

ORDINANCE NO.: 2011-058

Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 24, Vehicles for Hire, Article IV, Wrecker and Towing Services, Sec. 24-207 Zone service generally; Sec. 24-210 New applications to participate in zone service; Sec. 24-211 Equipment for emergency wreckers; 24-hour service required; Sec. 24-214 Storage lots and Sec. 24-215 Towing and storage charges

BE IT ORDAINED by the Mayor and Council this 18th day of October, 2011, that the 1998 Code of Ordinances of The City of Columbia, South Carolina, Chapter 24, Vehicles for Hire, Article IV, Wrecker and Towing Services, Sec. 24-207 Zone service generally; Sec. 24-210 New applications to participate in zone service; Sec. 24-211 Equipment for emergency wreckers; 24-hour service required; Sec. 24-214 Storage lots and Sec. 24-215 Towing and storage charges, are amended to read as follows:

Sec. 24-207. Zone service generally.

(a) The city manager, upon the recommendation of the director of public works, shall have prepared a map of the city, divided into not less than three nor more than six zones, and shall provide that each zone be serviced by one or more firms meeting the eligibility requirements of this article. A firm may apply for zone service only for the zone within which it has its primary business location; however, a firm may apply and be approved in any other zone provided it has a full independent service location in that zone. This firm must have also been licensed and operated a wrecker service at the same physical address in that zone for a period of two years or more. Zones serviced by firms without heavy duty equipment may be further serviced by firms having heavy duty wreckers.

(b) If more than one wrecker firm is participating in a zone, the city manager shall set up a rotation list for the performance of wrecker services in that zone. The city manager shall determine when each wrecker service shall be subject to call pursuant to the rotation list.

Sec. 24-210. New applications to participate in zone service.

Any firm otherwise meeting the eligibility requirements of sections 24-208 and 24-209 and having been in the wrecker business at the same physical address within the requesting zone for a minimum of two years may apply for participation in zone coverage at any time. An aggrieved applicant may, upon written notice, appeal to the city council within ten (10) days after notice that its application was disapproved.

Sec. 24-211. Equipment for emergency wreckers; 24-hour service required.

(a) *Generally.* Every emergency wrecker proposed to be used by an applicant shall be subject to inspection in a manner determined by the chief of police, and every such wrecker, other than an emergency heavy duty wrecker, shall comply with the following minimum requirements:

(1) Each applicant shall have at least two wreckers, one of which may be a carrier. Each unit shall be not less than one ton in size with dual rear wheels. Each wrecker shall have a sign on the driver and front passenger door clearly showing only one company name, address and telephone number.

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These signs shall be painted on or permanently affixed to the doors. All lettering on such signs shall be plainly visible and shall be in a color that contrasts to that of the wrecker.

(2) Each wrecker shall be equipped with a power-operated winch, winch line and boom, with a factory-rated lifting capacity or a city-tested capacity of not less than 8,000 pounds, single line capacity. Each wrecker shall carry as standard equipment a towing device (wheel lift or sling), towing dollies and safety chains.

(3) Each carrier shall be a minimum of 17 feet in length, equipped with a power-operated winch with a factory-rated lifting capacity of not less than 8,000 pounds, tiedown chains and hooks.

(4) Each wrecker and/or carrier shall be equipped with a fire extinguisher, wrecking bar, broom, shovel and approved warning devices.

(5) Each wrecker and/or carrier and all of its equipment shall be in a safe working condition and must be titled in the name of the applicant and registered at the South Carolina Department of Motor Vehicles.

(6) Each wrecker and/or carrier shall be equipped with a communication device allowing them to communicate with their main business location.

(b) *Heavy duty wreckers.* Every emergency heavy duty wrecker of not less than 2 1/2 tons in size shall meet the requirements in subsection (a) of this section and, in addition thereto, shall be equipped with a power-operated winch, winch line and boom with a factory-rated lifting capacity or a city-tested capacity of not less than 32,000 pounds, single or double line capacity, and a tow sling.

(c) *Twenty-four-hour service required.* Each applicant shall maintain 24-hour wrecker service and respond to the location of a vehicle to be towed within thirty minutes after receipt of a call from the city.

Sec. 24-214. Storage lots.

(a) *Location; size; fencing and security.* Each applicant under this article shall have a storage lot located within their zone with adequate storage, at least 50 feet by 100 feet, or equivalent area either under cover or fenced with a six-foot chain link fence topped with three strands of barbed wire, except that if other ordinances or regulations of the city require a fence that is opaque, an opaque fence shall be installed. Stored vehicles and contents must be kept safe from pilfering. Vehicles towed for the city must be stored within their zone and within the security fencing.

(b) *Signage.* Each wrecker service on rotation must have a sign placed on the exterior of their business location, being clearly visible, stating the company name, telephone number and business hours.

(c) *Hours.* There shall be an attendant on call, capable of responding to police requests for towing within thirty minutes of a call, as well as an attendant being present or available for the release of vehicles to the public within thirty minutes of a call, 24 hours a day, seven days a week. Failure to respond to a police call for towing within the allotted timeframe could result in the next wrecker service on the rotation list being called and the initially called wrecker will forfeit the call. Failure to respond to a request from the public for the release of a vehicle within the allotted timeframe could result in suspension or termination of the contract for provision of zone services.

(d) *Records.* Each garage shall keep a record of the vehicle and license number, the date and time it was towed and the location from which it was towed, the name of the officer ordering the towing, and whether the vehicle was impounded or towed at the owner's request.

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Sec. 24-215. Towing and storage charges.

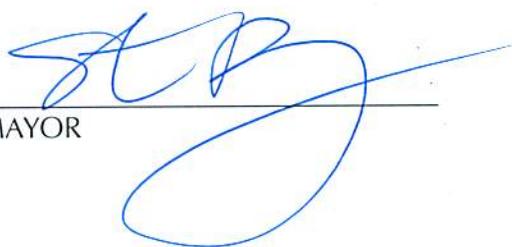
In all cases in which a vehicle is towed at the direction of city personnel or without the prior authorization or consent of the owner or operator of the vehicle, the following shall apply:

- (1) *Towing.* A maximum charge of \$160.00 shall be made for the use of a wrecker when a vehicle is disabled as the result of an accident. A corresponding additional charge may be made if the automobile flipped over and must be righted or is on a bank or sloping terrain. If the vehicle is being towed for a parking violation or abandonment, a maximum charge of \$125.00 shall be made for the use of the wrecker. If the owner of such vehicle appears before his vehicle is towed away and makes claim to his vehicle after the wrecker has been ordered to remove such vehicle, the vehicle may be released to the owner upon payment of \$50.00 to the wrecker service, provided the owner shall satisfy all charges against the vehicle at police headquarters. A maximum charge of \$125.00 per hour shall be made for each heavy duty wrecker.
- (2) *Storage.* Maximum storage charges on stored or impounded vehicles shall be \$25.00 per day;
- (3) *Release of impounded vehicles.* No stored or impounded vehicle shall be released until proper evidence of ownership is exhibited and all towing and storage charges have been paid. The towing and storage charges shall be collected by the wrecker service as provided by law.
- (4) *Posting of rates; additional charges.* All rates approved by the city shall be posted in a conspicuous place in each office of the wrecker service. All towing and storage charges will be itemized on an invoice or receipt when charges are paid. No charges other than towing and storage charges will be made on any vehicle without prior written approval from the owner or his agent.
- (5) *Payment methods.* Every firm providing zone services shall accept major credit cards in addition to cash for towing and storage charges. There shall be no additional fee charged for the use of credit cards.

Secs. 24-219--24-300. Reserved.

Requested by:

Director of Public Works



MAYOR

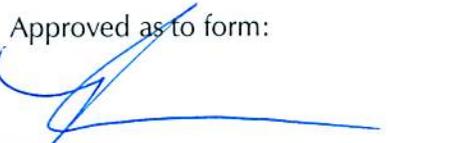
Approved by:

City Manager



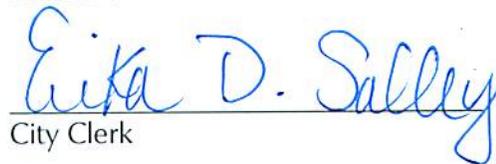
Approved as to form:

City Attorney



ATTEST:

City Clerk



Introduced: 9/6/2011

Final Reading: 10/18/2011