

ORDINANCE NO. _____, SERIES 2025

AN ORDINANCE AMENDING THE LOUISVILLE METRO CODE OF ORDINANCES SECTION 72.062 CONCERNING STOLEN VEHICLE RETRIEVAL AT THE METRO GOVERNMENT TOW LOT.

SPONSORED BY: COUNCIL MEMBER HUDSON

WHEREAS, there is currently a 21-day grace period and special circumstances which allow owners of vehicles reported stolen and subsequently towed to the Metro Government Tow Lot are absolved of any storage fees; and

WHEREAS, owners of a stolen vehicle which was subsequently brought to the Metro Government Tow Lot should be able to designate a person to retrieve their vehicle if the owner is unable to do so.

NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT AS FOLLOWS:

SECTION I: LMCO 72.062 is amended as follows:

§ 72.062 TOWING AND CUSTODIAN CARE CHARGES.

(A) **Towing Charge.** A towing charge of \$150 for each hour or fraction of an hour required for towing shall be made for each motor vehicle. Where it is necessary to use more than one wrecker in moving or recovering a vehicle, an additional charge of \$150 per hour or fraction of an hour shall be assessed for each additional wrecker used. Where it is necessary to use additional equipment in moving or recovering a vehicle, such as a dolly, an additional charge of \$25 shall be assessed for each additional piece of equipment used. However, if the additional wrecker or equipment is furnished by contract wrecker employed by Metro Government for Metro Government or for a private person the charge made shall be the actual cost of the equipment to Metro Government but not

less than \$150 per hour or fraction thereof for a wrecker and not less than \$25 per hour or fraction thereof for additional equipment.

(B) **Handling Charge.** The Metro Government tow lot shall charge \$10 as a handling charge on all passenger cars, pick-up trucks, vans and motorcycles. For all other vehicles, the Metro Government tow lot shall charge \$20 as a handling charge.

(C) **Storage Charge.** The Metro Government tow lots shall charge \$30 per day as a storage charge on each vehicle on a tow lot.

(D) Louisville Metro Government shall set all towing charges in writing. The fees set forth in this section are the initial fees and hereinafter Metro Government may raise the fees no more than 10% each year.

(E) Except during an amnesty period as provided by § 72.066, during a challenge of the impoundment of a vehicle under § 72.129, or except as provided in subsections (G) or (H), the owner of the vehicle shall pay all charges, including any parking citations that have become final, before the vehicle is released. The Vehicle Impoundment Division or a named designee, shall collect all towing and storage charges, and citation fees from the owner of any such vehicle. Upon payment of all charges and presentation of proper identification and proof of ownership or entitlement of possession, the Cabinet Secretary, or a named designee, shall authorize release of the vehicle to the owner or other person entitled to possession, ~~or the owner's authorized designee, of any such vehicle.~~

(F) The Vehicle Impoundment Division shall account for and remit all charges so collected to the Metro Government Finance Cabinet at least every 72 hours.

(G) If the owner or other person entitled to possession of a vehicle presents a copy of a valid police report identifying a vehicle as stolen:

- (1) The towing charge shall be waived;
- (2) The handling charge shall be waived; and
- (3) The storage charge shall be waived for the first 21 days the vehicle is stored at a tow lot.

Except under the special circumstances provided in subsection (H) of this section, if a stolen vehicle is stored at the tow lot for more than 21 days, daily storage charges for each day beyond the twenty-first day shall be tallied and collected before the vehicle is released to the owner or other person entitled to possession.

(H) If the owner or other person entitled to possession of a vehicle presents a copy of a valid police report identifying a vehicle as stolen and also presents proof that the owner falls into one of the special circumstances listed in this subsection, all charges shall be waived regardless of how many days the owner's vehicle is stored at a tow lot. Special circumstances are defined as:

- (1) Hospitalization;
- (2) Military leave;
- (3) Delay in receiving necessary paperwork through probate of the owner of the vehicle;
- (4) Delay in receiving power of attorney or guardianship paperwork for the owner of the vehicle;
- (5) Delay in retrieving the vehicle due to disputed insurance claims related to the vehicle's theft;
- (6) Any incapacitation of the owner which physically prohibits them from retrieving their vehicle; or

(7) Any other special circumstance which physically, financially, or legally prohibits the owner of the vehicle from being able to retrieve their stolen vehicle within the 21-day period.

Any owner of a stolen vehicle who has been denied as falling under one of the special circumstances above may petition the Louisville Metro Police Department Chief, or his or her designee, for reconsideration. They shall notify the tow lot that they wish to be reconsidered no later than 3 days after their denial. The tow lot shall forward all documents showing the special circumstances to the Chief or designee for reconsideration. No storage fees shall be assessed during the reconsideration process. Storage fees will begin accumulating after the final decision by the Chief or designee after their decision has been rendered if applicable.

(l) For purposes of this section, the phrase “or other person entitled to possession” shall mean any person who:

- (1) Presents a court order entitling them to possession;
- (2) Presents paperwork showing that they are executor of the vehicle owner’s estate if the owner is deceased;
- (3) Has a power of attorney for the vehicle owner;
- (4) Presents a notarized letter from the vehicle owner authorizing release to that person;
- (5) Presents a signed title and bill of sale for the vehicle, provided that the title and bill of sale is less than 30 days old;
- (6) Presents proof that they hold a lien on the vehicle; or
- (7) Presents dealer assignment paperwork.

SECTION III: This Ordinance shall take effect upon its passage and approval or otherwise becoming law.

Sonya Harward
Metro Council Clerk

Brent Ackerson
President of the Council

Craig Greenberg
Mayor

Approval Date

APPROVED AS TO FORM AND LEGALITY:

Michael J. O'Connell
Jefferson County Attorney

BY: _____