

CHAPTER 4
MOTOR VEHICLE TOWING AND IMPOUNDMENT

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§9-4-1: DEFINITIONS:

As used in this Chapter, the following words and phrases shall have the following meanings:

POLICE DEPARTMENT: The Tower Lakes Police Department.

ROTATION TOW LIST: A list maintained by the Tower Lakes Police Department containing the names of those tow operators approved by the Chief of Police to respond to requests by the Police Department dispatcher for the towing and/or impounding of vehicles which are disabled where the person in charge of the vehicle has no preference for any particular tow service or is unable to make such a decision. The list shall also be utilized: a) to tow Village-owned vehicles in need of service to a location designated by the Police Department; and b) to tow vehicles impounded by the Police Department for evidentiary reasons.

TOW OPERATOR: A person, firm, or corporation engaged in the business of, or offering the services of, vehicle towing and/or impounding whereby motor vehicles are or may be towed or otherwise removed from one place to another by use of a tow truck.

VILLAGE: The Village of Tower Lakes, Lake County, Illinois.

(Ord. 2011-7, 12-19-2011)

§9-4-2: APPLICATION FOR TOW LIST:

The Tower Lakes Police Department shall maintain a “rotation tow list” as defined in Section 9-4-1 of this Chapter. Any person, firm, and/or corporation desiring to perform towing and/or vehicle impound work at the request of the Police Department shall obtain from the Police Department, complete, and submit to the Chief of Police an “application for rotation tow list” for consideration and approval for placement on the Village’s rotation tow list. Such applications will be accepted by the Chief of Police between January 1 and December 1 of each year. By submitting an application to be placed on the Village’s rotation tow list, the applicant agrees to and shall comply with the provisions of this Chapter as well as the other applicable Village ordinances and the rules and regulations of the applicable governmental agencies. The rotation tow list established by the Police Department will be in effect on an annual basis from January 1 to December 31 of each year. An approved tow operator currently on the rotation tow list who wishes to reapply for placement on the list for the next year must submit to the Chief of Police, between January 1 and December 1 of the preceding year, a letter of intent, which letter must include all information that is changed or different from the information submitted on the tow operator’s original application, and supply to the Police Department a new certificate of insurance that complies with the provisions of Section 9-4-4 of this Chapter, as may be amended from time to time. There will be no less than two (2) nor more than four (4) tow operators maintained on the rotation tow list at any given time except in cases when a tow operator may be removed temporarily from the list as defined in Section 9-4-10 of this Chapter. Applications shall include the following information:

- (A) Name of tow operator;
- (B) Business and home address;
- (C) Business and home phone numbers;
- (D) The name of the firm under which the tow operator will operate;
- (E) The location, size and security features of the storage lot on which the towed vehicles will be stored;
- (F) The location to which the public must come to claim stored or impounded vehicles;
- (G) A statement of willingness to provide full service to the Police Department on a twenty four (24) hour a day basis each day of the year;
- (H) A list of towing equipment and its size and capacity;
- (I) Certificate of insurance as required by this Chapter;
- (J) Carriers, agents, and subcontractors that the owner would place into effect upon approval;
- (K) A description of the communication system to be used on each tow truck and at the office where calls are received;
- (L) A disclosure of ownership statement; and
- (M) Equal Employment Opportunity statement.

(Ord. 2011-7, 12-19-2011)

§9-4-3: INVESTIGATION AND APPROVAL:

Within sixty (60) days after receiving an application for rotation tow list, the Police Department shall conduct an investigation of the applicant to determine the accuracy of the information contained in said application. As part of the approval process, a tow operator’s towing equipment shall be inspected by a police officer designated by the Chief of Police. If a tow operator is approved and placed on the rotation tow list, the tow operator agrees to and shall permit the Village at the discretion of the Chief of Police, to inspect said tow operator's equipment every six (6) months. Upon completion of the Police Department’s investigation and inspection of the tow operator's equipment, the tow operator will be notified in writing,

by regular mail, at the address provided by the tow operator on the application, that the application is either approved and the tow operator has been placed on the rotation tow list, or disapproved, with the reasons for such disapproval stated in the written notification. No tow operator's application shall be disapproved unless:

- (A) The applicant has knowingly furnished false or misleading information, or withheld relevant information on the application;
- (B) The applicant does not and will not acquire insurance as required by Section 9-4-4 of this Chapter;
- (C) The applicant or any of its owners have been permanently removed from the rotation tow list for cause pursuant to Section 9-4-10 of this Chapter;
- (D) The applicant fails to qualify under Section 9-4-14 of this Chapter;
- (E) At any time the towing equipment does not meet the standards required by the Village for towing.

(Ord. 2011-7, 12-19-2011)

§9-4-4: INSURANCE:

The tow operator shall be required to maintain, at its sole cost, insurance as set forth in this Section, which insurance must remain in full force and effect at all times that the tow operator is or remains on the Village's rotation tow list. All insurance policies shall name as insured the tow operator, its carriers, agents, employees, and subcontractors. All insurance policies shall also name as additional insured the Police Department, the Village, and their respective officers, employees, and agents. The tow operator shall deliver to the Village written evidence of such insurance in the form of a certificate of insurance prior to being placed on the rotation tow list. Insurance to be carried by the tow operator shall include, but not be limited to: a) general liability insurance coverage for the use and operation of any truck(s) of two hundred fifty thousand dollars (\$250,000.00) per person, five hundred thousand dollars (\$500,000.00) per occurrence; b) an umbrella liability policy in the minimum amount of one million dollars (\$1,000,000.00). In addition to the above, the tow operator shall be required to keep in full force and effect at all times that the tow operator is or remains on the Village's rotation tow list, insurance coverage meeting minimum requirements as follows:

- (A) Comprehensive General Liability: Must include the following industry standard forms of insurance:
 - 1. Premises/operation coverage;
 - 2. Products and completed operations coverage;
 - 3. Blanket contractual liability;
 - 4. Five hundred thousand dollars (\$500,000.00) combined single limit, or five hundred thousand dollars (\$500,000.00) bodily injury, and two hundred fifty thousand dollars (\$250,000.00) property damage.
- (B) Comprehensive Auto Liability: Must include the following endorsements:
 - 1. All owned autos, hired car coverage, and employers' nonowned auto coverage;
 - 2. The policy shall not contain a radius restriction of less than fifty (50) miles;
 - 3. Fifty thousand dollars (\$50,000.00) on hook liability.
- (C) Garage Keepers' Legal Liability or Motor Truck Cargo: The vendor shall provide coverage for the vehicles in their custody. Either a motor truck cargo policy, listing all storage lots as terminal

locations, or garage keepers' legal liability shall be required. The minimum amount of coverage shall be no less than one hundred thousand dollars (\$100,000.00).

- (D) Workers' Compensation and Employers' Liability: Statutory limits for workers' compensation and a one hundred thousand dollar (\$100,000.00) employers' liability limit.

Each tow operator shall supply the Village with a certificate of insurance, which indicates coverage for the above mentioned minimum insurance requirements which carries the provision that said insurance shall not be canceled without giving the Village at least thirty (30) days' written notice of cancellation or material change.

(Ord. 2011-7, 12-19-2011)

§9-4-5: DUTIES AND REQUIREMENTS OF TOW OPERATORS ON ROTATION TOW LIST:

- (A) The tow operator is responsible for providing a secured lot where the vehicles are stored, with an office at that location and staffed during reasonable business hours. The storage lot shall be located within ten (10) miles of the Village limits.
- (B) All tow trucks shall be equipped with warning lights and all other equipment required by State law including one or more brooms and shovels, oil dry chemical, one or more trash cans at least eighteen inches (18") in height, and one fire extinguisher of a dry chemical or carbon dioxide type with an aggregate rating of at least 4B.C units and bearing the approval of a qualified laboratory for this purpose; and have working two-way communication equipment on the same commercial frequency as the base station located at the point where calls are received. All tow trucks shall also be equipped to safely transport motorcycles.
- (C) The tow operator shall possess a valid certification from the Illinois Commerce Commission.
- (D) Each tow operator shall provide twenty-four (24) hour per day service each day of the year for police-related tows. There shall be an attendant or answering service on duty at all times for the purpose of receiving calls, and there shall be a person on call at all times for the purpose of releasing stored vehicles or for receiving vehicles.
- (E) The tow operator shall sign an agreement to indemnify and save the Village harmless from any liability for damages sustained by vehicles by being towed or stored and for all personal injuries occurring to any of the firms, employees or other persons and shall maintain the required insurance policies.
- (F) Tow operators shall permit vehicle owners to remove personal property as defined in 625 Illinois Compiled Statutes 5/4-203(g): "Any personal property belonging to the vehicle owner in a vehicle subject to a lien under this subsection (g) shall likewise be subject to that lien, excepting only: food, medicine, perishable property, and operator's licenses; any cash, credit cards, or checks or checkbooks; and any wallet, purse, or other property containing any operator's license or other identifying documents or materials, cash, credit cards, checks or checkbooks", from vehicles stored at their facility during business hours at no charge.

(Ord. 2011-7, 12-19-2011)

§9-4-6: TOWING AND IMPOUNDMENT:

(A) Circumstances Authorizing Towing and/or Impoundment of Vehicles:

The towing and/or impounding of a vehicle shall occur at the request of the Police Department when such towing and/or impoundment is authorized by the Illinois Vehicle Code or this code, or when impoundment is authorized by the Police Department or by any other law enforcement agency as evidence or by a court related to a crime or for the purposes of investigating a crime.

(B) Towing and Storage Charges:

The collection of towing and storage charges from the owner or driver of the towed and/or impounded vehicle shall be the sole responsibility of the tow operator or his employee. In addition, the Village will only be responsible for paying towing fees to a towing operator where the vehicle in question is: 1) Village-owned; 2) a lawfully seized vehicle after forfeiture has been approved by a court, pursuant to the provision of Chapter 4, Article II of the Illinois Vehicle Code, 625 Illinois Compiled Statutes 5/4-201 et seq.; 3) an abandoned vehicle that remains unclaimed and may be disposed of as junk, pursuant to the provisions of 625 Illinois Compiled Statutes 5/4-209; or 4) where towing and impoundment is otherwise authorized by this Code or the Illinois Vehicle Code. In no event shall the Village be responsible for any storage costs for any abandoned vehicle, as that term is defined in 625 Illinois Compiled Statutes 5/1-101.05.

(C) Releasing Vehicles; Records:

All tow operators on the rotation tow list shall be required to maintain complete records related to a tow and/or impoundment of a vehicle and a system of releasing vehicles that assures vehicles are released only to the rightful vehicle owner, or authorized person. All such records shall be open to the Police Department and available for inspection during the tow operator's normal business hours or at such time as there exists a dispute concerning the amount or validity of any towing or storage charges. In addition, all tow operators shall use receipt forms of a type and manner that contain adequate information pertaining to the date, time and location of the tow, the description, registration and vehicle identification number ("VIN") of the vehicle, the charges incurred, and the person(s) to whom the vehicle was released. (Ord. 2011-7, 12-19-2011)

§9-4-7: ADMINISTRATIVE FEES AND PROCEDURES FOR TOWING AND IMPOUNDING VEHICLES FOR SPECIFIED VIOLATIONS:

- (A) As authorized by 625 Illinois Compiled Statutes 5/11-208.7 of the Illinois Vehicle Code, in order to defray the administrative and processing costs incurred by the Village associated with the investigation, arrest, and detention of an offender, and the removal, impoundment, storage, and release of the vehicle driven by such offender, an administrative fee is hereby authorized and imposed which shall be in the amount of two hundred fifty dollars (\$250.00), and which administrative fee shall be in addition to any fees charged for the towing and storage of an impounded vehicle. The administrative fee shall be waived by the Village upon verifiable proof that the vehicle in question was stolen at the time the vehicle was impounded. Such administrative fee under this Section may be imposed for the following violations, in addition to any fees charged for towing and impoundment as hereby authorized pursuant to 625 Illinois Compiled Statutes 5/11-208.7 in such cases:

1. Operation or use of a motor vehicle in the commission of, or in the attempt to commit, an offense for which a motor vehicle may be seized and forfeited pursuant to Section 36-1 of the Criminal Code of 1961; or
2. Driving under the influence of alcohol, another drug or drugs, an intoxicating compound or compounds, or any combination thereof, in violation of Section 11-501 of the Illinois Vehicle Code or of a similar provision of this Code; or
3. Operation or use of a motor vehicle in the commission of, or in the attempt to commit, a felony or in violation of the Cannabis Control Act; or
4. Operation or use of a motor vehicle in the commission of, or in the attempt to commit, an offense in violation of the Illinois Controlled Substances Act; or
5. Operation or use of a motor vehicle in the commission of, or in the attempt to commit, an offense in violation of Sections 24-1, 24-1.5, 24-3.1 of the Criminal Code of 1961; or
6. Driving while a driver's license, permit, or privilege to operate a motor vehicle is suspended or revoked pursuant to Section 6-303 of the Illinois Vehicle Code or of a similar provision of this Code; except that vehicles shall not be subjected to seizure or impoundment if the suspension is for an unpaid citation (parking or moving) or due to failure to comply with emission testing; or
7. Operation or use of a motor vehicle while soliciting, possessing, or attempting to solicit or possess cannabis or a controlled substance, as defined by the Cannabis Control Act or the Illinois Controlled Substances Act; or
8. Operation or use of a motor vehicle with an expired driver's license, in violation of Section 6-101 of the Illinois Vehicle Code or of a similar provision of this Code, if the period of expiration is greater than one year; or
9. Operation or use of a motor vehicle without ever having been issued a driver's license or permit, in violation of Section 6-101 of the Illinois Vehicle Code or of a similar provision of this Code, or operating a motor vehicle without ever having been issued a driver's license or permit due to a person's age; or
10. Operation or use of a motor vehicle by a person against whom a warrant has been issued by a Circuit Clerk in Illinois for failing to answer charges that the driver violated Section 6-101, 6-303, or 11-501 of the Illinois Vehicle Code or of a similar provision of this Code; or
11. Operation or use of a motor vehicle in the commission of, or in the attempt to commit, an offense in violation of Article 16 or 16A of the Criminal Code of 1961; or
12. Operation or use of a motor vehicle in the commission of, or in the attempt to commit, any other misdemeanor or felony offense in violation of the Criminal Code of 1961.

(B) The following shall apply to any administrative fee imposed pursuant to subsection (A) of this Section:

1. All such administrative fees as authorized by this Section and towing and storage charges shall be imposed on the registered owner of the motor vehicle or the agents of that owner.
2. All such administrative fees as authorized by this Section shall be in addition to: a) any other penalties that may be assessed by a court of law or an administrative hearing officer for the underlying violations; and b) any towing or storage fees, or both, charged by the towing company.
3. The fees shall be collected by and paid to the Village.
4. The towing or storage fees, or both, shall be collected by and paid to the person, firm, or entity that tows and stores the towed impounded vehicle.

(C) The owner of record, lessee, or a lienholder of record of any vehicle(s) impounded under this Section shall have an opportunity for a hearing, as provided in subdivision (b)(4) of Section 11-

208.3 of the Illinois Vehicle Code, and for the release of the vehicle(s) upon payment of all administrative fees and towing and storage fees.

- (D) The following additional rules and procedures shall be applicable to the impoundment and release of vehicles pursuant to this Section, and to the extent inconsistent with the other provisions of this Code, the rules and procedures set forth in this Section shall govern and control:
1. Whenever a police officer has cause to believe that a motor vehicle is subject to impoundment as provided by this Section, the officer shall provide for the towing of the vehicle to a facility authorized by the Village.
 2. At the time the vehicle is towed, the Village shall notify or make a reasonable attempt to notify the owner, lessee, or person identifying himself or herself as the owner or lessee of the vehicle, or any person who is found to be in control of the vehicle at the time of the alleged offense, of the fact of the seizure, and of the vehicle owner's or lessee's right to an administrative hearing pursuant to this Section.
 3. The Village shall also provide notice that the motor vehicle will remain impounded pending the completion of an administrative hearing, unless the owner or lessee of the vehicle or a lienholder posts with the municipality a cash deposit equal to the administrative fee as provided by this Section and pays for all towing and storage charges.
 4. The registered owner or lessee of the vehicle and any lienholder of record of any vehicle impounded pursuant to this Section shall be provided with a notice of hearing. The notice shall:
 - (a) Be served upon the owner, lessee, and any lienholder of record either by personal service or by first class mail to the interested party's address as registered with the Secretary of State;
 - (b) Be served upon interested parties within ten (10) days after a vehicle is impounded by the Village; and
 - (c) Contain the date, time, and location of the administrative hearing. Notwithstanding anything in this Chapter to the contrary, an initial hearing shall be scheduled and convened no later than forty five (45) days after the date of the mailing of the notice of hearing.
 - (d) At the conclusion of the administrative hearing, the hearing officer shall issue a written decision either sustaining or overruling the vehicle impoundment;
 - (e) If the basis for the vehicle impoundment is sustained by the hearing officer, any administrative fee posted to secure the release of the vehicle shall be forfeited to the Village.
 - (f) Unless the hearing officer overturns the basis for the vehicle impoundment, no vehicle shall be released to the owner, lessee, or lienholder of record until all administrative fees and towing and storage charges are paid.
 - (g) Vehicles not retrieved from the towing facility or storage facility within thirty five (35) days after the hearing officer issues a written decision shall be deemed abandoned and disposed of in accordance with the provisions of Article II of Chapter 4 of the Illinois Vehicle Code.
 - (h) Unless stayed by a court of competent jurisdiction, any fine, penalty, or administrative fee imposed under this Section which remains unpaid in whole or in part after the expiration of the deadline for seeking judicial review under the Illinois Administrative Review Law may be enforced in the same manner as a judgment entered by a court of competent jurisdiction. (Ord. 2011-7, 12-19-2011)

§9-4-8: OPERATION OF ROTATION TOW LIST:

The Police Department shall ensure that tow operators on the rotation tow list are called in the order of rotation as far as is practicable. The Police Department shall not, except upon request of the owner, operator or person legitimately in possession of the vehicle to be towed, call any tow truck not on the rotation tow list unless all such approved tow operators are unavailable. The Police Department is specifically permitted, where more practical to do so, to call a tow operator out of the rotation sequence or to contact a different towing service(s) not in the rotation tow list, where there exists an urgent need for services of a tow truck and/or where specialized towing and/or other vehicle services are or may be required. (Ord. 2011-7, 12-19-2011)

§9-4-9: TOW TRUCKS FOR SEMI-TRACTOR TRAILER VEHICLES:

The Police Department shall attempt to maintain a separate rotation tow list of tow operators capable of towing semi-tractor trailer vehicle(s) which rotation tow list shall operate the same as the standard rotation tow list. (Ord. 2011-7, 12-19-2011)

§9-4-10: REMOVAL FROM ROTATION TOW LIST:

(A) Chief of Police, Authority to Remove Tow Operator:

The Chief of Police is authorized to remove any tow operator temporarily or permanently from the rotation tow list upon it being determined that:

1. Placement of the tow operator on the rotation tow list was secured by fraud or concealment of a material fact, which if known would have caused disapproval of the tow operator's application;
2. The tow operator has violated any of the provisions of this Chapter;
3. The service provided by the tow operator is or has been substantially inadequate, which shall include, but not be limited to, failing to be available for or not accepting calls, slow response time, excessive damage claims, repeated complaints from citizens, or inadequate towing equipment;
4. Failing to be available or not accepting calls as mentioned in subsection (A)3 of this Section will be defined to mean five (5) occasions within a thirty (30) day period.

(B) Temporary Removal:

A tow operator may temporarily be removed from the rotation tow list for not more than thirty (30) days at any one time. A tow operator shall be given an opportunity to cure any default or violation of this Chapter within thirty (30) days of removal from the rotation tow list and shall be reinstated on the rotation tow list upon its presenting sufficient evidence to the Chief of Police that it has cured any such default or violation.

(C) Pending Suspension/Removal:

If the Chief of Police determines the alleged offense does not constitute an immediate threat to the health, safety or welfare of the public, the Police Chief shall provide the tow operator with written notice at least fifteen (15) days prior to the effective date of the temporary or permanent removal by delivering said notice to the tow operator's place of business. Said written notice shall include:

1) the effective date of the removal; 2) whether the removal is temporary or permanent; 3) the allegations which form the basis of the removal; 4) the actions, if any, the tow operator may take to prevent the removal from occurring; and 5) the procedure which the tow operator must follow to request a hearing to appeal the removal. If a hearing is requested, the Village President, or the Village President's designee, shall act as the hearing officer. The hearing shall be informal and provide both sides with the opportunity to present all evidence relevant to the removal. The hearing officer shall issue a written decision based upon a preponderance of the presented evidence within seven (7) days of the hearing. The opinion will be sent to the tow operator's business address with a copy retained in the tow operator's application file at the Police Department. The Village or the tow operator may contest the decision of the hearing officer in any manner provided by law.

(D) Immediate Suspension/Removal:

If the Chief of Police determines that a tow operator presents an immediate threat to the health, safety or welfare of the community, or if the tow operator has not provided proof of valid insurance in the types and amounts required by this Chapter, the Chief of Police may remove the tow operator from the tow rotation list prior to any hearing. If the Chief of Police finds just cause, he shall provide written notification to the tow operator that the tow operator is being removed from the tow rotation list immediately. Said written notice shall be delivered or mailed by certified mail, return receipt requested, to the tow operator's place of business on the first day the removal is effective, and shall state: 1) that the removal is effective immediately; 2) whether the removal is temporary or permanent; 3) the allegations forming the basis of the removal; and 4) the procedure which the tow operator must follow to request a hearing to appeal the removal. If a hearing is requested, the Village President, or the Village President's designee, shall act as the hearing officer. The hearing(s) shall be informal and provide both sides with the opportunity to present all evidence relevant to the removal. The hearing officer shall issue a written decision based upon a preponderance of the presented evidence within seven (7) days of the hearing. The opinion shall be sent to the tow operator's business address, with a copy retained in the tow operator's application file at the Police Department. If the decision favors the tow operator, the hearing officer shall notify the Police Department so that the tow operator's towing privileges may be reinstated as soon as possible. The Village or the tow operator may contest the decision of the hearing officer in any manner provided by law.

(E) Method of Requesting Hearing:

A tow operator must request a hearing by: 1) telephoning and speaking directly with the Village President within ten (10) days of receiving a notice of removal; and 2) scheduling a hearing. Leaving a message for the Village President will not satisfy this requirement. The Village President's office shall, within three (3) business days of the request, set a date and time for the hearing, and further, the hearing shall be held within ten (10) business days from the date of the request for the hearing. If the tow operator is unavailable at the time scheduled by the Village, the Village shall not be bound by the time period as stated above, and the removal will not be stayed. If the Village is unable to schedule a hearing within the applicable time as stated above, all action on removal of the tow operator shall be stayed until the hearing.

(Ord. 2011-7, 12-19-2011)

§9-4-11: SOLICITATION OF BUSINESS:

No tow operator may respond to the scene of an accident or emergency for the purpose of towing vehicles unless called there by the Police Department or persons involved in the accident or emergency. Tow operators responding to an accident or emergency at the request of a person other than a police officer, must record the name and address of the person and make such information available to the Police Department upon request.

This Section is intended only to prohibit the soliciting of business at the scene of accidents and emergencies, and shall not be construed to prohibit any tow operator from contracting with any person; provided, that the tow operator, his agents and employees, do not solicit tow contracts at the scene of accidents or emergencies. (Ord. 2011-7, 12-19-2011)

§9-4-12: TOW TRUCK OPERATION:

- (A) Every tow operator or driver of a tow truck shall remove or cause to be removed all glass and debris deposited on any street or highway by the disabled vehicle being serviced, and shall, in addition, spread oil dry upon that portion of any street or highway where oil or grease has been deposited by the disabled vehicle being serviced. No fees for this service shall be charged unless it is a special or unusual spill that requires special handling for its removal.
- (B) No tow operator or driver of a tow truck shall respond to a call for service while under the influence of intoxicants.
- (C) Towed vehicles shall be taken to such location designated by the vehicle owner, driver or agent, should such person not wish to store the vehicle at the tow operator's facility; provided, however, that vehicles towed upon the direction of the Police Department shall be towed to such a place as designated by the police officer in charge at the scene.
- (D) When a tow operator tows a vehicle pursuant to a DUI arrest, as authorized by 625 Illinois Compiled Statutes 5/4-203(e), the tow operator shall hold that vehicle in storage for twelve (12) hours or less as stated in 625 Illinois Compiled Statutes 5/4-203(e) and may only then release the vehicle to the owner or as otherwise allowed with a police release during normal business hours. Vehicles may be impounded longer as provided for by law by order of the arresting officer.
- (E) When a tow operator tows a vehicle pursuant to a traffic arrest or criminal arrest, the vehicle cannot be released until the registered owner shows a police release.
- (F) Once notified of a tow, the tow operator will provide the Police Department an approximate time it will take to arrive at the scene of a tow. If a tow operator is unable to respond to a tow request within twenty (20) minutes, the tow operator or his employee shall advise the Police Department that he is not available. The tow operator will be marked unavailable. The police dispatcher will then call the next tow operator on the list.
- (G) When a tow truck is canceled after being dispatched off the rotation tow list, it shall be put back at the head of the list.

(Ord. 2011-7, 12-19-2011)

§9-4-13: STORAGE FACILITY:

Each tow operator shall maintain a secure storage lot where all towed vehicles can be safely stored. Said lot shall be enclosed by a fence not less than six feet (6') in height and shall have a locked gate. All storage facilities must meet all zoning and fire ordinances and restrictions. When instructed by the Police Department that a vehicle in storage must be secured from tampering, the operator shall store said vehicle so that it is not accessible to any person except upon specific approval of the tow operator or his agent. A clearance of twenty four inches (24") must be maintained around all vehicles from the rotation tow list calls. (Ord. 2011-7, 12-19-2011)

§9-4-14: TOW OPERATOR PERSONNEL QUALIFICATIONS:

No person who has been convicted under the laws of this State or any other state of an offense which under the laws of the State of Illinois would be a felony theft of a vehicle or a felony offense under Article 1, Chapter 4 of the Illinois Vehicle Code, shall be approved as a tow operator to be placed on the rotation tow list, nor shall any tow operator knowingly permit such a person to operate a tow truck on the rotation tow list calls; provided, however, that a person whose last conviction was more than four (4) years past, and who has shown evidence of rehabilitation, may be approved if otherwise eligible.

Each tow operator shall furnish to the Police Department a complete and current list of all drivers who may respond to rotation tow list calls. No driver shall be permitted to respond to any rotation tow list call unless his name, date of birth and driver's license number have been furnished to the Police Department at least twenty four (24) hours in advance by the tow operator on forms provided by the Police Department.

(Ord. 2011-7, 12-19-2011)

§9-4-15: VIOLATION AND PENALTY:

Any person, firm, or corporation who is found guilty of violating any of the provisions of this Chapter shall be fined as provided in Section 1-4-1 of this Code for each offense. (Ord. 2011-7, 12-19-2011)

§9-4-16: TERMINATION OF ROTATION TOW PROCEDURE:

The Village reserves the right to terminate its rotation tow procedure unilaterally at any time without any notice and without recourse. (Ord. 2011-7, 12-19-2011)