

(Published in the Topeka Metro News October 11, 2021)

**ORDINANCE NO. 20317**

AN ORDINANCE introduced by Councilmember Sylvia Ortiz, concerning private towing of abandoned vehicles, adding new § 10.25.080.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF TOPEKA, KANSAS:

Section 1. That The Code of the City of Topeka, Kansas, is hereby amended by adding a section, to be numbered 10.25.080, which said section reads as follows:

**Private wrecker: towing service.**

As required by K.S.A. 8-1103 and amendments thereto, whenever a private wrecker or tow service operator tows an abandoned vehicle, as defined in TMC 10.25.010, the operator shall comply with the following requirements:

(a) The maximum rate for towing, storage and other fees for any vehicle towed from private property shall not exceed the following rates:

(1) For towing, including the use of wheel lifts, rollback and flatbed, a maximum charge of:

(i) \$100.00 for a vehicle having a licensed gross weight of 12,000 pounds or less, plus \$3.00 per mile;

(ii) \$250.00 for trucks and other vehicles having a licensed gross weight of less than 18,000 pounds or having more than four wheels on the ground, plus \$4.00 per mile.

(2) For storage of a vehicle, a maximum charge of \$30.00 per calendar day. Daily charges shall be determined for any portion of a calendar day the vehicle is stored, beginning at the time the vehicle is first place in the storage lot.

(3) For dolly use in towing a vehicle, a maximum charge of \$50.00.

(4) For winching when necessary, a maximum charge of \$150.00 per hour, pro-rated by each one-quarter hour.

(b) An owner of a vehicle shall have access to personal property in such vehicle for up to 48 hours after such vehicle has been towed and such personal property shall be released to the owner.

(c) A tow operator shall report the location of the vehicle to local law enforcement within two hours of the tow.

Section 2. This ordinance shall take effect and be in force from and after its passage, approval and publication in the official City newspaper.

Section 3. This ordinance shall supersede all ordinances, resolutions or rules, or portions thereof, which are in conflict with the provisions of this ordinance.

Section 4. Should any section, clause or phrase of this ordinance be declared invalid by a court of competent jurisdiction, the same shall not affect the validity of this ordinance as a whole, or any part thereof, other than the part so declared to be invalid.

PASSED AND APPROVED by the City Council on October 5, 2021.

CITY OF TOPEKA, KANSAS

Michelle De La Isla, Mayor

ATTEST:

**Brenda Younger, City Clerk**