

ORDINANCE NO. _____, SERIES 2021

AN ORDINANCE AMENDING CHAPTER 72 OF THE LOUISVILLE METRO CODE OF ORDINANCES (“LMCO”) RELATING TO METRO GOVERNMENT TOW LOTS FEES AND TO ALLOW THE DIRECTOR TO DECLARE AN AMNESTY PERIOD (AS AMENDED).

SPONSORED BY: COUNCIL MEMBERS GEORGE, HOLLANDER, AND ARTHUR

WHEREAS, abandoned vehicles can create traffic hazards, pose a safety threat, prevent individuals from accessing public space, and contribute to blight; and

WHEREAS, there are currently over 140 abandoned vehicles awaiting towing by Louisville Metro Police; and

WHEREAS, the ability to tow abandoned vehicles is hindered by the fact that the Metro Government Tow Lot is currently severely over capacity at 2700 vehicles even though the lot only has the capacity to hold 1700 vehicles; and

WHEREAS, the ability of the Director to declare an amnesty period would aid Louisville Metro Police in reducing the number of vehicles being held in the Metro Government Tow Lot and allow them to remove more abandoned vehicles from Metro roadways.

NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT AS FOLLOWS:

SECTION I: LMCO 72.062 is hereby amended as follows:

(A) A towing charge of \$85 for each hour or fraction of an hour required for towing shall be made for each motor vehicle. Where it is necessary to use more than one wrecker in moving or recovering a vehicle, an additional charge of \$85 per hour or fraction of an hour shall be assessed for each additional wrecker used. Where it is necessary to use additional equipment in moving or recovering a vehicle, such as a dolly, an additional

charge of \$25 shall be assessed for each additional piece of equipment used. However, if the additional wrecker or equipment is furnished by contract wrecker employed by Metro Government for Metro Government or for a private person the charge made shall be the actual cost of the equipment to Metro Government but not less than \$85 per hour or fraction thereof for a wrecker and not less than \$25 per hour or fraction thereof for additional equipment.

(B) The Metro Government tow lot shall charge \$10 as a handling charge on all passenger cars, pick-up trucks, vans and motorcycles plus a storage charge of \$10 for each of the first seven days or fraction thereof the vehicle is retained in storage and a charge of \$5.00 per day for each additional day the vehicle remains in storage.

(C) For all other vehicles, the Metro Government tow lot shall charge \$20 as a handling charge, plus a storage charge of \$15 for each of the first seven days the vehicle is retained in storage and a charge of \$7.50 per day for each additional day the vehicle remains in storage.

(D) The Cabinet Secretary for Public Works and Services shall set all towing charges in writing. The fees set forth in this section are the initial fees and hereinafter the Cabinet Secretary for Public Works and Services may raise the fees no more than 10% each year.

(E) Except during an amnesty period as provided by § 72.066, or except as provided in subsection (G), the owner of the vehicle shall pay all charges, including any parking citations that have become final, before the vehicle is released. The Cabinet Secretary, or a named designee, shall collect all towing and storage charges, and citation fees from the owner of any such vehicle. Upon payment of all charges and presentation of proper

identification and proof of ownership, the Cabinet Secretary, or a named designee, shall authorize release to the owner, or the owner's authorized designee, of any such vehicle.

(F) The Vehicle Impoundment Division shall account for and remit all charges so collected to the Metro Government Finance Cabinet at least every 72 hours.

(G) The owner of any vehicle that has been stolen and subsequently impounded at the Metro Government Tow Lot shall not be required to pay towing fees before their vehicle is released provided that the owner presents a copy of a valid police report identifying the vehicle as stolen. Storage fees will also be waived for any vehicle which is stolen and subsequently impounded at the Metro Government Tow Lot for the first twenty-one days after the owner receives notice that the vehicle is stored at the lot. After twenty-one days, applicable daily storage fees pursuant to this section shall accrue and must be paid by the owner before the vehicle is released.

SECTION II: A new section of LMCO is hereby created as follows:

§ 72.066 AMNESTY PERIOD.

(A) After a written request from the Chief of Police, or their designee, the Director of Public Works may declare an amnesty period as described in this section. An amnesty period shall not exceed 30 days and may not be declared to begin less than 365 days following the conclusion of a prior amnesty period. The Director of Public Works may waive all towing and storage fees for vehicle owners who pick up their vehicle from the Metro Government Tow Lot during the amnesty period.

(B) The amnesty period shall not apply to a vehicle impounded through the use of an immobilizing device under § 72.065.

(C) The amnesty period shall not apply to vehicles impounded under §§ 51.510, 131.15, 123.37, or 156.052.

(D) The amnesty period shall not waive towing and storage fees imposed by court order.

~~(C)~~ (E) The amnesty period shall not waive fees from parking citations.

~~(D)~~ (F) The amnesty period shall not apply to any vehicles which are impounded at a lot pursuant to a contract with Metro Government for the purpose of providing supplemental towing services.

~~(E)~~ (G) At the expiration of an amnesty period, all fees payable under this chapter shall resume in full effect.

SECTION III: This Ordinance shall take effect upon its passage and approval or otherwise becoming law.

Sonya Harward
Metro Council Clerk

David James
President of the Council

Greg Fischer
Mayor

Approval Date

APPROVED AS TO FORM AND LEGALITY:

Michael J. O'Connell
Jefferson County Attorney

BY: _____
O-575-21 – tow fee amnesty v.15 – 12-16-21 - km