

ORDINANCE NO. 1416

AN ORDINANCE OF THE CITY OF CHULA VISTA, AMENDING ARTICLE 3 OF CHAPTER 18 OF THE CITY CODE BY ADDING THERETO A NEW SECTION 18.304, RELATING TO TOWING SERVICES

The City Council of the City of Chula Vista does ordain as follows:

SECTION I: That Article 3 of Chapter 18 of the Chula Vista City Code is hereby amended by adding thereto a new Section 18.304 to be, and to read as follows:

Sec. 18.304. Private Towing and Vehicle Impound Services.

(a) *Regulations.* Any owner or operator of any private tow car or tow truck service shall be required to obtain a special license under the provisions of this section in addition to the normal business license. Said license shall be issued upon application to the Chief of Police and shall be subject to his approval. The Chief of Police, or other properly designated officer, shall make an investigation of the applicant's background and business propriety and shall require the applicant, and upon the discretion of the Chief of Police, the employees to furnish fingerprints and photographs.

(b) *Authority to Deny License.* In the event that the findings of the investigation by the Chief of Police indicate that the applicant's practice of doing business within the City will endanger the public health, safety or morals of the community, he may refuse to issue the appropriate license. Such refusal shall be appealable to the City Council, and after a public hearing on the matter, the decision of the City Council shall be final.

(c) *Requirement to Make Reasonable Effort to Locate Owners of Unauthorized Vehicles.* Prior to towing away or removing a vehicle from public or private premises, the licensee shall make a reasonable effort to locate and advise the owner or operator of the unauthorized vehicle of his intentions to remove the vehicle from the premises. Such notice shall be given as soon as practicable, and upon failure to locate the owner or operator, a written notice shall be placed upon the unauthorized vehicle advising that if the offending vehicle is not removed within two (2) hours, it shall be towed away forthwith. After said notice is placed upon the vehicle window for at least two (2) hours, the licensee shall be permitted to remove the car, subject to the conditions of this Code. In no event shall any vehicle be removed by the licensee unless signs have been placed at all entrances or other strategic locations, which provide clear notice that unauthorized vehicles may be towed away, and the name and telephone number of the towing service performing the work.

(d) *Insurance Required.* All applicants described in the foregoing sections shall be required to have reasonable public liability and property damage insurance

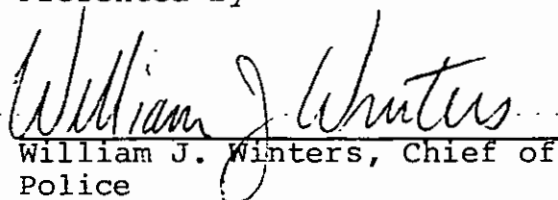
sufficient in amount to provide protection against damage which may occur while cars are in the control of licensee. Such insurance shall be approved by the Director of Finance, and failure to provide such insurance shall make it mandatory that the Chief of Police deny the applicant the appropriate license.

(e) *Bond Required.* Prior to granting a license to operate a tow car or tow truck, the applicant shall be required to furnish to the Chief of Police a bond in the sum of Five Thousand Dollars (\$5,000). The form of the bond shall be approved by the City Attorney of the City of Chula Vista. Said bond shall be acknowledged by the applicant as principal and by a corporation licensed by the Insurance Commission of the State of California to transact the business of a fidelity and surety insurance company in the state, as a surety; the condition of said bond shall be that any person injured by any action of the applicant, or employee, which results in damage to or loss of his vehicle, loss or injury to contents, or other injuries not covered by the applicant's insurance while towing, removing or storage of said unauthorized parked vehicle.

(f) *Suspension of License.* In the event that a license under this section shall violate or cause or permit to be violated any of the provisions of this article, the Chief of Police may suspend such license and shall notify the licensee of such suspension by written notice stating the cause and reason for such suspension. Appeal may be made by the applicant to the City Council, and the decision by the Council, after a public hearing, shall be final.

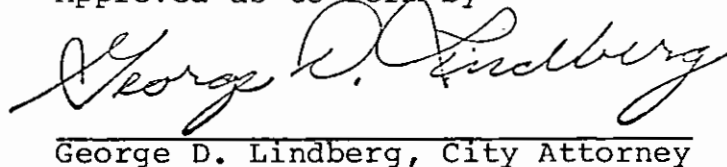
SECTION II: This ordinance shall take effect and be in full force on the thirty first day from and after its passage and approval.

Presented by



William J. Winters, Chief of
Police

Approved as to form by



George D. Lindberg, City Attorney

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ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF
CHULA VISTA, CALIFORNIA, this 12th day of September, 1972,
by the following vote, to-wit:

AYES: Councilmen SCOTT, HOBEL, HAMILTON, HYDE, EGDAHL

NAYES: Councilmen NONE

ABSENT: Councilmen NONE



Mayor of the City of Chula Vista

ATTEST 

City Clerk

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO) ss.
CITY OF CHULA VISTA)

I, JENNIE M. FULASZ, City Clerk of the City of Chula Vista,
California, DO HEREBY CERTIFY that the above and foregoing is a full,
true and correct copy of _____
and that the same has not been amended or repealed.

DATED: _____

City Clerk