

BY COUNCIL MEMBER EVANS

ORDINANCE NO. 2014-29

**TO PROVIDE FOR OFFICIAL STORAGE LOCATIONS FOR THE  
CENTRAL POLICE DEPARTMENT AND TO PROVIDE FOR ALL  
RELATED MATTERS.**

WHEREAS, the Council for the City of Central acknowledges that Louisiana law allows for the City of Central to regulate, control, supervise, and govern the business of operation and use of wreckers and towing devices;

WHEREAS, the Council for the City of Central desires to enact an ordinance relative to official storage facilities for motor vehicles that are towed by a wrecker service at the request of the Central Police Department pursuant to state and local law;

BE IT ORDAINED by the Council of the City of Central, State of Louisiana as follows:

**Section 1:** Any wrecker service that is placed on the City's approved wrecker rotation list may request to become an official storage location for the Central Police Department. In order to become an official storage location for the Central Police Department, a wrecker service must meet the following requirements:

- a. Hold an active and current storage inspection license for each storage facility location;
- b. Have a storage area located in the city limits of the City of Central;
- c. Have a storage area that has security barriers or safety apparatus suitable to insure the security of the property contained therein. This storage area shall include a fully-enclosed, secured space for at least one vehicle, and all outside storage areas must be enclosed by at least a six foot high chain link fence or fence of similar strength or solid wall sufficient to protect against loss, trespass, or vandalism; and
- d. Have a clearly visible sign maintained at all times at the business office and at the entrance to any outside storage area, stating the name of the business, telephone number, and hours of operation. An after-hour telephone number shall be included on the sign advising the public how to make contact for the release of vehicles, contents, or personal property.

**Section 2:** In order to be deemed an official storage location for the City of Central Police Department, the wrecker service must also allow a physical inspection of the location by the Chief of Police of the Central Police Department to ensure compliance with all applicable state and local laws.

**Section 3:** Prior to releasing any vehicle that has been towed to the official storage location at the request of the Central Police Department, the wrecker service must obtain a written release from the Central Police Department.

**Section 4:** The Chief of Police of the Central Police Department has the authority to prohibit a wrecker service from serving as an official storage location where the wrecker service consistently fails to adhere to all laws, agency rules, and policies of the State of Louisiana, including but not limited to the Louisiana Highway Regulatory Act, La. R.S. 32:1, *et seq.*, the Louisiana Towing and Storage Act, La. R.S. 32:1711, *et seq.*, and the rules and regulations of the Department of Public Safety and Corrections, Office of State Police, and all ordinances of the City.

**Section 5:** The Chief of Police of the Central Police Department is authorized to suspend any wrecker and towing service from serving as an official storage location where the wrecker service is suspended from the approved wrecker rotation list, in accordance with Ordinance No. 2014- 30.

**Section 6:** The Chief of Police of the Central Police Department or his designee is authorized to enforce this ordinance and is directed to cooperate with the State Department of Public Safety and Corrections relative to compliance with the towing recovery and storage rules and regulations of that Department.

**Section 7:** Nothing contained herein shall establish a contract for hire between the City of Central and the wrecker service. A wrecker driver shall be deemed the legal agent and employee of the wrecker service.

**Section 8: Conflicts**

All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

**Section 9: Severability**

If any section, subsection, sentence, clause, or provision of this Ordinance is declared by a court of competent jurisdiction to be invalid, such declaration of invalidity shall not affect the validity of the Ordinance as a whole, or parts thereof, other than the part declared invalid. The remainder of the Ordinance shall not be affected by the declaration of invalidity and shall remain in force and effect.

**Section 10: Effective Date**

This Ordinance shall be effective upon publication.

Introduced before the Council on this 28<sup>th</sup> day of October, 2014.

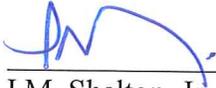
Notice of the public hearing was published in The Advocate on the 31<sup>st</sup> day of October, 2014.

This Ordinance having been submitted to a vote, the vote thereon is as follows:

For:	Ellis, Evans, Fralick, Messina, Vance
Against:	None
Absent:	None

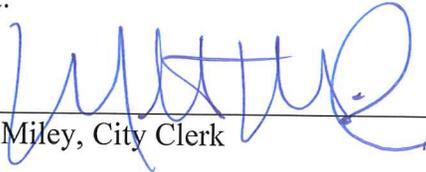
Adopted this 11<sup>th</sup> day of November, 2014.

Signed this 14<sup>th</sup> day of November, 2014.



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I.M. Shelton, Jr., Mayor

Attest:



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Mark Miley, City Clerk

Adopted ordinance published in The Advocate on the 28<sup>th</sup> day of November, 2014.