

1 CITY OF CENTRAL

2  
3 BY COUNCIL MEMBER EVANS

4  
5 PROPOSED ORDINANCE NO. 2016-\_\_\_\_

6  
7 TO AMEND TITLE 11, CHAPTER 24, SECTION 11:298 OF THE CODE OF  
8 ORDINANCES OF THE CITY OF CENTRAL (ENACTED BY  
9 ORDINANCE NO. 2014-29) TO ADDRESS THE STORAGE OF HEAVY  
10 DUTY ITEMS AND TO PROVIDE FOR ALL RELATED MATTERS.  
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12  
13 WHEREAS, the Council for the City of Central previously enacted an ordinance  
14 (Ordinance No. 2014-29) relative to official storage locations for the Central Police Department;  
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16 WHEREAS, pursuant to Ordinance No. 2014-29, in order to become an official storage  
17 location for the Central Police Department, a wrecker service is required to meet certain  
18 requirements, including having a storage area located in the city limits of the City of Central;  
19

20 WHEREAS, none of the wrecker towing services that are official storage locations for the  
21 Central Police Department are able to provide storage for heavy duty items, including but not  
22 limited to buses and tractor trailer rigs;  
23

24 WHEREAS, the Central Police Department desires to amend Ordinance No. 2014-29 to  
25 address storage services for heavy duty items, including but not limited to buses and tractor trailer  
26 rigs;  
27

28 BE IT ORDAINED by the Council of the City of Central, State of Louisiana as follows:  
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30 **Section 1:** Title 11, Chapter 24, Section 11:298 of the Code of Ordinances of the City of  
31 Central as enacted by Ordinance No. 2014-29 is hereby amended and re-enacted, so as to read as  
32 follows:  
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- 34 a. Any wrecker service that is placed on the City’s approved wrecker rotation list  
35 may request to become an official storage location for the Central Police  
36 Department. In order to become an official storage location for the Central  
37 Police Department, a wrecker service must meet the following requirements:  
38 1. Hold an active and current storage inspection license for each storage  
39 facility location;  
40 2. Have a storage area located in the city limits of the City of Central;  
41 3. Have a storage area that has security barriers or safety apparatus suitable to  
42 insure the security of the property contained therein. This storage area shall  
43 include a fully-enclosed, secured space for at least one vehicle, and all  
44 outside storage areas must be enclosed by at least a six foot high chain link  
45 fence or fence of similar strength or solid wall sufficient to protect against  
46 loss, trespass, or vandalism; and

- 1                   4. Have a clearly visible sign maintained at all times at the business office and  
2                   at the entrance to any outside storage area, stating the name of the business,  
3                   telephone number, and hours of operation. An after-hour telephone number  
4                   shall be included on the sign advising the public how to make contact for  
5                   the release of vehicles, contents, or personal property.  
6  
7                   b. In order to be deemed an official storage location for the City of Central Police  
8                   Department, the wrecker service must also allow a physical inspection of the  
9                   location by the Chief of Police of the Central Police Department to ensure  
10                  compliance with all applicable state and local laws.  
11  
12                  c. If each of the official storage locations for the Central Police Department is  
13                  unable to provide the services needed, such as the storage of heavy duty items,  
14                  including but not limited to buses and tractor trailer rigs, the Chief of Police of  
15                  the Central Police Department is not required to select a storage location from  
16                  the listing of official storage locations and may instead use the storage location  
17                  provided by Varnado & Sons, L.L.C.  
18  
19                  d. Prior to releasing any vehicle that has been towed to the ~~official~~ storage location  
20                  at the request of the Central Police Department, the wrecker service must obtain  
21                  a written release from the Central Police Department.  
22  
23                  e. The Chief of Police of the Central Police Department has the authority to  
24                  prohibit a wrecker service from serving as an official storage location where  
25                  the wrecker service consistently fails to adhere to all laws, agency rules, and  
26                  policies of the State of Louisiana, including but not limited to the Louisiana  
27                  Highway Regulatory Act, La. R.S. 32:1, *et seq.*, the Louisiana Towing and  
28                  Storage Act, La. R.S. 32:1711, *et seq.*, and the rules and regulations of the  
29                  Department of Public Safety and Corrections, Office of State Police, and all  
30                  ordinances of the City.  
31  
32                  f. The Chief of Police of the Central Police Department is authorized to suspend  
33                  any wrecker and towing service from serving as an official storage location  
34                  where the wrecker service is suspended from the approved wrecker rotation list,  
35                  in accordance with Ordinance No. 2014- 30.  
36  
37                  g. The Chief of Police of the Central Police Department or his designee is  
38                  authorized to enforce this ordinance and is directed to cooperate with the State  
39                  Department of Public Safety and Corrections relative to compliance with the  
40                  towing recovery and storage rules and regulations of that Department.  
41  
42                  h. Nothing contained herein shall establish a contract for hire between the City of  
43                  Central and the wrecker service. A wrecker driver shall be deemed the legal  
44                  agent and employee of the wrecker service.  
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1 **Section 2: Conflicts.**  
2 All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.  
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4 **Section 3: Severability.**  
5 If any section, subsection, sentence, clause or provision of this Ordinance is declared by a court of  
6 competent jurisdiction to be invalid, such declaration of invalidity shall not affect the validity of  
7 the Ordinance as a whole, or parts thereof, other than the part declared invalid. The remainder of  
8 the Ordinance shall not be affected by the declaration of invalidity and shall remain in force and  
9 effect.

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11 **Section 4. Effective Date.**  
12 This Ordinance shall be effective upon publication in the Official Journal.

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14 Introduced before the Council on February 23, 2016.

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

17  
18 For:  
19 Against:  
20 Absent:

21  
22 Adopted the \_\_\_\_\_ day of \_\_\_\_\_, 2016.

23  
24 Signed the \_\_\_\_\_ day of \_\_\_\_\_, 2016.

25  
26 Delivered to the Mayor on the \_\_\_\_\_ day of \_\_\_\_\_, 2016.

27 \_\_\_\_\_  
28 Mark Miley, City Clerk

29  
30 Approved:

31 \_\_\_\_\_  
32  
33 I.M. Shelton, Jr. Mayor

34  
35 Received from Mayor on the \_\_\_\_\_ day of \_\_\_\_\_, 2016.

36  
37 \_\_\_\_\_  
38 Mark Miley, City Clerk

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40 Adopted Ordinance published in The Advocate on the \_\_\_\_\_ day of \_\_\_\_\_, 2016.  
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