

ORDINANCE NO. _____

An ordinance amending Chapter 15D, "Emergency Vehicles," and Chapter 28, "Motor Vehicles and Traffic," of the Dallas City Code by amending Sections 15D-57 and 28-4; updating the maximum fee schedule for emergency wrecker services; updating fees for impoundment and vehicle storage; providing a penalty not to exceed \$1,000; providing a saving clause; providing a severability clause; and providing an effective date.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That Subsection (a) of Section 15D-57, "Maximum Fee Schedule for Emergency Wrecker Service," of Division 6, "Fee Schedule," of Article II, "Emergency Wreckers," of Chapter 15D, "Emergency Vehicles," of the Dallas City Code is amended to read as follows:

"(a) The following fees are authorized for providing emergency wrecker service to vehicles (except for vehicles owned by the city):

(1) \$150~~[139]~~ for towage of a vehicle with a manufacturer's gross vehicle weight rating of not more than 10,000 pounds, plus a fee of \$73 for each hour over two hours that is required to complete the tow, with partial hours paid in quarter hour increments.

(2) \$300~~[249]~~ for towage of a vehicle with a manufacturer's gross vehicle weight rating of more than 10,000 pounds but not more than 26,000 pounds, plus a fee of \$109 for each hour over two hours that is required to complete the tow, with partial hours paid in quarter hour increments.

(3) \$550~~[509]~~ for towage of a vehicle with a manufacturer's gross vehicle weight rating of more than 26,000 pounds, plus a fee of \$182 for each hour over two hours that is required to complete the tow, with partial hours paid in quarter hour increments.

(4) \$73 for any service a wrecker operator or driver performs that renders a vehicle operable, including, but not limited to, removing or straightening a bumper or fender, or another similar service.

(5) When dispatched by the chief of police to a location more than 100 yards outside the corporate limits of the city to tow a vehicle from the dispatched location to a location

inside the corporate limits of the city, \$4 for each loaded one-way mile that the wrecker travels, measured from the dispatched location to the nearest point of the corporate limits of the city using the most direct and expeditious route.

(6) When dispatched by the chief of police to a location inside the corporate limits of the city to tow a vehicle to a location more than 100 yards outside the corporate limits of the city, \$4 for each loaded one-way mile that the wrecker travels, measured from the nearest point of the corporate limits of the city to the vehicle delivery location using the most direct and expeditious route.

(7) No additional fee may be charged for linkage of a vehicle prior to a tow or for the use of towing dollies, go-jacks, winching, or air bags.”

SECTION 2. That Subsection (b) of Section 28-4, “Authority to Remove Vehicles; Redemption; Fees,” of Article I, “In General,” of Chapter 28, “Motor Vehicles and Traffic,” of the Dallas City Code is amended by adding the following:

“(b) A vehicle removed and towed under this section must be kept at the place designated by the chief of police until application for redemption is made by the owner or the owner’s authorized agent, who will be entitled to possession of the vehicle upon payment of costs of towing, notification, impoundment, and storage. The chief of police shall charge fees for storage of vehicles at city pound locations in accordance with the following regulations:

(1) The storage fee is \$~~21.03~~[20] for each day or portion of a day that a vehicle not longer than 25 feet is stored and \$~~36.08~~[35] for each day or portion of a day that a vehicle longer than 25 feet is stored, except that a storage fee may not be charged for more than one day if the vehicle remains at the city pound location for less than 12 hours.

(2) Storage fees on a stolen vehicle will be charged as outlined in Paragraph (1) of this subsection, commencing on the second day following the date notice is received by the owner of the vehicle, or the owner’s agent, that the vehicle may be claimed.

(3) Storage fees on a vehicle owned by an arrested person will be charged as outlined in Paragraph (1) of this subsection, commencing on the date of impoundment.

(4) Storage fees will not be collected when a vehicle is not involved in an accident, but is taken into protective custody and the driver is incapacitated due to physical injury or other illness to the extent that the driver is unable to care for the vehicle.

(5) Storage fees on any vehicle involved in a motor vehicle accident will be charged as outlined in Paragraph (1) of this subsection, commencing on the date of impoundment.

(6) An impoundment fee of \$~~21.03~~[20], in addition to applicable towage, notification, and storage fees, will be charged for a vehicle that has been removed and towed to a city pound location.

(7) A notification fee of \$50, in addition to applicable towage, impoundment, and storage fees, will be charged for a vehicle that has been removed and towed to a city pound location.”

SECTION 3. That a person violating a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$1,000.

SECTION 4. That Chapters 15D and 28 of the Dallas City Code shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 5. That any act done or right vested or accrued, or any proceeding, suit, or prosecution had or commenced in any action before the amendment or repeal of any ordinance, or part thereof, shall not be affected or impaired by amendment or repeal of any ordinance, or part thereof, and shall be treated as still remaining in full force and effect for all intents and purposes as if the amended or repealed ordinance, or part thereof, had remained in force.

SECTION 6. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

SECTION 7. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

CHRISTOPHER J. CASO, City Attorney

By _____
Assistant City Attorney

Passed _____