

See AO 2005-83 (S)
as amended

Submitted by: Chair of the Assembly at the Request
of the Mayor

Prepared by: Anchorage Police Department

For reading: June 28, 2005

ANCHORAGE, ALASKA

AO No. 2005- 83

1 AN ORDINANCE AMENDING TITLE 10 TO ADD A NEW CHAPTER FOR LICENSING OF TOWING
2 OPERATORS IN THE MUNICIPALITY, AMENDING SECTION 10.05.025 TO ADD A FINE, AND
3 OTHER MATTERS.
4

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6
7 THE ANCHORAGE ASSEMBLY ORDAINS:
8

9 **Section 1.** Anchorage Municipal Code title 10 is hereby amended to add a new chapter 10.54 for
10 municipal licensing of towing operators, to read as follows (*the remainder of the chapter is not affected, and*
11 *therefore not set out*):
12

13 **CHAPTER 10.54 TOW OPERATORS.**
14

15 **10.54.010 Definitions.**
16

17 The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed
18 below:
19

20 *Public nuisance* means any act or condition that annoys, injures or endangers the safety, health,
21 comfort or repose of the public.
22

23 *Tow operator* or *towing operator* shall mean any person or entity providing towing services.
24

25 *Tow service* or *towing service* shall mean:
26

- 27 1. Transportation of a vehicle by a commercial towing vehicle from a private location pursuant
28 to section 9.54.020 to a storage facility described in section 9.54.040B. at the request of the
29 person who owns, controls or possesses the premises from which the vehicle is removed;
30
31 2. Transportation of a vehicle by a commercial towing vehicle pursuant to contract or rotational
32 tow program with the municipality;
33
34 3. Transportation of a vehicle by a commercial towing vehicle at the request of a registered
35 owner or other person authorized to request transportation of the vehicle; and
36
37 4. All services related to such transportation by a commercial towing vehicle, including but not
38 limited to curbside release, release from storage, and storage.
39
40
41
42

1 e. Each policy of insurance required in this section shall provide for no less than
2 thirty (30) days' advance notice to the municipality prior to cancellation; and
3

4 5. A copy of the vehicle registration for each vehicle receiving a municipal sticker.
5

6 6. The biennial (2 year) municipal license application fee of Two Hundred Dollars
7 (\$200.00).
8

9 **10.54.050 Location of business.**

10
11 A. A towing operator license shall be issued only to a towing operator with a properly zoned
12 impound yard(s), if applicable; and
13

14 B. The applicant shall provide an as-built and complete address for the impound yard
15 location(s), including legal description and physical street location(s).
16

17 **10.54.060 Record of transactions.**

18
19 Upon request, a towing operator licensee shall forward, within five (5) calendar days of auction, a
20 completed copy of Division of Motor Vehicle Form 826, Notice of Impound and Sale Form, for each
21 vehicle auctioned, either by hand-delivery or U. S. mail to:
22

23 Anchorage Police Department
24 Impound Section
25 4501 S. Bragaw Street
26 Anchorage, Alaska 99507
27

28 **10.54.070 Posting of licenses, permits, certificates and documents.**

29
30 A. A licensee shall maintain the following documents, as applicable, either at the towing
31 operator impound yard, or in the vehicle from which the towing operator business is
32 conducted pursuant to the business license, and shall display them to any person upon
33 request:
34

35 1. Current state business license for the business operated pursuant to the municipal
36 license;
37

38 2. All federal, state and municipal documents relating to the federal motor carrier safety
39 administration and the state department of transportation and public facilities;
40

41 3. Certificate of insurance showing current workers' compensation coverage; and
42

43 4. All government documents relating to the provisions of services offered by the
44 licensee.
45

- 1 5. Placement of one (1), 3” in diameter colored municipal sticker displaying the
2 Municipality logo and the years the sticker is valid, on the lower left corner of the
3 windshield on the driver’s side The municipal sticker shall be visible at all times.
4

5 **10.54.080 Commercial Vehicle Inspections.**
6

7 Each towing vehicle shall obtain a level one (1) commercial vehicle inspection each year.
8

9 **10.54.090 Signage.**
10

11 A. Each business location utilizing towing services is responsible for the cost of ordering,
12 purchasing, and posting a least one (1) sign which shall:
13

- 14 1. Measure at least 30”x 30”, with letters four inches high;
15
16 2. Be made of at least .080 aluminum with 1.5” radius corners;
17
18 3. Be printed in red text and border on white engineer-grade reflective sheeting, single
19 sided; and
20
21 4. Signage shall comply with this section within one (1) year from adoption of this
22 chapter.
23
24

25 **Section 2.** Anchorage Municipal Code section 10.05.025 is amended to add a fine as follows (*the*
26 *remainder of the section is not affected, and therefore not set out*):
27

28 **10.05.025 Penalties and remedies.**
29

30 *** *** ***

31 C. Any person who violates the tow operator license requirement provision in section 10.54.020
32 shall be subject to a fine of \$200.00.
33

34 D [C]. In addition to any other remedy or penalty provided by this title, any person who violates any
35 provision of this title, regulations issued under this title, or the terms, conditions or
36 limitations of any license issued under this title shall be subject to a civil penalty as set forth
37 in section 14.60.030, or, if no penalty is included in section 14.60.030, a civil penalty of not
38 less than \$50.00 and not more than \$1,000.00 for each offense, or injunctive relief to restrain
39 the person from continuing the violation or threat of violation, or both the civil penalty and
40 injunctive relief. Upon application for injunctive relief and a finding that a person is violating
41 or threatening to violate any provision of this title, regulations issued under this title, or the
42 terms, conditions or limitations of any license issued under this title, the superior court shall
43 grant injunctive relief to restrain the violation.
44

45 E [D]. Each day of violation of any provision of this title or regulations and licenses issued under
46 this title shall constitute a separate offense.
47

(AO No. 80-131; AO No. 83-182; AO No. 87-74(S), 6-30-87; AO No. 93-167(S-1), § 9, 4-13-94;
AO No. 96-105, § 1, 8-6-96)

Cross references: General penalties and enforcement, chapter 1.45.

Section 3. This ordinance shall be effective immediately upon passage and approval by the Assembly.

PASSED AND APPROVED by the Anchorage Assembly this _____ day of _____, 2005.

Chair of the Assembly

ATTEST:

Municipal Clerk

MUNICIPALITY OF ANCHORAGE
Summary of Economic Effects -- General Government

AO Number: 2005- 83

Title: AN ORDINANCE AMENDING TITLE 10 TO ADD A NEW CHAPTER FOR
 LICENSING OF TOWING OPERATORS IN THE MUNICIPALITY,
 AMENDING SECTION 10.05.025 TO ADD A FINE, AND OTHER MATTERS.

Sponsor: Anchorage Police Department
 Preparing Agency: Anchorage Police Department
 Others Impacted: Municipal Clerk

CHANGES IN EXPENDITURES AND REVENUES:	(In Thousands of Dollars)				
	FY05	FY06	FY07	FY08	FY09
Operating Expenditures					
1000 Personal Services					
2000 Non-Labor					
3900 Contributions					
4000 Debt Service					
TOTAL DIRECT COSTS:	\$ 3	\$ 3	\$ 3	\$ 3	\$ 3
Add: 6000 Charges from Others					
Less: 7000 Charges to Others					
FUNCTION COST:	N/A	N/A	N/A	N/A	N/A
REVENUES:	\$ 8	\$ 8	\$ 8	\$ 8	\$ 8
CAPITAL:	N/A	N/A	N/A	N/A	N/A
POSITIONS: FT/PT and Temp	N/A	N/A	N/A	N/A	N/A

PUBLIC SECTOR ECONOMIC EFFECTS:

Public sector economic effects statement of exemption: Effects of code amendment less than \$30,000 annually for this and four (4) subsequent years. (Net gain in department revenue \$8,000 to \$9,000 annually with all associated towing expenses incurred directly by vehicle registered owner.) The Municipal Clerk's office will process licenses and purchase related supplies necessary for application and vehicle stickers. The Clerk's office reports a biennial impact of \$6,000.

PRIVATE SECTOR ECONOMIC EFFECTS:

The towing industry will be economically affected and required to purchase a two-year license for \$200. The intent of this requirement will have a positive impact for the community and individual citizens. The business license will establish standards within the industry and require all towing contractors that operate within the Municipality to adhere to legally sound business practices.

Prepared by: Mindy McCulley, Impound Supervisor

Telephone: (907) 786-8892

MUNICIPALITY OF ANCHORAGE

ASSEMBLY MEMORANDUM

No. AM 442 -2005

Meeting Date: June 28, 2005

1 **From:** MAYOR

2
3 **Subject:** AN ORDINANCE AMENDING TITLE 10 TO ADD A NEW CHAPTER FOR
4 LICENSING OF TOWING OPERATORS IN THE MUNICIPALITY, AMENDING
5 SECTION 10.05.025 TO ADD A FINE, AND OTHER MATTERS.
6
7

8 The Anchorage Police Department requests approval the ordinance amending Anchorage Municipal
9 Code, title 10, to adopt procedures for municipal licensing of towing operators.

10
11 The amendment:

- 12
13 • Establishes standards within the towing industry.
14 • Provides a positive impact for the community and individual citizens.
15 • Clarifies the responsibility of towing operators for all services related to transportation
16 by a commercial towing company, including company owners.
17 • Regulates a volatile industry that affects the community and tourists.
18

19
20 THE ADMINISTRATION RECOMMENDS APPROVAL OF THE ORDINANCE AMENDING
21 ANCHORAGE MUNICIPAL CODE TITLE 10 TO ADD A NEW CHAPTER FOR LICENSING OF
22 TOWING OPERATORS, ADDING A FINE TO SECTION 10.05.025, AND OTHER MATTERS.
23

24 Prepared by: Melinda McCulley, Impound Supervisor, APD
25 Approved by: Walt Monegan, Chief of Police
26 Concur: Denis C. LeBlanc, Municipal Manager
27 Respectfully submitted: Mark Begich, Mayor
28
29

Content Information

Content ID : 002993

Type: Ordinance - AO

Title: MUNICIPAL BUSINESS LICENSE TOWING CONTRACTORS

Author: curtiscr2

Initiating Dept: APD

Description: Anchorage Municipal Code title 10 is hereby amended to add a new chapter 10.54 for municipal licensing of towing operators

Keywords: towing, towing operators

Date Prepared: 6/17/05 12:09 PM

Director Name: Walt Monegan

Assembly Meeting Date MM/DD/YY: 6/28/05

Public Hearing Date MM/DD/YY: 7/12/05

M.O.A.
 2005 JUN 17 PM 2:12
 CLERKS OFFICE

Workflow History

Workflow Name	Action Date	Action	User	Security Group	Content ID
AllOrdinanceWorkflow	6/17/05 12:20 PM	Checkin	shannonrl	Public	002993
APD_SubWorkflow	6/17/05 12:22 PM	Approve	wmonegan	Public	002993
OMB_SubWorkflow	6/17/05 12:38 PM	Approve	mitsonjl	Public	002993
Legal_SubWorkflow	6/17/05 1:59 PM	Approve	curtiscr2	Public	002993
MuniManager_SubWorkflow	6/17/05 2:02 PM	Checkin	curtiscr2	Public	002993
MuniMgrCoord_SubWorkflow	6/17/05 2:06 PM	Checkin	curtiscr2	Public	002993
MuniMgrCoord_SubWorkflow	6/17/05 2:06 PM	Approve	curtiscr2	Public	002993