

ORDINANCE NO. FCO-2008-VI
AN ORDINANCE TO ESTABLISH THE SHERIFF'S TOWING FEE

WHEREAS, the Floyd County Police Department (the "Department") must frequently order vehicles towed from Floyd County public ways as well as from private property; and

WHEREAS, each time the Department must order a vehicle towed, the Department incurs substantial processing costs, to include but not limited to: a complete inventory of the contents of the vehicle, police officer wait time on wrecker arrival, paperwork processing with wrecker operator and detailing police impound procedures, and other services; and

WHEREAS, a fee of THIRTY-FIVE (\$35.00) DOLLARS for each vehicle towed would reasonably compensate the Department for its processing costs. This would apply to criminal and traffic infraction violation tow-ins; and

WHEREAS, this proposed ordinance has been duly advertised and a public hearing has been held concerning the establishment of this tow-in fee;

WHEREAS, the Commissioners have the authority under IC 36-1-3-6 (the "Home Rule") to adopt an ordinance under Home Rule to establish and authorize the tow-in fee.

NOW THEREFORE, be it ordained:

Section 1. Vehicle Tow-In Fee

(A) The Floyd County Police Department may assess a THIRTY-FIVE (\$35.00) DOLLAR tow-in fee for each vehicle the Department orders towed.

(B) The Sheriff's Department shall collect the tow-in fee prior to releasing any towed vehicle to its owners and shall forward the Department's tow-in fees to the county Auditor's Office at least quarterly. The Auditor is hereby directed to deposit any such revenues received into the Sheriff's Special Car Fund.

Section 2. This ordinance shall take effect immediately upon passage and publication as provided by law.

NOW THEREFORE, BE IT FURTHER ORDERED that all Ordinances of Floyd County, Indiana which are in conflict with this Ordinance are hereby repealed to the extent of such conflict, and any Ordinance not in conflict with this Ordinance shall remain in full force and effect.

ADOPTED this 1st day of April, 2008.

FLOYD COUNTY, INDIANA, by and through the
Board of Commissioners

Paul A. Bunt
President

Charles A. Fyibergen
Commissioner

Matt
Commissioner

ATTEST:

Teresa A. Plaiss
Floyd County Auditor