

10-0-0281

(Do Not Write Above This Line)

AN ORDINANCE BY
TRANSPORTATION COMMITTEE

AN ORDINANCE, ON BEHALF OF THE DEPARTMENT OF PUBLIC WORKS FOR THE PURPOSE OF AMENDING CHAPTER 162 (ENTITLED "VEHICLES FOR HIRE"), AT ARTICLE IV (ENTITLED "WRECKERS AND TOWING SERVICES"), SECTION 162-234, AND AT ARTICLE V (ENTITLED "VEHICLE IMMOBILIZATION SERVICES"), SECTION 162-266, IN ORDER TO PERMIT THE IMMOBILIZATION AND TOWING OF PARKED VEHICLES IN VIOLATION OF CHAPTER 150 (ENTITLED "TRAFFIC AND VEHICLES"), ARTICLE IV (ENTITLED "STOPPING, STANDING AND PARKING"), SECTIONS 150-88 (C)(6) AND 150-88(h); AND FOR OTHER PURPOSES.

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER
- PERSONAL PAPER REFER

Date Referred 02/15/10

Referred To: TRANSPORTATION
ADOPTED BY

Referred To: MAR 01 2010

Date Referred

Referred To: COUNCIL

First Reading
Committee TRANSPORTATION
Date 2-10-10
Chair APPROPRIATE
Referred To TRANSPORTATION

TRANSPORTATION

2-24-10 Date

Chair

Action

Fav. Adv. Hold (see rev. side)

Other

Members

[Handwritten signatures]

[Handwritten signature]

Refer To

Committee

Date

Chair

Action

Fav. Adv. Hold (see rev. side)

Other

Members

Refer To

Committee

Date

Chair

Action

Fav. Adv. Hold (see rev. side)

Other

Members

Committee

Date

Chair

Action

Fav. Adv. Hold (see rev. side)

Other

Members

Refer To

Refer To

- FINAL COUNCIL ACTION
- 2nd
 - 1st & 2nd
 - 3rd
 - Consent
 - V Vote
 - RC Vote

CERTIFIED

Mar 21 2010

CERTIFIED
MAYOR'S ACTION
MUNICIPAL CLERK

[Handwritten signature]

02/15/10

10-O-0281

**A SUBSTITUTE ORDINANCE
BY TRANSPORTATION COMMITTEE**

A SUBSTITUTE ORDINANCE, ON BEHALF OF THE DEPARTMENT OF PUBLIC WORKS FOR THE PURPOSE OF AMENDING CHAPTER 162 (ENTITLED "VEHICLES FOR HIRE"), AT ARTICLE IV (ENTITLED "WRECKERS AND TOWING SERVICES"), SECTION 162-234, IN ORDER TO PERMIT THE TOWING OF PARKED VEHICLES IN VIOLATION OF CHAPTER 150 (ENTITLED "TRAFFIC AND VEHICLES"); AND FOR OTHER PURPOSES.

WHEREAS, the City recently amended Section 150-88 at subsection 150-88(c)(6) of the Atlanta City Code so as to permit the towing of immobilized vehicles where all associated tickets, fees, and fines for said vehicle have not been satisfied within twenty-four (24) hours of vehicle immobilization; and

WHEREAS, Section 162-234 of the Atlanta City Code now provides that a vehicle shall not be towed by a wrecker service summoned to provide such service where the operator of the vehicle returns to the location prior to the wrecker vehicle having left the location; and

WHEREAS, Section 162-234 of the Atlanta City Code needs to be amended so as to permit the towing of any immobilized vehicle after twenty-four (24) hours have elapsed should the owner or operator fail to satisfy all tickets, fees, and fines assessed against said vehicle irrespective of the arrival and presence of the operator of the vehicle prior to the removal of the vehicle by the wrecker service.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY ORDAINS, as follows:

SECTION 1: Section 162-234 of the City of Atlanta Code of Ordinances presently provides as follows:

Sec. 162-234. Vehicle not towed upon operator returning.

The operator of any wrecker service vehicle summoned to tow away any vehicle, whether on a public street, public property or private property, shall not tow the vehicle away and shall not charge any fee if the operator of the vehicle returns prior to the wrecker vehicle having left the location to which summoned and moves the vehicle immediately and prior to the wrecker vehicle having left the location to which summoned.

SECTION 2: Section 162-234 of the City of Atlanta Code of Ordinances is hereby amended, as set out below with additions in bold text.

Sec. 162-234. Vehicle not towed upon operator returning.

The operator of any wrecker service vehicle summoned to tow away any vehicle whether on a public street, public property or private property, shall not tow the vehicle away and shall not



charge any fee if the operator of the vehicle returns prior to the wrecker vehicle having left the location to which summoned and moves the vehicle immediately and prior to the wrecker vehicle having left the location to which summoned.

Exception to this provision is the requirement of Section 150-88(c)(6) of the Atlanta City Code of Ordinances, which specifically authorizes and requires the towing, after a twenty-four (24) hour grace period, of vehicles immobilized in the public right-of-way in accordance with Section 150-88(h) where such vehicles are immobilized for having three or more unsatisfied delinquent parking tickets, fees and fines. These immobilized vehicles will be towed irrespective of the presence of the operator of the vehicle at the time of the vehicle's removal by the wrecker service.

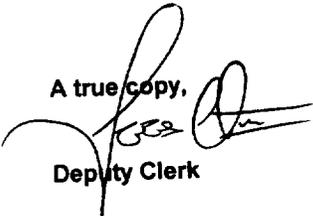
SECTION 3: Section 162-234 of the City of Atlanta Code of Ordinances, after being amended as described in Section 2 above, will read as follows:

Sec. 162-234. Vehicle not towed upon operator returning.

The operator of any wrecker service vehicle summoned to tow away any vehicle whether on a public street, public property or private property, shall not tow the vehicle away and shall not charge any fee if the operator of the vehicle returns prior to the wrecker vehicle having left the location to which summoned and moves the vehicle immediately and prior to the wrecker vehicle having left the location to which summoned.

Exception to this provision is the requirement of Section 150-88(c)(6) of the Atlanta City Code of Ordinances, which specifically authorizes and requires the towing, after a twenty-four (24) hour grace period, of vehicles immobilized in the public right-of-way in accordance with Section 150-88(h) where such vehicles are immobilized for having three or more unsatisfied delinquent parking tickets, fees and fines. These immobilized vehicles will be towed irrespective of the presence of the operator of the vehicle at the time of the vehicle's removal by the wrecker service.

SECTION 4: All ordinances or parts of ordinances in conflict with this ordinance are hereby waived to the extent of any such conflict.

A true copy,

 Deputy Clerk

ADOPTED by the Atlanta City Council
 APPROVED by Mayor Kasim Reed

MAR 01, 2010
 MAR 09, 2010

