

**CITY COMMISSION
CITY OF WALKER
KENT COUNTY, MICHIGAN**

ORDINANCE NO. 24 - 675

At a regular meeting of the City Commission for the City of Walker held on May 20, 2024, the following Ordinance was offered for adoption by Commissioner Huizenga-Chase, seconded by Commissioner Deschaine:

AN ORDINANCE TO AMEND CHAPTER 22, ARTICLE I, TO ADD A NEW SECTION 22-16, TO BE ENTITLED “POLICE DEPARTMENT NON-PREFERENCE TOWING,” TO THE CODE OF ORDINANCES OF THE CITY OF WALKER, MICHIGAN.

THE CITY OF WALKER ORDAINS:

Section 1. Amendment of Chapter 22, Article I. That the Code of Ordinances of the City of Walker, Michigan, Chapter 22 (Businesses), Article I, entitled “Business Licenses” is amended to add a new Section 22-16 to read as follows:

Sec. 22-16. Police Department Non-Preference Towing

- A. The Police Department shall adopt and maintain a Non-Preference Towing Policy (“Policy”) to provide for qualifying towing companies to receive calls for service from the Police Department to assist stranded motorists and promote public safety. Such Policy shall provide, as nearly as practicable, for the equitable distribution of non-preference towing calls for service to all qualifying towing companies.
- B. The Policy shall be adopted and maintained by the Chief of Police, in consultation with the City Attorney. The Policy may be amended from time to time, as the Chief of Police may deem necessary, to promote public safety and the orderly administration of non-preference calls for towing services.
- C. The Policy shall establish standards for towing companies to qualify to be placed on a list of towing companies eligible to receive non-preference calls for service from the Police Department. The standards set by the Policy for towing companies to become eligible for non-preference calls for service shall include minimum insurance requirements, service expectations, requirements to obtain other business or operator licenses, the disclosure of rates and fees charged to motorists for services, and storage-yard requirements. The insurance required by the Policy must indemnify and hold harmless the City for any injury, damage, or loss that may result from services provided under this Section or the Policy. The City shall not be liable for any such injury, damage, or loss.

- D. The Police Department shall maintain a list of qualifying towing companies, pursuant to the Policy. The Policy shall include a process for on-site inspections of the storage yard(s) operated by any towing company on the list of qualifying towing companies, or operated by any towing company seeking to be placed on the list of qualifying towing companies.

Section 2. Conflict.

- A. Nothing in this Ordinance will be construed in such a manner so as to conflict with existing City ordinances except as otherwise stated herein.
- B. Nothing in this Ordinance will be construed in such a manner so as to conflict with the laws of the state of Michigan.

Section 3. Repealer.

All ordinances and resolutions or parts of ordinances and resolutions in conflict with this Ordinance are repealed, but only to the extent of any such conflict.

Section 4. Savings Clause.

The provisions of this Ordinance are severable. If any part of this Ordinance is declared void or inoperable for any reason by a court of competent jurisdiction, such declaration does not void any or render inoperable other part or portion of this Ordinance.

Section 5. Effective Date.

This Ordinance is effective upon its publication in the manner permitted by law.

YEAS: 6

NAYS: 0

ABSENT/ABSTAIN: 1

ORDINANCE DECLARED ADOPTED.

Published: May 26, 2024

Effective: May 26, 2024