

- (15) All companies will be required to provide a list of all authorized drivers. This list shall provide the driver's license number of each driver so that the driving record of each driver may be examined. Drivers with excessive violations may be denied the opportunity to respond to calls for service by the city police department.
- (16) The following amounts will be the maximum that companies may charge when requested to respond by the city police department. This does not apply to accidents requiring the use of large wreckers.

<i>Reason</i>	<i>Charge</i>
Citywide base response rate	\$75.00
Per loaded mile outside city limits	\$2.00
Winch/standby charges per hour	\$25.00
Daily storage per day	\$15.00

These rates will be reviewed on a yearly basis to ensure their conformity with current economic standards.

- (b) Penalty.
 - (1) Any company that violates any of the conditions of this section, with the exception of subsection (a)(16) of this section, will receive a written warning for the first offense. A second violation within a six month period will result in that company's removal from the list for three months. Any further violations af-

ter reinstatement within a 12-month period will result in removal from the list for one year.

- (2) Any violation of subsection (a)(14) of this section will result in that company's being removed from the list for a period of one year.
- (3) All complaints will be investigated by the patrol division commander. A representative of the company alleged to have violated these regulations will be permitted to present their defense prior to any action being taken. The chief of police shall have the final decision as to the action taken.

(Code 2006, § 8.40.13(C), (D); Ord. No. 2302, §§ 1, 2; Ord. No. 3295, § 1)

Sec. 66-84. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Motor vehicle means a car, automobile, truck, bus, omnibus, tractor truck, or other vehicle licensed to travel upon the roads of the state, or subject to licensing for travel or intended as a carrier for goods and persons from point to point which uses motive power derived from a motor or engine especially an internal combustion engine, or rotary engine and a Wankle.

Nonoperating motor vehicles means a motor vehicle with one or more of the following characteristics:

- (1) The engine or motor is inoperative.

- (2) The wheels, all or any one of them, are removed.
- (3) The motor vehicle has flats on two or more tires.
- (4) Major operating components are missing such as: windshield glass, door glass, fenders, gauges, steering wheel, tie rods, springs, drive train, gear box, rear end, or any parts connected with the steering geometry of the motor vehicle or the seats are removed.
- (5) Any of the major operating components such as those listed in subsection (4) of this definition are in such damaged condition so as to make the motor vehicle useless.
- (6) The motor vehicle does not have a current state registration.

Prima facie case means that a motor vehicle is a nonoperating motor vehicle if it does not have a current state motor vehicle inspection sticker demonstrating the motor vehicle has passed a safety inspection as by law required.
(Code 2006, § 8.16.01)

Sec. 66-85. Prohibiting nonoperating vehicles.

It is unlawful to have a nonoperating motor vehicle.
(Code 2006, § 8.16.02)

Sec. 66-86. Exceptions.

Nothing in this article shall be construed so as to apply to:

- (1) Any motor vehicle that can be started and moved under its own power on demand.
- (2) Motorcycles and motor bikes.

- (3) Antique automobiles, provided the vehicle has an antique license as by law required.
- (4) Temporarily disabled motor vehicles provided they are restored to running condition within 30 days from date of disablement.

(Code 2006, § 8.16.03)

Sec. 66-87. Violators.

A person shall be deemed in violation of this article if:

- (1) Such person owns or has registered to him a nonoperating motor vehicle that is in a prohibited area within the terms of this article.
- (2) Such person owns property that nonoperating motor vehicles are placed, parked or found resting on in a prohibited area within the terms of this article.
- (3) It shall be a prima facie case that the record owner is the owner of property in question.
- (4) It shall be a prima facie case that the registered owner of a motor vehicle is the owner of the motor vehicle.

(Code 2006, §§ 8.16.01—8.16.03, 8.16.05)

Secs. 66-88—66-117. Reserved.

DIVISION 2. REMOVAL

Sec. 66-118. Wrecked vehicles.

The city council hereby finds and declares that the condition of traffic is such on the streets of the city as to endanger the traveling public when illegally stopped, disabled and wrecked vehicles are found