

**ORDINANCE NO. 2405**

**AN ORDINANCE OF THE CITY OF TERRELL, KAUFMAN COUNTY TEXAS AMENDING CHAPTER 5, BUSINESS REGULATIONS, SECTION 15, WRECKER SERVICE, SUBSECTION F, POLICE PULLS; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TERRELL, KAUFMAN COUNTY, TEXAS THAT:**

**ARTICLE I.**

That Chapter 5, Business Regulations, Section 15, Wrecker Service, Subsection F, Police Pulls, shall be amended as follows:

**F. Police pulls.**

All police department-initiated, non-consent tows, including, but not limited to, police department-initiated non-consent tows for failure to maintain financial responsibility (FMFR) shall be undertaken by contacting the wrecker company on the top of the public service referral towing rotation listing with the owner/operator of the vehicle towed being subject to the fee schedule listed in subsection E above together with an additional Administrative Fee of \$10.00 to be collected by the applicable wrecker company and remitted to the Terrell Police Department as a part of the Weekly Reports specified in Paragraph G below. The towed vehicle shall be stored within the corporate limits of the City of Terrell, be subject to all applicable city sales taxes, and shall not be released without the following information being supplied to the owner of the wrecker company or his/her designated representative in accordance with applicable state law.

- A. Proof of ownership (title or other applicable documentation);
- B. Proof of financial responsibility (liability insurance);

**ARTICLE II.**

All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

**ARTICLE III.**

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable and, if any phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared unconstitutional by the valid judgement or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance, since the same would have been enacted by the city council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section.

**ARTICLE IV.**

This ordinance will take effect immediately from and after its passage and the publication of the caption as the law in such cases provides.

PASSED AND APPROVED THIS THE 7<sup>TH</sup> DAY OF APRIL, 2009.  
PASSED AND ADOPTED THIS the 21<sup>ST</sup> DAY OF APRIL, 2009.

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HAL RICHARDS, MAYOR

ATTEST:

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JOHN ROUNSAVALL, CITY SECRETARY

APPROVED AS TO FORM:

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MARY GAYLE RAMSEY, CITY ATTORNEY