

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

Prepared by: Department of Law

For reading: July 12, 2005

CLERK'S OFFICE

APPROVED

Date: 8-9-05

ANCHORAGE, ALASKA

AO No. 2005-90

1 AN ORDINANCE REPEALING ASSEMBLY ORDINANCE 2005-63 AND AMENDING
2 ANCHORAGE MUNICIPAL CODE CHAPTER 9.54 TO CLARIFY APPLICABILITY TO TOW
3 OPERATORS, TO ADD DEFINITIONS, AND FOR TOW OPERATOR PARTICIPATION IN THE
4 ANCHORAGE POLICE DEPARTMENT ROTATIONAL TOW PROGRAM, RETROACTIVE TO
5 JANUARY 1, 2005.
6

7
8 THE ANCHORAGE ASSEMBLY ORDAINS:
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10 **Section 1.** Assembly Ordinance 2005-63, approved as amended on May 31, 2005, is hereby repealed.
11

12 **Section 2.** Anchorage Municipal Code chapter 9.54 is amended by adding a new section to read as
13 follows:
14

15 **9.54.005** **Definitions.**
16

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

20 *Rotational tow program* shall mean the voluntary Municipality of Anchorage, Anchorage Police
21 Department (APD) Rotational Tow Program, for providing towing services to APD on a
22 rotational call list basis;
23

24 *Tow operator or towing operator* shall mean any person or entity providing towing services;
25

26 *Tow service or towing service* shall mean:
27

- 28 1. Transportation of a vehicle by a commercial towing vehicle from a private location
29 pursuant to section 9.54.020 to an owned or subcontracted storage facility described in
30 section 9.54.040B. at the request of the person who owns, controls or possesses the
31 premises from which the vehicle is removed;
32
- 33 2. Transportation of a vehicle by a commercial towing vehicle pursuant to contract or
34 rotational tow program with the municipality;
35
- 36 3. Transportation of a vehicle by a commercial towing vehicle at the request of a registered
37 owner or other person authorized to request transportation of the vehicle; and
38
- 39 4. All services related to such transportation by a commercial towing vehicle, including but
40 not limited to curbside release, release from owned or subcontracted storage, and owned
41 or subcontracted storage.
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1 **Section 3.** Anchorage Municipal Code section 9.54.010 is amended to read as follows:
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3 **9.54.010** **Compliance with chapter; applicability of chapter.**
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5 A. The following persons and entities shall comply with this chapter:
6

- 7 1. Every tow operator who renders towing services within the municipality;
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9 2. Every person procuring towing services for vehicles parked on private property
10 subject to the person's ownership, possession, or control; and
11
12 3. Any towing services provided to the municipality pursuant to contract or
13 rotational tow program.
14

15 [EVERY PERSON WHO RENDERS TOWING SERVICES TO ANY OTHER
16 PERSON OR FOR HIMSELF OR PROCURES SUCH SERVICES FOR
17 VEHICLES PARKED ON PRIVATE PROPERTY SUBJECT TO HIS
18 OWNERSHIP, POSSESSION OR CONTROL SHALL COMPLY WITH THIS
19 CHAPTER AT ALL TIMES.
20

21 B. AS USED IN THIS CHAPTER, THE TERM "TOWING SERVICES" MEANS
22 THE ACT OF TRANSPORTING A VEHICLE FROM A PRIVATE LOCATION
23 AS DESCRIBED IN SECTION 9.54.020 TO A STORAGE FACILITY
24 DESCRIBED IN SECTION 9.54.040B PURSUANT TO THE REQUEST OF
25 THE PERSON WHO OWNS, CONTROLS OR POSSESSES THE PREMISES
26 FROM WHICH THE VEHICLE IS REMOVED. THE TERM "TOWING
27 SERVICES" ALSO MEANS ALL SERVICES RELATED TO SUCH
28 TRANSPORTATION, INCLUDING, WITHOUT LIMITATION, CURBSIDE
29 RELEASE, RELEASE FROM STORAGE AND STORAGE.
30

31 C. AS USED IN THIS CHAPTER, THE TERM "TOWING OPERATOR" MEANS
32 ANY PERSON THAT PROVIDES TOWING SERVICES.]
33

34 (AO No. 83-49)
35

36 **Section 4.** Anchorage Municipal Code chapter 9.54 is amended by adding a new section to read as
37 follows (*the remainder of the chapter is not affected and therefore not set out*):
38

39 **9.54.025** **Participation fee for rotational tow program.**
40

41 A. Tow operators shall pay an annual fee of \$500.00, to participate in the APD Rotational
42 Tow Program, to the municipality by no later than January 15 of the program year,
43 pursuant to the rotational tow program guidelines.
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45 B. The annual participation fee is non-refundable and not subject to pro-ration.
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Section 5. For the year 2005 only, tow operators shall execute the revised APD Rotational Tow Program – Operator Approval within fifteen (15) days following passage and approval of this ordinance.

Section 6. Upon passage and approval, this ordinance shall be retroactive to January 1, 2005.

PASSED AND APPROVED by the Anchorage Assembly this 9th day of August, 2005.

Anna J. Fairclough
Chair of the Assembly

ATTEST:

Bulan E. Puente
Municipal Clerk

MUNICIPALITY OF ANCHORAGE
Summary of Economic Effects -- General Government

AO Number: 2005-90

Title: AN ORDINANCE REPEALING AO 2005-63 AND AMENDING ANCHORAGE MUNICIPAL CODE CHAPTER 9.54 TO CLARIFY APPLICABILITY TO TOW OPERATORS, TO ADD DEFINITIONS, AND FOR TOW OPERATOR PARTICIPATION IN THE ANCHORAGE POLICE DEPARTMENT ROTATIONAL TOW PROGRAM, RETROACTIVE TO JANUARY 1, 2005.

Sponsor: Mayor
 Preparing Agency: Anchorage Police Department
 Others Impacted: None

CHANGES IN EXPENDITURES AND REVENUES:	(In Thousands of Dollars)				
	<u>FY05</u>	<u>FY06</u>	<u>FY07</u>	<u>FY08</u>	<u>FY09</u>
Operating Expenditures					
1000 Personal Services					
2000 Non-Labor					
3900 Contributions					
4000 Debt Service					
TOTAL DIRECT COSTS:	N/A	N/A	N/A	N/A	N/A
Add: 6000 Charges from Others					
Less: 7000 Charges to Others					
FUNCTION COST:	N/A	N/A	N/A	N/A	N/A
REVENUES:	\$ 6	\$ 6	\$ 6	\$ 6	\$ 6
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 amendments to chapter 9.54 are less than \$30,000 annually for this and four (4) subsequent years. (Net gain in department revenue \$5,500 to \$6,000 annually with all associated towing expenses incurred directly by vehicle registered owner.)

PRIVATE SECTOR ECONOMIC EFFECTS:

During the period 2000 thru 2004, the average number of tow operators participating in the APD Rotational Tow Program was eleven (11). The APD Rotational Tow Program allows towing operators the opportunity to generate additional revenue for their company. These code amendments allow for a positive economic impact on the private sector.

Prepared by: Mindy McCulley, Impound Supervisor

Telephone: (907) 786-8892

MUNICIPALITY OF ANCHORAGE

ASSEMBLY MEMORANDUM

No. AM 438-2005

Meeting Date: July 12, 2005

1 **From:** MAYOR

2
3 **Subject:** AN ORDINANCE REPEALING ASSEMBLY ORDINANCE 2005-63 AND
4 AMENDING ANCHORAGE MUNICIPAL CODE CHAPTER 9.54 TO CLARIFY
5 APPLICABILITY TO TOWING OPERATORS, AND TO ADD NEW SECTIONS
6 FOR DEFINITIONS AND FOR PARTICIPATION IN THE ANCHORAGE POLICE
7 DEPARTMENT ROTATIONAL TOW PROGRAM, RETROACTIVE TO JANUARY
8 1, 2005.
9

10 The Anchorage Police Department requests the Assembly to repeal AO 2005-63 (as amended), and
11 further requests approval of amendments to Anchorage Municipal Code chapter 9.54, Towing
12 Procedures, to clarify its application to all towing operators, and to add new sections for definitions and
13 for participation in the Anchorage Police Department Rotational Tow Program, retroactive to January 1,
14 2005.
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16 The amendments are intended to:

- 17
- 18 • Repeal AO2005-63 (as amended).
 - 19 • Enhance compliance with AMC chapter 9.54 and resolve problems related to towing
20 operators and towing services.
 - 21 • Clarify the responsibility of towing operators for all services related to transportation by
22 a commercial towing vehicle including, but not limited to, curbside release, release from
23 owned or subcontracted storage, and owned or subcontracted storage.
 - 24 • Cover the cost of administering the APD Rotational Tow Program.
25

26 THE ADMINISTRATION RECOMMENDS APPROVAL OF THE ORDINANCE REPEALING AO
27 2005-63 (AS AMENDED) AND AMENDMENTS TO ANCHORAGE MUNICIPAL CODE
28 CHAPTER 9.54.
29

30 Prepared by: Melinda McCulley, Impound Supervisor, APD

31 Approved by: Walt Monegan, Chief of Police

32 Concur: Denis C. LeBlanc, Municipal Manager

33 Respectfully submitted: Mark Begich, Mayor
34
35

Content Information

Content ID : 003014

Type: Ordinance-InvolvingFunds - AO

Title: Repeal of AO2005-63 and Amending AMC Chapter 9.54

Author: curtiscr2

Initiating Dept: APD

Description: Repealing AO2005-63 and Amending AMC Chapter 9.54 to Clarify Applicability to Tow Operators

Date Prepared: 6/28/05 3:41 PM

Assembly Meeting Date
MM/DD/YY: 7/12/05

Public Hearing Date
MM/DD/YY: ~~8/9/05~~ 7/26/05

2005 JUL - 8 AM 11:27
 M.O.A.
 CLERKS OFFICE

Workflow History

<u>Workflow Name</u>	<u>Action Date</u>	<u>Action</u>	<u>User</u>	<u>Security Group</u>	<u>Content ID</u>
AllFundOrdinanceWorkflow	6/28/05 3:50 PM	Checkin	smiko	Public	003014
APD_SubWorkflow	6/28/05 4:51 PM	Approve	vblume	Public	003014
OMB_SubWorkflow	6/30/05 2:40 PM	Approve	mitsonjl	Public	003014
AllFundOrdinanceWorkflow	7/1/05 2:01 PM	Reject	sinzje	Public	003014
AllFundOrdinanceWorkflow	7/1/05 2:07 PM	Checkin	smiko	Public	003014
APD_SubWorkflow	7/1/05 2:31 PM	Approve	wmonegan	Public	003014
AllFundOrdinanceWorkflow	7/6/05 7:39 AM	Reject	mitsonjl	Public	003014
AllFundOrdinanceWorkflow	7/6/05 7:43 AM	Checkin	smiko	Public	003014
APD_SubWorkflow	7/6/05 7:57 AM	Approve	wmonegan	Public	003014
OMB_SubWorkflow	7/6/05 9:32 AM	Approve	mitsonjl	Public	003014
CFO_SubWorkflow	7/7/05 1:53 PM	Approve	sinzje	Public	003014
Legal_SubWorkflow	7/7/05 3:07 PM	Approve	fehlenrl	Public	003014
MuniManager_SubWorkflow	7/7/05 3:15 PM	Checkin	curtiscr2	Public	003014
MuniManager_SubWorkflow	7/8/05 10:31 AM	Approve	leblancdc	Public	003014
MuniMgrCoord_SubWorkflow	7/8/05 10:32 AM	Approve	curtiscr2	Public	003014

A. J. Henderson