

ORDINANCE O-00-129

R-1402

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AN ORDINANCE ESTABLISHING NEW WRECKER FRANCHISE RELATED RATES AND REQUIREMENTS FOR THE CITY OF CONWAY; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES:

Whereas, the City of Conway has not raised its wrecker franchise rates and requirements for quite some time; and

Whereas, the cost and standards of wrecker service has risen since the establishment of the original code; and

Whereas, it is important for fees and standards to reflect efficient wrecker service.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS:

Section 1: That Section 4.56.02, (A) of the Conway Municipal Code is hereby amended to read as follows:

“(A) The Franchisee shall provide a base of operations and storage inside the City limits and with easy accessibility to the public. The said storage area must provide security for vehicles stored. The Franchisee must, at a minimum, enclose the said storage area with a suitable fence at least six (6) feet in height with lockable gate(s) with two (2) feet barbed wire or razor wire on top.”

Section 2: That Section 4.56.02, (B) of the Conway Municipal Code is hereby amended to read as follows:

“(B) The Franchisee will be required to sweep and haul away all debris, glass, and metal parts of automobiles damaged at the scene of an accident. Excessive debris cleanup shall be charged at a rate of \$25.00 per ½ hour for passenger car and trucks up to dual wheels. Excessive debris cleanup for trucks with dual wheels and heavier shall be charged an additional charge according to what needs and equipment are required to complete the job.”

Section 3: That Section 4.56.02, (E) paragraph two (2) of the Conway Municipal Code is hereby amended to read as follows:

“(E (paragraph 2)) When the City of Conway has an official hold on a vehicle, the agent or owner will have to secure a release from the Conway Police Department. The storage fees for vehicles held for forfeiture by the City of Conway will be \$1.00 per day. The Franchisee shall not release such a held vehicle until a properly executed official release shall have been presented to the Franchisee”

Section 4: That Section 4.56.02, (F) of the Conway Municipal Code is hereby amended to read as follows:

“(F) The list of charges provided by the Police Department or by the Franchisee shall contain a request to the effect that any complaints concerning the services

provided by the Franchisee should be made to the Office of the Police Chief, telephone number 501-450-6126."

Section 5: That Section 4.56.02, (H) of the Conway Municipal Code is hereby amended to read as follows:

"(H) The Franchisee will be required to have or to have available radio-controlled equipment of the following specification:

25-ton rated wrecker with tandem (twin screw) rear axles
1 ½ ton or heavier rollback (flatbed)"

Section 6: That Section Charges (a) on page 68.3 of the Conway Municipal Code is hereby amended to read as follows:

"(a) All passenger vehicles and trucks up to one (1) ton shall be charged no more than the total of \$40.00 per tow in town. Additionally, a winch charge of \$30.00 per each ½ hour per wrecker shall be incurred."

Section 7: That Section Charges (b) on page 68.3 of the Conway Municipal Code is hereby amended to read as follows:

"(b) All trucks with a rating of less than one (1) ton shall be charged no more than the total of \$40.00 per tow in town. Additionally, a winch charge of \$30.00 per each ½ hour per wrecker shall be incurred."

Section 8: That Section Charges (c) on page 68.3 of the Conway Municipal Code is hereby amended to read as follows:

"(c) All trucks with a rating of one (1) ton and/or having dual wheel arrangement shall be charged no more than a total of \$45.00 per tow in town. Additionally, a winch charge of \$30.00 each ½ hour per wrecker shall be incurred.

1. All trucks having a rating of more than one (1) ton and/or having single dual wheel arrangement shall be charged no more than a total of \$75.00 per tow in town. Additionally, a winch charge of \$50.00 per each ½ hour per wrecker shall be incurred."

Section 9: That Section Charges (d) on page 68.3 of the Conway Municipal Code is hereby amended to read as follows:

"(d) All trucks with tandem wheels consisting of tractor and trailer arrangements and dump trucks shall be charged no more than a total of \$125.00 per tow in town. Additionally, a winch charge of \$75.00 per ½ hour per wrecker shall be incurred."

Section 10: That Section Charges on page 68.4 of the Conway Municipal Code is hereby amended to read as follows:

"In the event the Franchisee is required to remain at the site of the tow origination for a period which exceeds thirty (30) minutes from the time of wrecker truck arrival, an additional maximum charge of \$30.00 per hour may be assessed for class (a), (b) and (c) as vehicles previously described. If the vehicle is class (d) in nature as previously

described, the said additional maximum charge allowed to be assessed shall be \$75.00 per hour. "

Section 11: That Section Storage (a) on page 68.4 of the Conway Municipal Code is hereby amended to read as follows:

" (a) A maximum of \$10.00 per 24 hour day on all vehicles, except tractor-trailers, or any part thereof for outdoor storage. If the owner of requests indoor storage of said vehicle or any appropriate law enforcement personnel, a maximum of \$12.00 per 24 hour day charge on all vehicles, except tractor-trailers, or any part thereof may be assessed. Additionally, a \$5.00 charge will be assessed for vehicles in need of inclement weather covering (tarps)."

Section 12: That Section Storage (b) on page 68.4 of the Conway Municipal Code is hereby amended to read as follows:

" (b) Tractor-trailers or heavy dump trucks shall be stored for \$20.00 per 24 hour day, or any part thereof. "

Section 13: That Section Storage (c) on page 68.4 of the Conway Municipal Code is hereby amended to read as follows:

" (c) After a vehicle has been placed in storage area, the Franchisee may charge a maximum of \$25.00 to release said vehicle if said release occurs between the hours of 6:00pm and 8:00 am and holidays."

Section 14: That this ordinance shall not take effect until Dec. 1, 2000, but shall be in full force and effect from and after said date.

Section 15: That all ordinances or parts of ordinances in conflict with this ordinance are repealed to the extent of that conflict.

PASSED this 24th day of October, 2000.

APPROVED:

Tab Townsell
Mayor Tab Townsell

ATTEST:

Michael O. Garrett
City Clerk/Treasurer Michael O. Garrett