



Request for City Council Committee Action from the Department of Licenses and Consumer Services

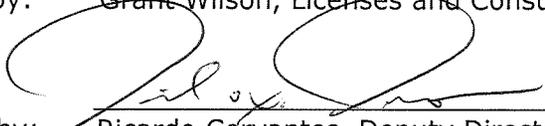
Date: May 8, 2008
To: Council Member Don Samuels
Referral to: Public Safety and Regulatory Services Committee

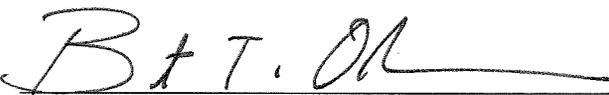
Subject: Motor vehicle towing

Recommendation: That the City Council adopts an amendment to Chapter 349 of the Minneapolis Code of Ordinances that establishes maximum towing fee rates for private impound towing, hours of operation standards, and acceptable methods of payments.

Previous Directives:

Prepared by: Grant Wilson, Licenses and Consumer Services

Approved by: 
Ricardo Cervantes, Deputy Director, Licenses and Consumer Services


Burt Osborne, Director, Licenses and Consumer Services


Rocco Forte, Assistant City Coordinator

Reviews

- Permanent Review Committee (PRC): Approval ___ Date _____
- Policy Review Group (PRG): Approval ___ Date _____

Financial Impact

- No financial impact
- Action requires an appropriation increase to the ___ Capital Budget or ___ Operating Budget
- Action provides increased revenue for appropriation increase
- Action requires use of contingency or reserves

- Action is within the Business Plan
- Action requires a change to the Business Plan
- Other financial impact
- Request provided to the Finance Department when provided to the Committee Coordinator

Community Impact

Preventing easy access to spray paint will assist in the City's efforts to control instances of Graffiti. Although this action is no panacea for eradicating graffiti, it is another tool that will assist in curbing graffiti.

Supporting Information

Staff report, Amendment

2006-Or-___

**AN ORDINANCE
OF THE
CITY OF MINNEAPOLIS**

By Schiff

Amending Title 13, Chapter 349 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations: Wreckers and Tow Trucks.

The City Council of the City of Minneapolis do ordain as follows:

That Chapter 349 of the Minneapolis Code of Ordinances be amended by amending section 349.60 to read as follows:

349.60. Application procedure, Class A. Application for a Class A service vehicle license shall be made upon forms provided by the department of licenses and consumer services which shall refer the application to the police license inspector. The police license inspector shall investigate the matters contained therein, and convey approval or disapproval of the application to the director of licenses and consumer services. The application shall contain among other things:

- (a) A true and correct list of all contracted or otherwise used private property towing locations and persons with authority to sign tow order forms, and the department of licenses and consumer services shall be immediately notified in writing when changes occur therein.
- (b) A record and establishment of reasonable fixed towing and fixed drop charges, which fixed charges shall be filed with the police license inspector's office, which office is to be notified immediately in writing as changes occur in such rate.
- (c) A statement that there will be a storage lot or lots at which will be maintained ~~continuous twenty-four hour, on-duty service from~~ an office on the premises for the release of motor vehicles; together with the exact location of such lot or lots with changes to be made known to the department of licenses and consumer services immediately in writing.
- (d) A true and current list of the names and addresses of all drivers employed by licensee.

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The City Council of the City of Minneapolis do ordain as follows:

That Chapter 349 of the Minneapolis Code of Ordinances be amended by amending section 349.115 to read as follows:

349.115. Notice to vehicle owners, Class A. When a Class A licensee shall have taken custody of a motor vehicle under orders of one not the owner or operator of the vehicle, such licensee shall give notice of the taking as required by Minnesota Statute 168B.06 ~~within ten (10) business days. The notice shall:~~

- ~~(a) — Set forth the date and place of the taking, the year, make, model, license plate number and serial number of the vehicle and the place where the vehicle is being held;~~
- ~~(b) — Inform the owner and any lienholders of their right to reclaim the vehicle;~~
- ~~(c) — Be sent by certified mail to the registered owner, if any, of the motor vehicle and to all readily identifiable lienholders of record. If it is impossible to determine with reasonable certainty the identity and address of the registered owner and all lienholders, the notice shall be published once in a newspaper of general circulation within the City of Minneapolis. Published notices may be grouped together for convenience and economy. No licensee shall charge a storage fee in excess of ten (10) days until such time of notice as required by this section shall have been given. Provided that no storage charges shall accrue until after 12:01 a.m. of the date following completion of the Class A towing service.~~

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The City Council of the City of Minneapolis do ordain as follows:

That Chapter 349 of the Minneapolis Code of Ordinances be amended by amending section 349.140 to read as follows:

349.140. Location of storage lot, Class A. No licensee shall tow a motor vehicle from private property under orders of one not the owner or operator of the vehicle to a storage lot which is outside the limits of the City of Minneapolis. All licensees shall, immediately upon hooking up to a vehicle to be towed from private property under orders of one not the owner or operator of such vehicle, tow the vehicle directly to a ~~twenty-four-hour on-duty~~ storage lot owned or operated by such licensee and such towed vehicle shall not be temporarily dropped, placed or left at any other lot or on any other property. The licensee shall provide staff at the storage lot to facilitate the timely release of vehicles to the owner of record at all times except between the hours of 12:00 a.m. and 8:00 a.m. Monday through Thursday.

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Amending Title 13, Chapter 349 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations: Wreckers and Tow Trucks.

The City Council of the City of Minneapolis do ordain as follows:

That Chapter 349 of the Minneapolis Code of Ordinances be amended by adding thereto a new Section 349.270 to read as follows:

349.270. Service fee – Class A Motor Vehicle Service. The maximum service fee for class A motor vehicle service shall not exceed one-hundred percent (150%) of the fee charged for a towing service by the City of Minneapolis impound facility plus any commercial parking lot fees due. The maximum storage fee for storage of a vehicle removed by a class A motor vehicle service licensee shall not exceed one-hundred percent (150%) of the fee charged for storage by the City of Minneapolis impound facility. Class A motor vehicle service licensees shall honor all forms of payment currently accepted by the City of Minneapolis impound facility, or in lieu of honoring checks and credit cards, the licensee may provide a functioning cash machine that accepts commonly accepted credit and debit cards.