

City of Conway

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ORDINANCE O-04-84

AN ORDINANCE AMENDING SECTION 4.56 OF THE CONWAY MUNICIPAL CODE, REPEALING ORDINANCE 0-04-61 DECLARING AN EMERGENCY, AND FOR OTHER PURPOSES

WHEREAS, the City of Conway wishes alter the terms and conditions under which it grants wrecker franchises for city tows,

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 *territorial jurisdiction of the City of Conway* 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 **on top** or razor wire on top”.

SECTION 2. That Section 4.56.02, (H), (CHARGES), of the Conway Municipal Code is hereby amended to alter Section (D) and further amended to include Sections (E),(F), and (G) to read as follows:

(CHARGES):

- (D) 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 the wrecker truck arrival, **an** additional maximum charge of \$40.00 per hour may be assessed for a class (A) and (B) vehicles as previously described. If the vehicle is class (C) or (D) as previously described, the said additional maximum charge allowed to be assessed may be \$125.00 per hour.
- (E) The Franchisee may charge an Administrative Fee of up to **\$15** as authorized by state law.
- (F) The tow charge will be increased five (5%) percent a year each year starting August 1,2005 until August 1,2009.
- (G) The city may in the future determine that a City Administrative Fee is necessary and it may also be appended to any charges herein allowed and be collected for the city by the franchisee.

SECTION 3. That Section 4.56.02, STORAGE, is hereby amended by the striking from the code of the second **and** third paragraphs of Section B. and the inclusion of a new Section C. to read **as** follows:

“STORAGE:

- C. After a vehicle has been placed in the storage area, the Franchisee(s) may charge a maximum of \$25.00 to release said vehicle ~~if~~ said release occurs between the hours of 6:00 p.m. and 8:00 a.m. or ~~is~~ said release occurs on holidays.

All wrecker calls for **city** owned vehicles shall be directed to the Franchisee(s) and shall be handled by the Franchisee(s) free ~~of~~ charge”.

SECTION 4. That all ordinances or parts of ordinances ~~in conflict With~~ this ordinance specifically Ordinance 0-04-61 are repealed to extent of that conflict.

SECTION 5. That an emergency is declared and this ordinance shall be in full force and effect from the date of passage and publication.

PASSED this 30th day of July, 2004

APPROVED:



Mayor Tab Townsell

ATTEST:


City Clerk Mike Garrett