



AGENDA MEMORANDUM

Future Item for the City Council Meeting of January 13, 2015
Action Item for the City Council Meeting of January 20, 2015

DATE: December 4, 2014
TO: Ronald L. Olson, City Manager
FROM: Floyd Simpson, Chief of Police
floyds@cctexas.com
886-2603

Amending Chapter 57 of the Code of Ordinances to modify the auto wrecker ordinance

CAPTION: Amending Chapter 57, Article V “AUTOWRECKERS” of the Corpus Christi Code by modifying permitting, regulatory, and enforcement procedures of auto wreckers, increasing fees for substitution of vehicle, and increasing wrecker service fees; Providing an effective date; Providing for severance; Providing for penalty; and Providing for publication.

PURPOSE: The wrecker ordinance needed updating. The last modification was in February 2011.

BACKGROUND AND FINDINGS: The changes to the ordinance are:

- **Increase in fees for wreckers across the board** – Pursuant to proposed amendment to §57-249, fees increase for Category A Wreckers for rotation list tow from \$110 to \$150, maximum allowed fee charged from \$170 to \$255, distance charge fee increased from \$15 to \$25, cleanup fee increased from \$30 to \$60, private property impound from \$115 to \$150 and creating a \$75 four wheel drive vehicle on beach fee. Fees increase for Category B wreckers from rotation list tow from \$325 to \$475, additional hourly allowed fee from \$275 to \$350, and private property impound from \$400 to \$520. Wreckers can charge fees for use of air bag recovery system equipment which is specialty equipment.
- **Removal of dollies, go-jacks or skate fees** - Pursuant to proposed amendment to § 57-249, wreckers could not charge a fee for use of dollies, go-jacks or skate. Dollies, go-jacks and skate fees are outdated technology not commonly used.
- **Holding affiliate wrecker companies accountable for violations** – Pursuant to proposed amendment to § 57-231, affiliated companies receive same punishment as offending company. Additionally, a permit can be denied, suspended or revoked where permittee is delinquent on outstanding fines or fees due to the Texas Department of Licensing and Regulation or the City.
- **Elimination of probation as a punishment** - Pursuant to proposed amendment to §57-231, probation would not be an option. The Department does not currently place wrecker companies on probation.

- **Eliminating the requirement to have two types of wreckers to be on rotation list** - Pursuant to proposed amendment to §57-223, wrecker companies would need three small wreckers to get on small wrecker rotation list and would no longer need two small wreckers and a large wrecker. Proposed ordinance grandfathers current companies who met old requirements.
- **Increases size of small rotation wreckers** - Pursuant to proposed amendment to § 57-224, the ordinance increases the size of Category A wreckers from 10,000 pounds to 15,000 pounds to match industry standard.
- **Allowing vehicle owners access to impounded vehicles** - Pursuant to proposed amendment to §57-250, owners of vehicles held by wrecker companies will be allowed to obtain personal property from within the vehicle.
- **Requires private property tows to take multiple photographs** - Pursuant to proposed amendment to § 57-253, private property tows are required to take multiple photos demonstrating compliance with law.

The Police Department hosted six different meetings with the wrecker companies to allow them input into the proposed changes (8/28/12, 1/29/13, 6/13/13, 12/10/13,5/14/14, and 8/7/14). There is a consensus from the companies to move forward with the proposed ordinance.

ALTERNATIVES:

None

OTHER CONSIDERATIONS:

Not applicable

CONFORMITY TO CITY POLICY:

Conforms to all city policies.

EMERGENCY / NON-EMERGENCY:

Non-emergency

DEPARTMENTAL CLEARANCES:

Legal

FINANCIAL IMPACT:

Operating Revenue Capital X Not applicable

Fiscal Year: 2014-2015	Project to Date Expenditures (CIP only)	Current Year	Future Years	TOTALS
Line Item Budget				0
Encumbered / Expended Amount				0
This item				0
BALANCE				0

Fund(s): General

Comments:

RECOMMENDATION:

Staff recommends supporting changes to the ordinance.

LIST OF SUPPORTING DOCUMENTS:

Ordinance