

**CITY OF JAMAICA BEACH
ORDINANCE 2017-8**

AN ORDINANCE OF THE CITY OF JAMAICA BEACH, TEXAS, ESTABLISHING TOW COMPANY FEE REGULATIONS IN THE CITY OF JAMAICA BEACH; PROVIDING VIOLATIONS AND PENALTIES; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JAMAICA BEACH, TEXAS, AS FOLLOWS:

SECTION 1. Definitions. For the purpose of this Ordinance, the following words and phrases shall have the following meanings:

Abandoned Vehicle: Any vehicle on a public roadway or on private property in which the vehicle owner or operator is not present, or where a peace officer or designee determines that the vehicle owner or operator does not intend to remove or take possession of the vehicle, or as defined by state law.

City: The City of Jamaica Beach incorporated limits.

Driver: The person driving a licensee's tow truck or the person driving a tow truck, whether or not such individual is also licensee of the tow truck.

Heavy Duty Tow Truck: A tow truck with a manufacture's carrying capacity certificate of twenty-six thousand and one (26,001) pounds, and more and capable of supplying air for brakes and electrical power for lights to the towed vehicle.

In the Water: Any vehicle in which all four (4) wheels are covered by more than four (4) inches of water, however this does not mean street flooding or water on public streets.

License: An official permit issued by the City of Galveston to a tow truck company which allows them to conduct the normal business of a tow truck and storage company.

Licensee: Means a named tow truck service licensed and permitted to engage in non-consent tow services as determined by the City of Galveston tow truck rotation list.

Rotation: A system used by the City of Galveston Police Dispatch for the removal of vehicles from the public right-of-ways or public streets involving non-consent tows.

Vehicle: A vehicle is defined under the Texas Motor Vehicle Act, Article 6701 (d), Texas Civil Statutes.

SECTION 2. It shall be unlawful for any Licensee to charge more than the following fee schedule in the City of Jamaica Beach:

Abandoned Vehicles - \$125

Abandoned Vehicles (requiring heavy duty tow truck) - \$300

Vehicles (not abandoned) - \$125

Vehicles (in the water) - \$250

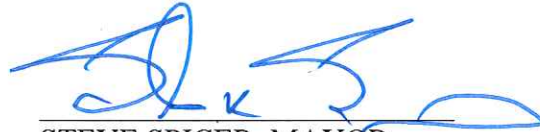
All Heavy Duty Tows - \$300

Motorcycles, Golf Carts, UTVs, Boat Trailers - \$135

SECTION 3. Hereby, any violation of Section 2 of this Ordinance will result in the licensee or driver issuing the fee above the referenced schedule guilty of a misdemeanor. Upon conviction the licensee or driver shall be charged a fine of no less than two hundred fifty dollars (\$250), nor more than five hundred dollars (\$500).

SECTION 4. This ordinance shall be and become effective from and after its adoption.

APPROVED AND ADOPTED this 18th day of September, 2017.



STEVE SPICER, MAYOR

ATTEST:



LUPE RUSHING, CITY SECRETARY