RELATING TO
WRECKER ROTATION LIST
RATES AND CHARGES.

ORDINANCE NO: O-30-2014

REQUESTED BY: Knoxville Police
Department

PREPARED BY: Law

APPROVED ON 1ST

READING: 02-04-2014

APPROVED ON 2ND

READING: 02-18-2014

APPROVED AS AN EMERGENCY

MEASURE: _____

MINUTE BOOK: 78 PAGE _____

WHEREAS, the Knoxville Wrecker Service Commission (the "Commission") serves in an advisory capacity to City Council, the Mayor and the Knoxville Police Department regarding wrecker companies participating in the City's Wrecker Rotation System; and

WHEREAS, the Commission is authorized by City Code Sec. 26-502 to conduct fact-finding proceedings in fulfillment of its duties; and

WHEREAS, representatives of the Knoxville towing industry provided documentation to the Commission of increased costs incurred by the towing industry since the current wrecker rotation list towing rates were established; and

WHEREAS, expenses incurred by the Knoxville towing industry have risen approximately twenty-five percent (25%) since 2009 including price increases in fuel, insurance, equipment, tires and labor; and

WHEREAS, the Knoxville Wrecker Services Commission voted 4 – 0 with 1 abstention to recommend to City Council an increase in the rates which may be charged by towing companies hired for wrecker services through the City’s wrecker rotation list; and

WHEREAS, the Council of the City of Knoxville has determined that it is in the public interest, safety, and welfare of the City of Knoxville that Chapter 26, Article IV, Section 26-410 of the Knoxville City Code be amended to increase the rates which may be charged by towing companies hired for wrecker services through the City’s wrecker rotation list; and

WHEREAS, the Council of the City of Knoxville has determined that a rate increase of ten percent (10%) of the current rate per year over the next three years is appropriate.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF KNOXVILLE:

SECTION 1: Chapter 26, Article IV, Section 26-410 of the Knoxville City Code is hereby amended as follows:

Effective March 1, 2014 through February 28, 2015:

- (a) The maximum fees from March 1, 2014 through February 28, 2015 for all wrecker services provided by any wrecker service certificate holder on the rotation log as the result of a dispatch shall not exceed the following amount per wrecker, unless otherwise indicated:

(1) City-owned vehicles to a city facility:

(i) Class A* vehicles:	\$40.00 per unit
(ii) Class B* vehicles:	\$60.00 per unit
(iii) Class C* vehicles:	\$250.00 hourly rate

(2) Vehicles not involved in a collision towed to City lot at direction of officer:

(i) Class A vehicles:	\$71.50 per unit
(ii) Class B vehicles:	\$110.00 per unit
(iii) Class C vehicles:	\$275.00 hourly rate

(3) Vehicles involved in a collision towed to the City lot at direction of officer:

(i) Class A vehicles:	\$132.00 per unit
(ii) Class B vehicles:	\$165.00 per unit
(iii) Class C vehicles:	\$385.00 hourly rate

(4) Vehicles towed to certificate holder's storage facility or other location within a three-mile radius of the city limits:

(i) Class A vehicles:	\$132.00 per unit
(ii) Class B vehicles:	\$165.00 per unit
(iii) Class C vehicles:	\$385.00 hourly rate

- * Class A vehicles: Auto through 1/2 ton
Class B vehicles: 3/4 ton through 2 ton
Class C vehicles: Over 2 tons

(b) Additional charges:

(1) Extra winching and/or man-power used by the certificate holder to remove overturned vehicles and/or vehicles off the roadway and down an embankment may charge the following:

(i) Class A vehicles:	\$22.00 per unit
(ii) Class B vehicles:	\$55.00 per unit
(iii) Class C vehicles:	\$88.00 per unit

(2) Mileage Charge: Certificate holder may charge a \$1.85/mile mileage charge for any city-owned vehicle that is towed from a location outside the county to a city lot.

(c) Charges are all-inclusive: With the exception of subsection 26-410(b), all charges by certificate holders on the rotation list for rotation wrecker services are all-inclusive and include the following services: environmental cleanup at the site of the tow, winching, cleaning the area, dolly charges, administration costs and storage charges for forty-eight (48) hours after initial tow.

(d) Storage charges (after twenty-four (24) hours): Charges for storage and towing of a vehicle towed to the certificate holder's storage facility or to locations requested by the operator shall be the responsibility of the owner of the vehicle and not the responsibility of the City. In no event shall storage charges accumulate until twenty-four (24) hours have elapsed. After twenty-four (24) hours have elapsed, the daily maximum amounts for storage charges shall be as follows:

(i) Class A vehicles:	\$20.00
(ii) Class B vehicles:	\$30.00

(iii) Class C vehicles:	\$30.00
(iv) Trailers under twenty (20) feet:	\$20.00
(v) Trailers twenty (20) feet or longer:	\$30.00

These rates relate only to tow charges regarding the City's rotation list and do not relate to or regulate consensual wrecker services, being those situations where the vehicle's owner expressly requests towing or wrecker services by a specific towing company and enters into a private contract with the towing or wrecker company for services.

Effective March 1, 2015 through February 29, 2016:

- (a) The maximum fees from March 1, 2014 through February 28, 2015 for all wrecker services provided by any wrecker service certificate holder on the rotation log as the result of a dispatch shall not exceed the following amount per wrecker, unless otherwise indicated:

- (1) City-owned vehicles to a city facility:

(i) Class A* vehicles:	\$40.00 per unit
(ii) Class B* vehicles:	\$60.00 per unit
(iii) Class C* vehicles:	\$250.00 hourly rate

- (2) Vehicles not involved in a collision towed to City lot at direction of officer:

(i) Class A vehicles:	\$78.00 per unit
(ii) Class B vehicles:	\$120.00 per unit
(iii) Class C vehicles	\$300.00 hourly rate

- (3) Vehicles involved in a collision towed to the City lot at direction of officer:

(i) Class A vehicles:	\$144.00 per unit
(ii) Class B vehicles:	\$180.00 per unit
(iii) Class C vehicles:	\$420.00 hourly rate

- (4) Vehicles towed to certificate holder's storage facility or other location within a three-mile radius of the city limits:

(i) Class A vehicles:	\$144.00 per unit
(ii) Class B vehicles:	\$180.00 per unit
(iii) Class C vehicles:	\$420.00 hourly rate

- * Class A vehicles: Auto through ½ ton
Class B vehicles: ¾ ton through 2 ton
Class C vehicles: Over 2 tons

- (b) Additional charges:

(1) Extra winching and/or man-power used by the certificate holder to remove overturned vehicles and/or vehicles off the roadway and down an embankment may charge the following:

(i) Class A vehicles:	\$24.00 per unit
(ii) Class B vehicles:	\$60.00 per unit
(iii) Class C vehicles:	\$96.00 per unit

(2) Mileage Charge: Certificate holder may charge a \$1.85/mile mileage charge for any city-owned vehicle that is towed from a location outside the county to a city lot.

(c) Charges are all-inclusive: With the exception of subsection 26-410(b), all charges by certificate holders on the rotation list for rotation wrecker services are all-inclusive and include the following services: environmental cleanup at the site of the tow, winching, cleaning the area, dolly charges, administration costs and storage charges for forty-eight (48) hours after initial tow.

(d) Storage charges (after twenty-four (24) hours): Charges for storage and towing of a vehicle towed to the certificate holder's storage facility or to locations requested by the operator shall be the responsibility of the owner of the vehicle and not the responsibility of the City. In no event shall storage charges accumulate until twenty-four (24) hours have elapsed. After twenty-four (24) hours have elapsed, the daily maximum amounts for storage charges shall be as follows:

(i) Class A vehicles:	\$20.00
(ii) Class B vehicles:	\$30.00
(iii) Class C vehicles:	\$30.00
(iv) Trailers under twenty (20) feet:	\$20.00
(v) Trailers twenty (20) feet or longer:	\$30.00

These rates relate only to tow charges regarding the City's rotation list and do not relate to or regulate consensual wrecker services, being those situations where the vehicle's owner expressly requests towing or wrecker services by a specific towing company and enters into a private contract with the towing or wrecker company for services.

Effective March 1, 2016:

(a) The maximum fees from March 1, 2014 through February 28, 2015 for all wrecker services provided by any wrecker service certificate holder on the rotation log as the result of a dispatch shall not exceed the following amount per wrecker, unless otherwise indicated:

(1) City-owned vehicles to a city facility:

(i) Class A* vehicles:	\$40.00 per unit
(ii) Class B* vehicles:	\$60.00 per unit
(iii) Class C* vehicles:	\$250.00 hourly rate

(2) Vehicles not involved in a collision towed to City lot at direction of officer:

(i) Class A vehicles:	\$84.50 per unit
(ii) Class B vehicles:	\$130.00 per unit
(iii) Class C vehicles:	\$325.00 hourly rate

(3) Vehicles involved in a collision towed to the City lot at direction of officer:

(i) Class A vehicles:	\$156.00 per unit
(ii) Class B vehicles:	\$195.00 per unit
(iii) Class C vehicles:	\$455.00 hourly rate

(4) Vehicles towed to certificate holder's storage facility or other location within a three-mile radius of the city limits:

(i) Class A vehicles:	\$156.00 per unit
(ii) Class B vehicles:	\$195.00 per unit
(iii) Class C vehicles:	\$455.00 hourly rate

- * Class A vehicles: Auto through ½ ton
Class B vehicles: ¾ ton through 2 ton
Class C vehicles: Over 2 tons

(b) Additional charges:

(1) Extra winching and/or man-power used by the certificate holder to remove overturned vehicles and/or vehicles off the roadway and down an embankment may charge the following:

(i) Class A vehicles:	\$26.00 per unit
(ii) Class B vehicles:	\$65.00 per unit
(iii) Class C vehicles:	\$104.00 per unit

(2) Mileage Charge: Certificate holder may charge a \$1.85/mile mileage charge for any city-owned vehicle that is towed from a location outside the county to a city lot.

(c) Charges are all-inclusive: With the exception of subsection 26-410(b), all charges by certificate holders on the rotation list for rotation wrecker services are all-inclusive and include the following services: environmental cleanup at the site of the tow, winching, cleaning the area, dolly charges,

administration costs and storage charges for forty-eight (48) hours after initial tow.

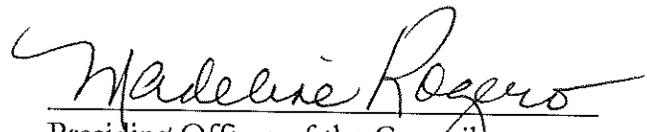
- (d) Storage charges (after twenty-four (24) hours): Charges for storage and towing of a vehicle towed to the certificate holder's storage facility or to locations requested by the operator shall be the responsibility of the owner of the vehicle and not the responsibility of the City. In no event shall storage charges accumulate until twenty-four (24) hours have elapsed. After twenty-four (24) hours have elapsed, the daily maximum amounts for storage charges shall be as follows:

(i) Class A vehicles:	\$20.00
(ii) Class B vehicles:	\$30.00
(iii) Class C vehicles:	\$30.00
(iv) Trailers under twenty (20) feet:	\$20.00
(v) Trailers twenty (20) feet or longer:	\$30.00

These rates relate only to tow charges regarding the City's rotation list and do not relate to or regulate consensual wrecker services, being those situations where the vehicle's owner expressly requests towing or wrecker services by a specific towing company and enters into a private contract with the towing or wrecker company for services.

SECTION 2: The Ordinance shall take effect from and after its passage, the public welfare requiring it.


Recorder


Presiding Officer of the Council



CITY OF KNOXVILLE, TENNESSEE

City Council

AGENDA INFORMATION SHEET

AGENDA DATE: February 18, 2014
DEPARTMENT: Knoxville Police Department
DIRECTOR: Chief Rausch

AGENDA SUMMARY An Ordinance amending Chapter 26, Article IV, § 26-410 of the Knoxville City Code relating to wrecker rotation list rates and charges.

COUNCIL DISTRICT(S) AFFECTED

All

BACKGROUND

Representatives of the Knoxville towing industry provided documentation to the Knoxville Wrecker Service Commission of increased costs incurred by the towing industry since the current wrecker rotation list towing rates were established. Expenses incurred by the Knoxville towing industry have risen approximately twenty-five percent (25%) since 2009 including price increases in fuel, insurance, equipment, tires and labor. The Commission voted 4-0 with 1 abstention to recommend to City Council an increase in the rates which may be charged by towing companies hired for wrecker services through the City's wrecker rotation list. The Commission advises the Council that it is in the public interest, safety, and welfare of the City of Knoxville that Chapter 26, Article IV, Section 26-410 of the Knoxville City Code be amended to increase the rates which may be charged by towing companies hired for wrecker services through the City's wrecker rotation list.

OPTIONS

Approve or deny

RECOMMENDATION

Approve

ESTIMATED PROJECT SCHEDULE

N/A

PRIOR ACTION/REVIEW

N/A

FISCAL INFORMATION

9a

N/A

ATTACHMENTS:

- Amended Ordinance (PDF)

HISTORY:

01/21/14 Next: 02/04/14	City Council	APPROVED ON FIRST READING
02/04/14 Next: 02/18/14	City Council	APPROVED FIRST READING AMENDED