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City of Conway, Arkansas
Ordinance No. O-09-140

AN ORDINANCE AMENDING SECTION 4.56 OF THE CONWAY MUNICIPAL CODE AS AMENDED PREVIOUSLY BY ORDINANCE NOS. O-04-122 AND O-04-85 AND O-04-49; PROVIDING FOR PENALTIES FOR VIOLATIONS THEREOF; REPEALING ANY ORDINANCES IN CONFLICT; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, the City of Conway wishes to 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, THAT:

SECTION 1. 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. Clean-up fees, if needed, will never exceed \$20.00 per call.

SECTION 2. That Section 4.52.02 (H), (CHARGES), of the Conway Municipal Code is hereby amended to amend paragraphs (A), (D), (E) and (F) to read as follows:

- (A) All passenger vehicles and trucks up to one (1) ton shall be charged no more than the total of \$75.00 per tow in town. Additionally, a winch charge of \$40.00 per each ½ hour per wrecker shall be incurred.
- (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 \$50.00 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.
- (E) The Franchisee may charge an Administrative Fee of up to \$25 as authorized by state law.
- (F) The tow charge will be increased five (5%) percent a year each year starting December 1, 2009 until December 1, 2014.

SECTION 3. That Section 4.52.02 (H), (CHARGES), of the Conway Municipal Code is hereby amended to repeal paragraph (G).

SECTION 4. That Section 4.52.02, STORAGE, paragraph (A), of the Conway Municipal Code is hereby amended to read as follows:

- (A) A maximum of **\$25.00** per 24 hour day on all vehicles, except tractor trailers, or any part thereof for outdoor storage. If the owner or any appropriate law enforcement personnel requests indoor storage of said vehicle, a maximum additional fee of \$25.00 per 24 hour day charge on all vehicles, except tractor-trailers, or any part thereof may be assessed. Additionally a \$10.00 charge will be assessed for vehicles in need of inclement weather covering (tarps).

SECTION 5. That there is hereby created new Section 4.52.03, "PENALTIES":
"Any person, firm and/or corporation violating any of the provisions of this ordinance shall be guilty of a violation and, upon conviction, shall be fined not less than Fifty Dollars (\$50.00) nor more than One Hundred Dollars (\$100.00) for each offense."

SECTION 6. That any ordinances in conflict herewith are hereby repealed to the extent of that conflict.

SECTION 7. That this ordinance is necessary for the protection of the peace, health and safety of the citizens of Conway, and therefore, an emergency is declared to exist, and this ordinance shall go into effect from and after its passage and approval.


PASSED this 24th day of November, 2009.

Approved:



Mayor Tab Townsell

Attest:



Michael O. Garrett
City Clerk/Treasurer