

10-0397

(Do Not Write Above This Line)

AN ORDINANCE BY *H.L. Willis*  
COUNCILMEMBER H. LAMAR WILLIS

AN ORDINANCE AMENDING SECTION 162-227 AND SECTION 162-232 OF THE CITY OF ATLANTA CODE OF ORDINANCES SO AS TO ESTABLISH FEES FOR THE ADMINISTRATIVE COSTS ASSOCIATED WITH NONCONSENSUAL MOTOR VEHICLE TOWING; AND FOR OTHER PURPOSES.

AUTOMATICALLY TERMINATED  
AND  
FILED BY CLERK  
PER CHARTER SECTION 2-407

DEC 02 2013

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

Date Referred *2/15/10*

Referred To: *Public Safety*

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee \_\_\_\_\_  
 Date \_\_\_\_\_  
 Chair \_\_\_\_\_  
 Referred To \_\_\_\_\_

*PSLA* Committee

*2/23/10* Date

Chair

Action  
Fav, Adv, Hold (see rev. side)  
Other

Members

*PSLA 3/9/10*

*Amended and*

*Hold*

Refer To

*PSLA* Committee

*4/27/10* Date

Chair

Action  
Fav, Adv, Hold (see rev. side)  
*Public* Other *Hearing*

Members

Refer To

*PSLA* Committee

*3/30/10* Date

Chair

Action  
Fav, Adv, Hold (see rev. side)  
*PN Substitute*

Members

Refer To

Committee

Date

Chair

Action  
Fav, Adv, Hold (see rev. side)  
Other

Members

Refer To

FINAL COUNCIL ACTION

- 2nd
- 1st & 2nd
- 3rd
- Readings
- Consent
- V Vote
- RC Vote

CERTIFIED

DEC 02 2013

ATLANTA CITY COUNCIL PRESIDENT

*[Signature]*

CERTIFIED  
DEC 02 2013

*Randa Dausler Johnson*  
MUNICIPAL CLERK

MAYOR'S ACTION

**10-O-0397**

**AN ORDINANCE BY**

**COUNCILMEMBER H. LAMAR WILLIS**

**AS SUBSTITUTED BY PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE**

**AN ORDINANCE AMENDING SECTION 162-227 AND SECTION 162-232 OF THE CITY OF ATLANTA CODE OF ORDINANCES SO AS TO ESTABLISH FEES FOR THE ADMINISTRATIVE COSTS ASSOCIATE WITH NONCONSENSUAL MOTOR VEHICLE TOWING; AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Atlanta has an interest in maintaining the health, safety and welfare of the citizens of the City of Atlanta and its visitors; and

**WHEREAS**, the Atlanta City Code does not provide for electronic notification for vehicular impounds; and

**WHEREAS**, Georgia Public Service Commission regulations allow for the collection of a fee by municipalities for provision of such electronic notification.

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

**Section 1:** That Section 162-227 (a) of the City of Atlanta Code of Ordinances which reads as follows:

Sec. 162-227. Fees charged for nonconsensual motor vehicle towing.

(a) Any towing or storage firm engaged in the business of providing nonconsensual motor vehicle towing services shall not charge the owner or operator of any towed motor vehicle a towing and/or storage fee in excess of the maximum amount allowed by the State of Georgia, pursuant to O.C.G.A. Section 44-1-13, Georgia Public Service Commission Transportation Rule 11-1 of \$125.00, and as it may be changed from time to time; however, no storage fees shall be charged for the first 24-hour period from the time the motor vehicle is removed from the property. The fee for towing and/or storage shall be all inclusive; no additional fees may be charge for using dollies, trailers, lifts, slim jims or any other equipment or service.

Be amended to add the *italicized* language so as to read:

Sec. 162-227. Fees charged for nonconsensual motor vehicle towing.

(a) Any towing or storage firm engaged in the business of providing nonconsensual motor vehicle towing services shall not charge the owner or operator of any towed motor vehicle a towing and/or storage fee in excess of the maximum amount allowed by the State of Georgia, pursuant to O.C.G.A. Section 44-1-13, Georgia Public Service Commission Transportation Rule 11-1 of \$125.00, and as it may be changed from time to time; however, no storage fees shall be charged for the first 24-hour period from the time the motor vehicle is removed from the property. The fee for towing and/or storage shall be all inclusive; no additional fees may be charge for using dollies, trailers, lifts, slim jims or any other equipment or service. *An administrative fee of \$10.00 shall be collected as allowed by the Georgia Public Service Commission's maximum tariff related to Notification and an administrative fee of \$20.00 shall be collected as part of the towing fee, so long as the towing and administrative fee shall be \$125.00 and as it may be changed from time to time.*

**SECTION 2:** That Section 162-232 of the City of Atlanta Code of Ordinances which currently reads as follows:

Sec. 162-232. Notification upon removal of vehicle at request of other than police officer.

The operator of any wrecker removing a private motor vehicle at the request of any person other than a police officer on duty for the department of police shall report by electronic notification to the department the fact that the vehicle was removed and its present storage place, together with a description of the vehicle, the vehicle identification number and the tag number. The report shall be made by the wrecker operator by electronic communication within one hour of the deposit of the vehicle at its storage point.

Be deleted in its entirety and replaced with the following:

Sec. 162-232. Notification upon removal of vehicle.

The operator of any wrecker removing a private motor vehicle at the request of a police officer on duty for the department of police or any other person shall report by electronic notification to the department the fact that the vehicle was removed and its present storage place, together with a description of the vehicle, the vehicle identification number and the tag number. The report shall be made by the wrecker operator by electronic notification via and Internet based repository within one hour of the deposit of the vehicle at its storage point. Transmission by facsimile or telecopier does not constitute electronic notification.

**SECTION 3:** All ordinances and parts of ordinances in conflict herewith are hereby waived for purposes of this ordinance only, and only to the extent of the conflict.