

First Reading: _____
Second Reading: _____

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE,
PART II, CHAPTER 35, ARTICLE IV, SECTION 35-171
RELATIVE TO VEHICLES FOR HIRE.

SECTION 1. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That Chattanooga City Code, Part II, Chapter 35, Article IV, Section 35-171, Subsection (e)(1), is hereby amended by deleting the subsection in its entirety and substituting in lieu thereof the following:

- (1) Two (2) axle vehicles under seven thousand pounds GVWR.... \$125.00, excluding storage fees.

SECTION 2. BE IT FURTHER ORDAINED, That Chattanooga City Code, Part II, Chapter 35, Article IV, Section 35-171, Subsection (e)(3), is hereby amended by deleting the subsection in its entirety and substituting in lieu thereof the following:

- (3) The maximum fee for storage of a vehicle removed from private property (without the owner's consent) shall be twenty dollars (\$20.00) per day. No storage fee shall be charged for a vehicle stored for twenty-four (24) hours or less.

SECTION 3. BE IT FURTHER ORDAINED, That Chattanooga City Code, Part II, Chapter 35, Article IV, Section 35-171, Subsection (e), is hereby amended by adding a new Subsection (5) as follows:

- (5) Any vehicle towed under this section shall be released within two (2) hours after a request by the owner or owner's agent. No fee may be charged to comply with this subsection.

SECTION 4. BE IT FURTHER ORDAINED, That Chattanooga City Code, Part II, Chapter 35, Article IV, Section 35-171, Subsection (i), is hereby amended by deleting the subsection in its entirety and substituting in lieu thereof the following:

- (i) It shall be unlawful for a property owner or a property owners' agent, tenant, lessee, occupant or person in possession of premises to authorize a tow for the removal of a vehicle from private property unless the premises are clearly marked with identifiable signage that states unauthorized parking of vehicles on the premises shall result in a vehicle being removed or towed without the vehicle owners' consent for a fee. The signage shall be conspicuously posted and shall also include information as to the location where the vehicle can be recovered, the telephone number for recovery of the vehicle, the cost of said recovery, and information as to the form of payment; provided, however, that the owner of residential private property containing not more than four (4) residential units shall not be required to comply with the posting requirements of this subsection.

SECTION 5. BE IT FURTHER ORDAINED, That Chattanooga City Code, Part II, Chapter 35, Article IV, Section 35-171, is hereby amended by adding a new Subsection (j) as follows:

- (j) Rate notification for Non-consent Towing from Private Property.
 - (1) Every tow or wrecker operator who makes non-consent tows shall be issued a rate card by the Wrecker Inspector setting forth the maximum authorized rates and charges for non-consent tows permitted by the City of Chattanooga. Such card shall be displayed in such a place as to be in full view of anyone wishing to inspect same.
 - (2) Every tow or wrecker operator shall use billheads with the name, address, and place of business of the wrecker company printed thereon. The operator of a wrecker towing away a vehicle shall prepare a bill on this billhead form in triplicate; the original copy of which shall be given to the owner of the vehicle or his authorized representative; one copy shall be sent to the Wrecker Inspector on or before the 15th of the month; and the last copy must be retained by the owner of the wrecker company for no less than twenty-four (24) months. This bill shall contain the following information:
 - a. The name and address of person engaging the wrecker.
 - b. The state license plate number or the VIN (Vehicle Identification Number) of the towed vehicle.
 - c. The rate charged in accordance to Section 35-171(e)(1) and (2) and, if applicable, the storage rate per day in accordance to Section 35-171(e)(3) and the processing fee in accordance to Section 35-171(e)(4).
 - d. The place to where vehicle was towed.

- e. The following language: “The City of Chattanooga Wrecker Inspector may be contacted by calling the City of Chattanooga Police Department at (423) 643-5000.”

SECTION 6. BE IT FURTHER ORDAINED, That this Ordinance shall take effect thirty (30) days from and after its passage.

Passed on second and final reading:_____

CHAIRPERSON

APPROVED:____ DISAPPROVED:____

MAYOR

KJR/mem/20150428 – r2