

ORDINANCE NO. 2018-ORD-1

AN ORDINANCE OF THE CITY OF SOCIAL CIRCLE TO KEEP A LIST OF WRECKER SERVICE OPERATORS TO BE CALLED ON A ROTATING BASIS AS NEEDED.

WHEREAS, the Mayor and City Council of Social Circle desire to create a new ordinance providing requirements to maintain a list of wrecker operators; and

WHEREAS, this ordinance was created in order to protect the citizens and residents of the City of Social Circle; and

WHEREAS, this ordinance allows for the opportunity for wrecker operators to be represented on such list and to share the business opportunities from the City of Social.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Social Circle, Georgia, and it is hereby ordained by authority of same, as follows:

SECTION 1. The Code of the City of Social Circle, Georgia is hereby amended by adding "Wrecker Service Call List", as follows:

WRECKER SERVICE CALL LIST

- (a) The Social Circle Police Department maintains two call lists which are used to notify wrecker service operators of the need for a wrecker service vehicle. All requests for wrecker service by police department personnel shall be made to the police dispatcher. The police dispatcher shall make calls for wrecker service on a rotating basis from the appropriate call list when a specific service is requested. Each list requires specific equipment as is listed below.
 - (1) *Standard duty call list.* Every qualified wrecker service can enroll and be placed upon the police department standard duty call list. A standard duty wrecker is a wrecker which has at least a 10,000-pound minimum gross vehicle weight (GVW) rating, equipped with an 8,000-pound P.T.O. mechanically-driven power winch, crane and boom having dual wheels or of equal capabilities. For purposes of towing, a standard duty wrecker shall be capable of towing cars, light trucks and similar size vehicles.
 - (2) *Heavy duty call list.* Every qualified wrecker service can enroll and be placed upon the police department heavy duty call list. A heavy duty wrecker is a wrecker which has at least a 25,000-pound minimum GVW rating, equipped with a 16-ton or larger P.T.O. mechanically-driven power winch, crane and boom having dual wheels or of equal capabilities. The wrecker service shall have the equipment capable of moving all types of vehicles including large trucks, buses and loaded and unloaded tractor trailers.

- (b) For documentation purposes, the police dispatcher shall maintain tour logs which include a standard duty log, a heavy duty log, an owner request log and an emergency call log. Each log shall include wrecker call time, date, location, police officer making the request and police dispatcher on duty. In addition, the owner request log shall indicate the name and address of the party making the specific request.
- (c) A wrecker service on either rotating call list that has been called by the department and canceled will receive the next rotating call.
- (d) In case of emergency (i.e., trapped person or major intersection blocked), the nearest qualified wrecker will be called along with the Social Circle Fire Department. Emergency status shall be determined by the Social Circle County Fire Department or Watch Commander on the scene.
- (e) Wrecker services shall be required to be available via listed phone numbers 24 hours a day, seven days a week with adequate manpower to respond to calls immediately.
- (f) A wrecker service shall respond to a call within a maximum of 25 minutes for standard duty and within a maximum of 45 minutes for heavy duty.
 - (1) A wrecker service that fails to respond to a call as required in subsection (d) of this section or to answer a telephone call from the police department within the first seven rings will lose its turn on the rotation list.
 - (2) It shall be deemed an offense under this section if a wrecker service accepts a call for service from a police dispatcher, but fails to arrive on the scene 15 minutes beyond the maximum response time. Response time shall be measured from the time the wrecker service operator accepts the call for service from the police dispatcher.
 - a. In any 12-month period, if a wrecker service is found to be in noncompliance with the response time standards of this division, the wrecker service shall be notified by the Social Circle Police Department and provided with written notice of such noncompliance and removed from the appropriate call lists according to the following schedule:
 - 1. First offense: Two rotations off list;
 - 2. Second offense: Five rotations off list;
 - 3. Third offense: Ten rotations off list;
 - 4. Fourth offense: Removal from both lists.
- (g) When a wrecker service is unavailable for calls for an extended period, the wrecker service operator shall inform the chief of police or designee of the period of time during which said service is unavailable and the following procedure applies:
 - (1) The name of the wrecker service will be skipped on the list during the period of non-availability. The wrecker service operator shall be responsible for notifying the police chief or designee of a return to availability status.
- (h) Wrecker services only can be listed on the police department rotating call lists and only under the name as registered on the business license and as registered on the permit issued pursuant to this division. Any services, functions, business opportunities or products performed by the

wrecker service deemed by the chief of police to be in conflict with the services required by this division, including service, repair or body shops, shall be investigated by the chief of police or their designee. If a conflict of interest is determined to exist, it shall be documented in writing and the wrecker service shall be prohibited from joining or remaining on the police department rotating call lists.

- (i) Only businesses directly operating wrecker service vehicles are eligible for the police department rotating call lists. Businesses that subcontract for wrecker services are not eligible.

SECTION 2. Unless otherwise provides herein, the penalties provided for violations of this Ordinance are set out in the general penalties sections of the Code of Ordinances of the City of Social Circle, are under the authority of the Municipal Court as established by the Code and are hereby incorporated herein as if fully set out.

SECTION 3. Except as provided otherwise herein, all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 4. Pursuant to the Section 2.25 of the City Charter, authority is hereby delegated to the City Clerk to cause this Ordinance to be numbered and codified in the City Code of Social Circle, Georgia, in such a way as to place this Ordinance in the Code in an organized and orderly sequence to maximize the organization of the Code. The City Clerk is authorized to designate to the City Attorney or to such other Mayor and Council approved contractors to assist in the effort to codify this provision provided the decision of the City Clerk is final as to the placement of this Ordinance within the City Code of Social Circle, Georgia. The goal of this authorization is to codify and number this Ordinance in the Code in such a way as to be clear and orderly.

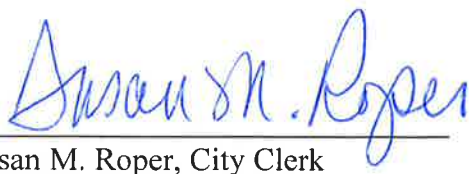
SECTION 5. This ordinance shall become effective immediately upon its adoption by the Mayor and Council of the City of Social Circle, Georgia.

SECTION 6. It is hereby declared that if any phrase, sentence, or paragraph hereof shall be found or declared unconstitutional or invalid by a court of competent jurisdiction, the remaining phrases, sentences and paragraphs hereof shall remain in full force and effect as if enacted without the phrase, sentence, or paragraph declared unconstitutional or invalid.


SO ORDAINED this 20 day of Feb, 2018.


Hal W. Dally, Mayor

ATTEST:


Susan M. Roper, City Clerk

APPROVED AS TO FORM:



Anthony O. L. Powell, City Attorney
Webb, Tanner & Powell P.C.

Adopted by the City Council at a regular meeting on February 20, 2018.

 4 Council members voting in favor

 0 Council members voting against

 0 Council members abstaining