

5868

ORDINANCE TO AMEND THE CODE OF ORDINANCES OF MEMPHIS, TENNESSEE,
CHAPTER 41 WRECKERS OR TOWING OPERATORS, TO ALLOW IMPOUNDED
VEHICLES TO BE STORED ON PRIVATE, STORAGE LOTS

WHEREAS, the Vehicle Impound Storage Lot was acquired at 465 Klink Avenue.
The 12-acre lot was originally designed to store 1,800 vehicles; and

WHEREAS, according to the end of the 2022 impound lot records, the vehicle
impound lot currently 2,993 vehicles; and

WHEREAS, according to impound lot records, the vehicle impound lot intakes more
than 1000 vehicles; and

WHEREAS, the severe overcrowding at the vehicle impound lot has caused typography
(structural and drainage) issues, and operational inefficiencies; and

WHEREAS, there are multiple adjudicative factors that impact the immediate
release of vehicles, thus further exacerbating the current vehicle retention at the lot; and

WHEREAS, the revisions to the ordinance will enhance the efficiency of intake and
release process.

NOW, THEREFORE,

Section 1. BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, that

Section 41-8. Stolen Vehicles/City Impound or Wrecker Storage Lot

When stolen vehicles are impounded by the Memphis Police Department and stored by the city
on a wrecker company's storage lot or a municipally owned storage lot, the owner will be liable
for the tow fees but will not be liable for storage fees if he reclaims his vehicle within five days
after notification of the recovery and whereabouts of the vehicle. If the owner does not pick up
the vehicle from the municipally owned lot or the wrecker company's storage lot within five
days after notification of the recovery and whereabouts of the vehicle, the owner will be liable
for all storage costs from the time the vehicle was first placed on the storage lot.

Section 41-11 (n)

If the owner or operator of a vehicle is not available and a wrecker has been summoned by a
police officer as a result of ~~because of~~ a parking violation, an abandoned vehicle or is subject to
towing pursuant to Code Enforcement, then the vehicle shall be towed to the wrecker company's

storage lot or transported to the city impound lot if so directed by the Memphis Police Department.

Section 41-11 (h)

A towed vehicle shall not be stored more than a reasonable walking distance from the area where the towing and storage fee payments are received, however, this section shall not apply in instances where vehicle owners can pay online

Section 41-26 (a)

Storage. A wrecker company that does not currently have the requisite permit to operate as wrecker operator shall hereafter be ineligible to obtain a permit as a wrecker operator **unless** such operator shall have facilities for storage at the place from which its wreckers are to be operated sufficient for the storing of not less than 100 disabled motor vehicles.

A wrecker company that is currently permitted to operate as a wrecker operator as of the effective date of this ordinance shall be grandfathered in, and continue to operate at current capacity. Renewal of the requisite permit shall not alter the applicability of this provision.

Section 41-7 (b)

The storage of a vehicle by a wrecker operator on a private tow lot or any municipally operated vehicle storage or impound lot shall be \$30.00 for each 24-hour period, or fraction thereof, after the first two hours of impoundment. All vehicles that have been damaged in an accident and cannot be safely driven shall be towed. Such vehicles shall be removed from the scene of the accident by a wrecker service owner or operator and towed to such wrecker service owner or operator's private wrecker lot, provided that, such wrecker owner or operator has not been notified by the Memphis Police Department that the vehicle is needed for evidentiary or investigative purposes.

Sponsored by
Administration

THE FOREGOING ORDINANCE
5868 PASSED
1st Reading 4/25/23
2nd Reading 5/2/23
3rd Reading 5/16/23
Approved Martavius Jones
Chairman of Council

Date Signed: 06/13/2023
[Signature]
Mayor City of Memphis
Date Signed: 7/28/23

I hereby certify that the foregoing is a true
copy, and said document was adopted by the
Council of the City of Memphis as above indi-
cated and approved by the Mayor.
Valerie C. Supia
Comptroller

Chairman
Martavius Jones