

Emer. _____
P. Hrngs. _____
Pgs. 3
Filed: 06-21-16

Sponsor: Ferguson

First Reading: _____

Second Reading: _____

COUNCIL BILL NO. 2016- 156

GENERAL ORDINANCE NO. _____

AN ORDINANCE

1 AMENDING the Springfield City Code, Chapter 106 – Traffic and Vehicles, Article II –
2 Administration and Enforcement, Division 2 – Violations and Procedure
3 Upon Arrest, to add Section 106-102 – City Agency Towing Authority.

4 _____

5
6 WHEREAS, RSMo 304.157.2 authorizes a local government agency to provide
7 for the towing of motor vehicles or vessels from real property under the authority of any
8 local ordinance providing for the towing of vehicles or vessels which are derelict, junk,
9 scrapped, disassembled, or otherwise harmful to the public health under the terms of
10 the ordinance; and,

11
12 WHEREAS, under Section 106-101, only the police department currently has
13 specific authority to provide for the towing of motor vehicles; and,

14
15 WHEREAS, the Department of Building Development Services (BDS) requires
16 authority to provide for the towing of vehicles or vessels which are derelict, junk,
17 scrapped, disassembled, or otherwise harmful to the public health under current city
18 ordinances; and,

19
20 WHEREAS, from time to time, other city agencies might require such towing
21 authority.

22
23 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
24 SPRINGFIELD, MISSOURI that:

25
26 Note: Language to be added is underscored.

27
28 Section 1 – The Springfield City Code, Chapter 106 – Traffic and Vehicles, Article
29 II – Administration and Enforcement, Division 2 – Violations and Procedure Upon Arrest,
30 is hereby amended to add Section 106-102 – City Agency Towing Authority as follows:

31 Sec. 106-102. City Agency Towing Authority.

32 (a) Any city agency may provide for the towing of vehicles or vessels that are derelict,
33 junk, scrapped, disassembled, or otherwise harmful to the public health under the terms
34 of any city ordinance.

35

36 (b) Any city agency that authorizes towings shall do so under the authority of, and in
37 compliance with, RSMo sections 304.155. through 304.158 as currently codified, or any
38 subsequent codification of law with similar effect.

39

40 Section 2 – This ordinance will be in effect from the date of its passage.

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43 Passed at Meeting: _____

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Mayor

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49 Attest: _____, City Clerk

50

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52 Filed as Ordinance: _____

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55 Approved as to Form: *Duke McDonald*, Assistant City Attorney

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58 Approved for Council Action: *Greg Burt*, City Manager

EXPLANATION TO COUNCIL BILL NO: 2016- 156

FILED: 06-21-16

ORIGINATING DEPARTMENT: BUILDING DEVELOPMENT SERVICES

PURPOSE: To amend the Springfield City Code, Chapter 106 - Traffic and Vehicles, Article II - Administration and Enforcement, Division 2 -Violations and Procedure upon Arrest, to add section 106-102 — City Agency Towing Authority.

BACKGROUND AND REMARKS: BDS inspectors currently have authority to provide for the removal of parts of derelict cars or trucks from properties in the nuisance-abatement context under RSMo 67.398. The inspectors need additional authority to provide for the towing of vehicles or vessels which are derelict, junk, scrapped, disassembled, or otherwise harmful to the public health under the terms of city ordinances under RSMo 304.157.

Under our current ordinances, only the police have specific towing authority under city code section 106-101. A new section, 106-102, is necessary to give BDS inspectors towing authority. It is also possible that other city agencies may need towing authority from time to time.

REMARKS: None.

Submitted by:



Chris Straw, Director of Building Development Services

Approved by:



Duke McDonald, Assistant City Attorney



Greg Burris, City Manager