



AN ORDINANCE TO

Repeal Sec 18-78, 18-79 & 18-80

Chapter 18 - OFFENSES

~~Sec. 18-78. Vehicle towing and storage—Police department eligible list.~~

- ~~(a) The Chief of Police shall prepare and maintain an eligible list of those persons, firms, or corporations (hereinafter called garages) having businesses in the town who apply and qualify to tow and store automobiles and trucks from the streets and other public places in the town at the request of the police department. To qualify for the eligible list the applicant must:~~
- ~~(1) Have available at all times equipment in good condition capable of towing any automobile or truck, regardless of size or weight, from the streets and other public or private places in the town when called to do so;~~
 - ~~(2) At or in the immediate vicinity of his garage, have sufficient storage space and facilities to protect from the elements vehicles damaged by exposure and a sufficient amount of additional storage space to store undamaged vehicles.~~
- ~~(b) The applicant must agree to assume the following obligations:~~
- ~~(1) To promptly tow and store all vehicles to be removed from the public streets or other public places or private property upon request of the police department;~~
 - ~~(2) To issue a receipt to the police department for each vehicle towed and stored and keep the vehicle until its release is authorized by the police department;~~
 - ~~(3) To store damaged automobiles in such manner as to secure their protection against further damage by the elements;~~
 - ~~(4) To collect towing and storage fees, from the owner of the vehicle or by the sale of the vehicle without recourse on the town;~~
 - ~~(5) To pay all damages to vehicles entrusted to his custody as the result of his negligence and to maintain, for the protection of the vehicle owners, garage keepers' legal liability insurance of not less than \$5,000.00 while performing any of the services provided for in this section;~~
 - ~~(6) To remove from the scene of a motor vehicle accident in which the vehicle to be towed was involved all glass, metal, or debris caused by the accident.~~

~~(Code 1977, § 8-3005; Code 1986, § 10-46)~~

~~Sec. 18-79. Same—Payment of charges; release of vehicles.~~

~~All towing, storage, advertising, and other charges incurred in connection with an impounded vehicle shall constitute a lien upon such vehicle, and no stored vehicle shall be released until all such charges have been paid to the Finance Officer of the town or to the owner of the garage where the impounded vehicle is stored.~~

~~(Code 1977, § 8-3006; Code 1986, § 10-47)~~

~~Sec. 18-80. Same—Exclusive contracts with town.~~

~~(a) Notwithstanding the provisions of this article, the town council may, if in its opinion the public interest would be served thereby, enter into an exclusive contract with one or more persons engaged in the towing and storage of motor vehicles, to remove the vehicles described in this article from the public streets and alleys and other public places under the control of the town on such terms and conditions as may be mutually agreed upon.~~

~~(b) The contract so made shall be in writing, shall specify the charges to be made for towing and storage, and shall require the person entering into the contract for the towing and storage of such vehicles to perform the service in a manner satisfactory to the town council and shall provide for the forfeiture of the contract in the event of a violation of any provisions of the contract or of any section of this article which may be incorporated in and made a part of the contract. The contract shall further provide that the town shall not be obligated to the person undertaking the towing and storage of such vehicles for any damages or charges which may be incurred in the performance of the obligation assumed by him but that the charge shall be collected solely from the owner of the vehicle involved.~~

~~(Code 1977, § 8-3010; Code 1986, § 10-48)~~

Adopted this 10th day of December, 2024.

Albert L. Barbee, Mayor

Attest: Kimberlee Ward, Town Clerk

Ordinance 24-1243

Town of Carolina Beach
Town Council