

ANCHORAGE, ALASKA
AO No. 2005-83(S) as amended

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

5
6 THE ANCHORAGE ASSEMBLY ORDAINS:

7
8 **Section 1.** Anchorage Municipal Code title 10 is hereby amended to add a new chapter 10.54 for
9 municipal licensing of towing operators, to read as follows (*the remainder of the chapter is not affected, and*
10 *therefore not set out*):

11 **CHAPTER 10.54 TOW OPERATORS.**

12
13 **10.54.010 Definitions.**

14
15 The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed
16 below:

17
18 *Public nuisance* means any act or condition that annoys, injures or endangers the safety, health,
19 comfort or repose of the public.

20
21 *Tow operator* or *towing operator* shall mean any person or entity providing towing services.

22
23 *Tow service* or *towing service* shall mean:

- 24
25 1. Transportation of a vehicle by a commercial towing vehicle [~~from a private location~~]
26 pursuant to section 9.54.020 to a storage facility described in section 9.54.040B. at the
27 request of the person who owns, controls or possesses the premises from which the vehicle is
28 removed;
- 29
30 2. Transportation of a vehicle by a commercial towing vehicle pursuant to contract or rotational
31 tow program with the municipality;
- 32
33 3. Transportation of a vehicle by a commercial towing vehicle at the request of a registered
34 owner or other person authorized to request transportation of the vehicle; **or [and]**
- 35
36 4. All services related to such transportation by a commercial towing vehicle, including but not
37 limited to curbside release, release from storage, and storage.

38
39 **10.54.020 License required.**
40

- 1 A. No person may engage in the business of towing services of vehicles or public nuisances
2 parked, stopped or standing on private or public property within the Municipality, without
3 first having obtained a towing contractor's license from the municipal clerk.
4
- 5 B. A person engaging in the business of towing services without the tow operator license
6 required in this chapter is subject to a fine as set out in section 10.05.025C.
7

8 **10.54.030** **Qualifications for a license.**
9

10 A tow operator licensed under this chapter shall carry at all times a state medical card and commercial
11 driver's license, if applicable.
12

13 **10.54.040** **Application for license.**
14

- 15 A. An application for a municipal towing operator license shall be made to the municipal clerk on
16 a form approved by the municipal clerk and shall include the following items:
17
- 18 1. The name of the business to be licensed;
 - 19 2. The name, mailing and physical addresses, and telephone numbers of the applicant,
20 who shall be the owner and licensee of the business on the municipal license;
21
 - 22 3. A copy of the applicant's state business license, which shall be the same as the
23 applicant's name and the name of the business to be licensed;
24
 - 25 4. One or more current certificates of insurance, which provide proof the applicant and
26 applicant's business is licensed, bonded and insured, with the following minimum
27 insurance requirements:
28
- 29 a. Worker's compensation insurance as required by state law, where applicable;
 - 30
 - 31 b. Commercial general liability insurance in limits of liability **as required by**
32 **state law, where applicable.** [~~not less than \$1,000,000 combined single limit~~
33 ~~for bodily injury and property damage per occurrence, and \$1,000,000~~
34 ~~combined single limit for bodily injury and property damage in the aggregate;~~]
35
 - 36 c. Automobile liability insurance in limits of liability **as required by state law,**
37 **where applicable.** [~~not less than \$1,000,000 combined single limit for bodily~~
38 ~~injury and property damage per occurrence, including coverage for any vehicle~~
39 ~~or owned, hired and non-owned vehicles; and]~~
40
 - 41 d. Garage keepers **legal** liability insurance, including on-hook coverage (perils -
42 fire, theft, and collision) in limits of liability not less than \$100,000 per
43 location and \$25,000 per vehicle.
44
 - 45 e. Each policy of insurance required in this section shall provide for no less than
46 thirty (30) days' advance notice to the municipality prior to cancellation; and
47

- 1
2 5. A copy of the vehicle registration for each vehicle receiving a municipal sticker.
3
4 6. The biennial (2 year) municipal license application fee of Two Hundred Dollars
5 (\$200.00).
6

7 **10.54.050 Location of business.**
8

- 9 A. A towing operator license shall be issued only to a towing operator with a properly zoned
10 impound yard(s), if applicable; and
11
12 B. The applicant shall provide an as-built and complete address for the impound yard location(s),
13 including legal description and physical street location(s).
14

15 **10.54.060 Record of transactions.**
16

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

20
21 Anchorage Police Department
22 Impound Section
23 4501 S. Bragaw Street
24 Anchorage, Alaska 99507
25

26 **10.54.070 Posting of licenses, permits, certificates and documents.**
27

- 28 A. A licensee shall maintain the following documents, as applicable, either at the towing operator
29 impound yard, or in the vehicle from which the towing operator business is conducted
30 pursuant to the business license, and shall display them to any person upon request:
31
32 1. Current state business license for the business operated pursuant to the municipal
33 license;
34
35 2. All federal, state and municipal documents relating to the federal motor carrier safety
36 administration and the state department of transportation and public facilities;
37
38 3. Certificate of insurance showing current workers' compensation coverage; and
39
40 4. All government documents relating to the provisions of services offered by the
41 licensee.
42
43 5. Placement of one (1), 3" in diameter colored municipal sticker displaying the
44 Municipality logo and the year the sticker is valid, on the lower left corner of the
45 windshield on the driver's side The municipal sticker shall be visible at all times.
46

1 **6. Notice of Claim forms shall be available for the public at the front counter of the**
2 **towing business impound yard.**

3
4 **7. Current rate sheets setting out applicable towing and storage charges for the**
5 **towing business shall be available for the public at the front counter of the**
6 **impound yard.**

7
8 **10.54.080 Commercial Vehicle Inspections.**

9
10 Each towing vehicle shall obtain a level one (1) commercial vehicle inspection each year.

11
12 **10.54.090 Signage.**

13
14 A. Each licensed tow operator shall post a sign at each business location, including
15 impound yards, identifying the name, street address and the phone number for the
16 business.

17
18 ~~[Each business location utilizing towing services is responsible for the cost of ordering,~~
19 ~~purchasing, and posting a least one (1) sign which shall:~~

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

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

29
30 **10.05.025 Penalties and remedies.**

31
32 *** *** ***

33 C. Any person who violates the tow operator license requirement provisions in chapter
34 [section] 10.54 [.020]shall be subject to a fine of [\$200.00] \$500.

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

46
47 E [D]. Each day of violation of any provision of this title or regulations and licenses issued under this

1 title shall constitute a separate offense.

2
3 (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;
4 AO No. 96-105, § 1, 8-6-96)

5
6 *Cross references:* General penalties and enforcement, chapter 1.45.

7
8 **Section 3.** This ordinance shall be effective **January 1, 2006.** ~~immediately upon passage and approval by~~
9 ~~the Assembly.~~

10
11
12 PASSED AND APPROVED by the Anchorage Assembly this 23rd day of August, 2005.

13
14
15
16 Anno I. Fairclough
17 Chair of the Assembly

18 ATTEST:

19
20
21 [Signature]
22 Municipal Clerk
23