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Memorandum

TO: Mayor & Commissioners
FROM: Shawn D. Smith, City Attorney
RE: City's rotating call list
DATE: 23 April 2012

Mayor and Commissioners

Attached are proposed revisions to the City's rotating tow list ordinance as a result of the City Commission's determination made at the April 3, 2012 meeting. At that meeting the Commission determined that the intent of the ordinance was to require an operator to have class A, B and C wreckers to respond to calls from the City. This ordinance applies, for example, when a police officer needs a wrecker to clear an accident scene. This section only applies to police initiated tows and does not address the non-consent tows from private property that you recently reviewed.

Upon the Commission's clarification of intent, the Key West Police Department continued a previous review of each operator to ensure they had the required equipment and otherwise complied with the applicable ordinances. Despite some operator's representations that they possessed all classes of wreckers, the preliminary investigation revealed that there was not a single operator who possessed all the requirements. However, before any operator is removed from the rotating call list they are entitled to a hearing before the City Manager to review all factual issues. It is anticipated that hearings will be scheduled in May for a final determination.

Please keep in mind that the majority of the attached ordinance is already in place. Additions are noted by underlined language. Deletions are noted by a ~~strike through~~. I encourage you to contact me with any questions or comments.

A handwritten signature in black ink, appearing to be "Shawn D. Smith", is written over a large, stylized scribble.

Shawn D. Smith

Donald J. Lee, Jr.

Chief of Police



Key West

POLICE DEPARTMENT

TO: Chief Donald Lee

FROM: Lieutenant J.R. Torres

DATE: April 20, 2012

RE: 2012 Towing Inspections

As directed, Officer Randall Hartle conducted inspections of all towing companies that are currently on our tow rotation to determine if they are in compliance with the current City Ordinance which governs them. The following is a summary of the inspections:

Alex's Towing

Meets all of the requirements of the ordinance with the exception of having a Class C or D Wrecker.

Arnold's Towing

Meets all of the requirements of the ordinance with the exception of having a Class C Wrecker.

A1A Towing

Meets all of the requirements of the ordinance with the exception of having a Class B, C or D Wrecker.

Key West Towing

Meets all of the requirements of the ordinance with the exception of having a Class C or D Wrecker.

Scott Brother's Towing

Meets all of the requirements of the ordinance with the exception of having a Class C or D Wrecker.

Anchor Towing

Meets all of the requirements of the ordinance with the exception of having a Class A Wrecker and having the inside storage at the same facility where the office/place of business and outside storage are located.

If there is anything else you need, please let me know. Thanks.



RESPECT - INTEGRITY - FAIRNESS

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