

BOROUGH OF FORD CITY
ORDINANCE NO. 686

**AN ORDINANCE OF FORD CITY BOROUGH, ARMSTRONG COUNTY,
PENNSYLVANIA, ESTABLISHING CERTAIN GUIDELINES RELATING TO
WRECKERS AND VEHICLE TOWING ORDINANCE**

WHEREAS, in order to protect persons who operate motor vehicles within the town limits, to insure that the streets, public ways and public property of the town of Ford City remain open and free of hazard to the public; and

WHEREAS, to further effectuate the efficient enforcement of the towns traffic, parking, snow removal, and other regulatory ordinances; and

WHEREAS, Borough Council deems it necessary to register and regulate businesses engaged in vehicle wrecker or towing services when said services are performed for the town of Ford City.

SECTION ONE. Definitions: As used herein, the following terms shall have the following definitions:

- A. Towing List: A list maintained by Ford City Borough containing the names of those wreckers registered by the Town to respond to requests for the towing of vehicles made by Ford City Borough.
- B. Wrecker: A business engaged in, or offering the services of a vehicle wrecker or towing services, whereby motor vehicles are or may be towed or otherwise removed from one place to another by the use of a motor vehicle specifically adapter to and designed for that purpose.
- C. Principal Place of Business: A location where the main business activities of the wrecker company are head-quartered as evidenced by its office space, auto storage space, payment of wrecker excise taxes and identification as such on official business filings with the Secretary of State, State Treasurer, and Internal Revenue Service.

SECTION TWO. Regulations: The following minimum regulations must be met on a continuous basis by a registered wrecker.

- A. Each registrant shall be a legally organized business, and shall maintain satisfactory and secure storage facilities for those vehicles towed.
- B. Each registrant shall own and operate its own wrecker(s) and shall supply to Ford City Borough satisfactory evidence, including vehicle registration and title, to show ownership by the resident wrecker.
- C. Each wrecker shall maintain Comprehensive and Liability Insurance policies and valid Road Service Liability Policies. Each operator must offer proof of appropriate insurance coverage upon registration.
- D. In registering, a wrecker shall hold the Borough of Ford City harmless from all claims for damages to property and injuries to persons resulting from wreckers's negligence in the towing of or storage of vehicles pursuant hereto.
- E. Upon registering, a wrecker shall submit a schedule of it's towing fees to Ford City Borough and shall notify the Borough immediately upon changing any of said charges.
- F. Each wrecker shall maintain such records as hereinafter may be required by Ford City Borough and shall permit their inspection during normal business hours. Among these records will be receipts for towing and storage of vehicles towed at the request of Ford City Borough, and that all receipts indicate the place of vehicle storage and any damage sustained during or after the towing operation.
- G. Each registrant shall permit Ford City Borough or a designee to conduct inspections of each towing vehicle and of each storage area during normal business hours.
- H. Licensees shall arrive on the scene within thirty (30) minutes of receipt of a request for service from Ford City Borough.
- I. Vehicles must be towed/carried, not driven, to storage sites.
- J. No vehicle will be towed outside of Ford City Borough lines unless requested by vehicle owner or Ford City Borough.
- K. The licensee must be available 24 hours a day to respond to Ford City Borough.
- L. Five (5) refusals to respond to Ford City Borough request to remove a vehicle shall constitute elimination from said wrecker list for one (1) year, at which time application can be made to resume wrecker duties for Ford City Borough.

- M. Licensees' wreckers shall have that equipment on board which would enable the removal of a vehicle regardless of the amount of damage sustained during or after the towing operation.

SECTION THREE. Wrecker Selection Procedure:

- A. Those wreckers wishing to be placed on the towing list shall complete a prescribed registration form at Ford City Borough and shall submit other required documents to the satisfaction of Ford City Borough or a designee.
- B. Upon satisfactorily meeting the registration requirements as herein set forth, the wrecker name and the phone number shall be placed on the towing list, which shall be utilized in all cases in which a vehicle is to be towed from a public way or public property or from any private property at the request or direction of Ford City Borough.
- C. When a request for towing a vehicle is received at Ford City Borough, the dispatcher or his/her supervisor shall select the name of a wrecker from the towing list. Names shall be selected on a rotating basis; that is, the name shall be selected which next succeeds the last wrecker called for towing services. The selections shall proceed in a manner until the end of the list is reached, at which point a wrecker shall be selected from the top of the list, and so on, consecutively.
- D. In the event that a wrecker does not respond to a phone call from Ford City Borough or if it does not respond to the scene in the prescribed thirty (30) minute time span, the next name on the towing list shall be called until its name appears in the rotation.
- E. Those wreckers maintaining more than one towing vehicle shall be selected only once during each rotation of the towing list.
- F. "Preference calls" shall have no impact on the rotation list. A separate list will be kept by the dispatcher when a preference call is indicated.

SECTION FOUR. Other Wrecker Selection:

No wrecker shall respond to the scene of an accident or other emergency unless specifically called there by Ford City Borough or the person involved in the accident or emergency. It is intended that no wrecker owner, his agent, or employee solicit towing contracts at the scene. However, nothing in this section shall be construed as prohibiting a towing service from privately contracting with any person.

- A. At Ford City Borough, or designee, a wrecker may be selected that does not appear on the towing list sequence when warranted by the requirement for special equipment and procedures or when due to the location or unusual circumstances surround vehicle

removal.

SECTION FIVE. Non-Discrimination:

Nothing in these regulations should be construed as creating vested exclusive rights of a towing list wrecker to be called, or selected for a towing operation requested by an employee or official of the Town Ford City. Neither are the provisions contained herein designed or intended to restrain the course of free trade nor restrict the number of qualified registrants on the towing list.

SECTION SIX. Removal

Ford City Borough may remove or suspend any registrant from the towing list when:

- A. That the towing list registration was secured by fraud or by concealment of a material fact by the wrecker owner and such fact, if know, would have caused disqualification.
- B. That the wrecker owner has violated any of the requirements or regulations established herein.
- C. That Ford City is not satisfied with general services of the wrecker or its employees or with the cooperation it has received when services are rendered.

DONE, ORDAINED, AND ENACTED this 7 day of December, 2009
at a regular meeting of the Borough Council of the BOROUGH OF FORD CITY.

ATTEST
[SEAL]

FORD CITY BOROUGH COUNCIL

Lisa Bittner
SECRETARY

John M. Long
PRESIDENT

EXAMINED AND APPROVED this _____ day of _____, 2009.

Mayor Marc A. Mantini
MAYOR