



City of Fayetteville

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Legislation Text

File #: 17-609, **Version:** 1

TO: Mayor and Members of City Council

THRU: Karen M. McDonald, City Attorney

FROM: Brandon Christian, Police Attorney

DATE: February 5, 2018

RE:
Proposed Amendment to Section 24-223 of the City Code

COUNCIL DISTRICT(S):
ALL

Relationship To Strategic Plan:

Goal I: Be a safe and secure community

Executive Summary:

Technical corrections to the existing licensure requirements for wrecker operators who are included on the City's rotation wrecker list.

Background:

The ordinance needs two technical corrections to effectuate the intent of the section. The first requires that all drivers have a current certificate, showing that they have attended a training and safety course. These certificates expire after five years. Under the current version of the ordinance, there is no requirement that the tow truck operators renew the certificate. As these wreckers are called by City dispatchers, it is incumbent on the City to ensure that they maintain proper training in safety procedures.

The other correction updates terminology used in describing criminal convictions and permits the Chief of Police to discretionarily suspend drivers who are charged with certain violations, concerning impaired driving, possession of controlled substances, and serious felonies. As of now there is implied, but not expressed authority, to suspend a driver or owner who has a serious criminal charge filed against him. The regulations promulgated by the Police Department are based on this understanding. This modification will expressly authorize such suspensions.

Issues/Analysis:

On the whole, these two technical corrections will add clarity to the City's ordinance and help ensure the safety and well-being of our citizens.

Budget Impact:

Unknown at this time.

Options:

1. Accept the proposed amendments and direct staff to place on a future agenda for adoption.
2. Reject the proposed amendments.
3. Provide additional direction to staff.

Recommended Action:

Staff recommends that Council accept the proposed amendments and direct staff to place on a future agenda for adoption.

Attachments:

Section 24-223 Ordinance Amendment - Redlined

Section 24-223 Ordinance Amendment - Clean