

GENERAL ORDINANCE NO. 1, 2012

AN ORDINANCE TO AMEND *TERRE HAUTE CITY CODE*, CHAPTER 6, TOWING CONTRACTS AND CHAPTER 2, POLICE CONTINUING EDUCATION FUND.

WHEREAS, the City of Terre Haute Board of Public Works and Safety has revised its towing and storage requirements for abandoned vehicles and vehicles involved in criminal investigations; and

WHEREAS, the Terre Haute Police Department is required to perform certain tasks associated with the release of each towed vehicle; and

WHEREAS, the Terre Haute Police Department incurs expenses related to the tasks associated with the release of the towed vehicles that should be the responsibility of the vehicle owner or lien holder.

THEREFORE, BE IT ORDAINED by the Common Council of the City of Terre Haute as follows:

SECTION 1. *Terre Haute City Code*, Sec. 4-75 is hereby amended by insertion of the underlined text as follows:

**Sec. 4-75 Terre Haute Police Department Service Fees.**

...

d. In addition to vehicles towed pursuant to Sec. 6-184, all owners or lien holders of vehicles involved in a criminal investigation which are towed by the THPD pursuant to the towing contract awarded through the Board of Public Works & Safety, shall be responsible for payment of the Thirty Dollar (\$30.00) release of vehicle fee. The Terre Haute Police Department will provide a "Tow Release" receipt to be provided to the authorized towing service. Ninety percent (90%) of such fees shall be deposited in the Police Continuing Education Fund (See Sec. 2-118). Ten percent (10%) of such fees shall be deposited in the Fire Training Academy Non-Reverting Fund (See Sec. 2-138-6).

SECTION 2. The *Terre Haute City Code*, Chapter 8, Article 3, is hereby amended by deletion of the stricken text and insertion of the underlined text as follows:

**Sec. 6-184 Towing Contracts.**

The officer may enter into towing contracts pursuant to state law and approved by the Board of Public Works and Safety of the City of Terre Haute, Indiana, as necessary for the purpose of removal, storage, and disposition of abandoned vehicles and parts.

(1) The charge payable by the owner or lien holder for towing or removing an abandoned vehicle may not exceed the rate charged by the contract towing service as approved by the Board of Public Works and Safety. (Gen. Ord. No. 10, 2000, 5-11-00)

(2) The charge payable by the owner or lien holder for storing an abandoned vehicle or parts may not exceed the rate charged by the contract towing service as approved by the Board of Public Works and Safety. (Gen. Ord. No. 10, 2000, 5-11-00)

(3) The owner or lien holder of the towed vehicle must provide to the Terre Haute Police Department proof of ownership of said vehicle. Upon appropriate proof of ownership, licensed driver, proof of current insurance, and payment of the Thirty Dollar (\$30.00) release of vehicle fee, the Terre Haute Police Department will provide a "Tow Release" receipt to be provided to the authorized towing service. Ninety percent (90%) of such fees shall be deposited in the Police Continuing Education Fund (See Sec. 2-118). Ten percent (10%) of such fees shall be deposited in the Fire Training Academy Non-Reverting Fund (See Sec. 2-138-6).

SECTION 3. The *Terre Haute City Code*, Sec. 2-118, is hereby amended by insertion of the underlined text as follows:

**Sec. 2-118 Police Continuing Education Fund.**

a. There is established a fund known as the Law Enforcement Continuing Education Fund for the purpose of purchases made by the Terre Haute City Police Department for equipment, supplies, continuing education, and law enforcement training for the Police Department.

b. This fund shall be comprised of fees collected by the Terre Haute City Police Department from the following activities:

1. Vehicle inspections;
2. Accident reports;
3. Hand gun licenses and transfer; and
4. Law Enforcement Education (LEE) fees from city court cases. (Gen. Ord. No. 2, 1996, 8-8-96)
5. Moped Registration Fees. See Sec. 8-101. (Gen. Ord. No. 9, 2011, 6-9-11)
6. Tow Release Fees. See Sec. 6-184 (Gen. Ord. No. 2, 2012)

SECTION 4. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

WHEREAS, said Ordinance shall be in full force and effect from and after its passage by the Common Council of Terre Haute, Indiana and its approval by the Mayor and publication as required by law.

Introduced by: \_\_\_\_\_ Norman Loudermilk, Councilman

Passed in open Council this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_ Don Morris, President

ATTEST: \_\_\_\_\_ Charles P. Hanley, City Clerk

Presented by me to the Mayor this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_ Charles P. Hanley, City Clerk

Approved by me, the Mayor, this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_ Duke A. Bennett, Mayor

ATTEST: \_\_\_\_\_ Charles P. Hanley, City Clerk