

CITY OF GRANITE FALLS

ORDINANCE NO. 860-2013

AN ORDINANCE OF THE CITY OF GRANITE FALLS, AMENDING THE GRANITE FALLS MUNICIPAL CODE ADDING NEW SECTION 10.76.005 ENTITLED "STATUTES INCORPORATED BY REFERENCE – VEHICLE –TOW TRUCK APPOINTMENT- REFUSAL TO APPOINT" - PROVIDING FOR SEVERABILITY AND EFFECTIVE DATE.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GRANITE FALLS, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. GFMC Chapter 10.76 entitled "ABANDONED VEHICLES – VEHICLE HULKS" is amended to add a new section 10.76.005 to read as follows – all other provisions of 10.76 remain in effect.

10.76.005 Statutes Incorporated by reference – Vehicle - Tow Truck Appointment – Refusal to appoint.

(A) Statutes incorporated by reference.

RCW Chapter 46.55 Towing and impoundment.

Applicable provisions of Chapter 46.55 RCW, as now or hereafter amended, are incorporated into this chapter by reference.

WAC Chapter 308-61 Unauthorized and abandoned vehicles.

Applicable provisions of Chapter 308-61 WAC, as now or hereafter amended, are incorporated into this chapter by reference.

(B) "Vehicle" includes:

(1) every device capable of being moved upon a public highway and in, upon, or by which any persons or property is or may be transported or drawn upon a public highway; and

(2) includes bicycles, power wheelchairs or devices, mopeds, automobiles, trucks, truck-trailer combinations, semi-trailers or trailers; and

(3) personal property registered or titled with the Department of Licensing pursuant to RCW 46.55.090. (RCW 46.55.010; 46.04.670).

(C) Tow Truck – Appointment.

The Granite Falls Chief of Police may appoint any towing truck operator engaged in removing, towing, and storing vehicles for the purposes of impounding vehicles and disposing of vehicles. Each such appointment shall be in accordance with the requirements of Chapter 46.55 RCW et seq. and Chapter 308-61 WAC.

(D) Tow Truck – Refusal to Appoint, Grounds For.

If an application for a license to conduct business as a registered tow truck operator is filed by any person whose license has previously been canceled for cause by the Department of Licensing, or if the Chief of the Granite Falls Police Department is of the opinion that the application is not filed in good

faith, that the application is filed by some person as a subterfuge for the real person in interest whose license has previously been canceled for cause, or for other good cause, the Chief of Police shall provide the applicant with notice of the intent to deny, revoke or suspend said appointment in accordance with the procedures set forth in GFMC Title 5. If the applicant requests a hearing, a hearing shall be held in accordance with GFMC Title 5.

Section 2. Severability. If any section, subsection, sentence, clause, phrase or word of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase or word of this ordinance.

Section 3. Effective Date. This ordinance shall take effect five days after the date of its publication by summary.

ADOPTED by the City Council and APPROVED by the Mayor this 4th day of Dec., 2013.



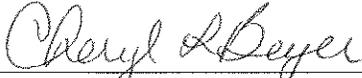
Mayor Sheikh Haroon Saleem

ATTEST/AUTHENTICATED:



Darla Reese, City Clerk

APPROVED AS TO FORM:



Thom H. Graafstra/ Cheryl L. Beyer, City Attorney

Date of First and Final Reading: 12/4/13
Date of Publication: 12/7/13
Effective Date: 12/12/13