

ORDINANCE 1896

AN ORDINANCE AMENDING PORTIONS OF THE VEHICLE TOWING AND IMPOUNDMENT REGULATIONS WITHIN THE TOWN OF MUNSTER

**WHEREAS**, the Town Council of the Town of Munster is the municipal legislative body of the unit; and

**WHEREAS**, The Town of Munster, its Staff, and consultants have reviewed and recommended various changes to the Munster, Indiana Code regarding Vehicle Towing and Impoundment; and

**WHEREAS**, based on those recommendations, the Munster Town Council has concluded that amendments to portions of Chapter 54. Traffic and Vehicles, Article II. Administration and Enforcement, Division 2. Vehicle Towing and Impoundment is appropriate; and

**WHEREAS**, The Munster Town Council deems it to be in the best interest of the general health, safety, and welfare of the citizens of the Town of Munster to amend Chapter 54. Traffic and Vehicles, Article II. Administration and Enforcement, Division 2. Vehicle Towing and Impoundment, Sections 54-72, 54-73(a)(4), 54-74, 54-75, and 54-76 of the Munster Code of Ordinances.

**NOW, THEREFORE, BE IT ORDAINED** by the Town Council of the Town of Munster, Lake County, Indiana as follows:

**SECTION ONE:** Chapter 54, Article II, Division 2, Section 54-72 shall be amended in its entirety to now read as follows:

**Sec. 54-72. Abandoned vehicles.**

This division 2 shall implement the requirements of Indiana Code 9-22-1 and supplement those procedures governing the removal, storage, release, and disposal of abandoned vehicles, as defined by Indiana Code 9-13-2-1, as amended from time to time.

**SECTION TWO:** Chapter 54, Article II, Division 2, Section 54-73(a)(4), only, shall be amended to now read as follows:

**Sec. 54-73. Certain vehicles declared a public nuisance.**

(a) . . . .

- (4) Any vehicle which has accumulated four (4) or more unpaid parking charges (for unrelated parking sessions) in violation of the Metered Parking regulations set forth in division 3 of this chapter, for which Parking Charge Notices have been issued and have not been paid pursuant to this chapter.

**SECTION THREE:** Chapter 54, Article II, Division 2, Section 54-74 shall be amended in its entirety to now read as follows:

**Sec. 54-74. Towing and impoundment authority.**

- (a) Whenever there is a violation of this Code, a town ordinance, or any state or federal law under which a vehicle is to be towed or public safety requires a vehicle to be towed, it shall be the duty of the police department of the town to cause the vehicle to be removed by a qualified towing contractor in accordance with this division 2 and the Town of Munster Police Department Tow Policy.
- (b) Whenever there is a violation of this Code or a town ordinance under which a vehicle is to be towed, the code enforcement officers of the town are authorized to have the vehicle removed by a qualified towing contractor in accordance with this division 2 and the Town of Munster Police Department Tow Policy.
- (c) Whenever there are four (4) or more noticed and unpaid violations of the Metered Parking regulations set forth in division 3 of this chapter, the Town's metered-parking management service is authorized to have the vehicle removed by a qualified towing company in accordance with this division 2.

**SECTION FOUR:** Chapter 54, Article II, Division 2, Section 54-75 shall be amended in its entirety to now read as follows:

**Sec. 54-75. Towing and storage charges.**

The fee schedule and policies for towing and storage for town requested tows shall be as follows:

- (a) All towing service providers and garage keepers shall provide the owner of each towed vehicle or the owner's agent with an itemized invoice.
- (b) Storage fees will not be charged until the vehicle has been impounded for at least 24 hours.
- (c) The towing service provider's and garage keeper's itemized invoices shall include the following: cost of the original towing service, cost of any vehicle storage fees expressed as a daily rate, other fees including documentation fees and motor vehicle search fees, costs for services performed under a warranty, and any other services or fees identified as a single line item with an explanation and exact charge for the service.
- (d) The towing service providers and garage keepers may charge for towing, removing, and storing vehicles as outlined below:

**Towing Fee Schedule**

Services Provided	Rate Per Vehicle Fee
Standard tow	\$ 200.00
Motorcycle rack or tie down	Additional \$ 50.00

Standard winch and tow	Up to \$ 75.00 (in addition to tow)
Standard winch only	\$ 150.00
Disconnect linkage (no keys)	\$ 25.00
Storage per day outside	\$ 50.00
Storage per day inside	\$ 75.00
Two or more trucks used	Two call-outs
Vehicles over one ton and/or use of specialized recovery unit	Fee to be determined by towing service provider
After hours vehicle release	\$ 50.00

**SECTION FIVE:** Chapter 54, Article II, Division 2, Section 54-76, of the Munster Municipal Code, shall be amended in its entirety to now read as follows:

**Sec. 54-76. Requirements of towing service providers.**

(a) Police department and code enforcement tows.

- (1) Any towing service provider or garage-keeper who desires to perform towing and/or storage services for the police department and code enforcement within the town for the amounts set forth in the Towing Fee Schedule in sec. 54-75 must do the following:
  - a. Successfully complete the Town of Munster Contractor License Permit annually including background checks on owner and all drivers operating in the Town of Munster.
  - b. Successfully complete the Town of Munster Police Department Tow Service Provider Application annually.
  - c. Provide proof of a current certificate of insurance naming the Town of Munster as additional insured.
- (2) Any towing service provider or garage-keeper who agree in writing to perform towing and/or storage services in accordance with the Munster Police Department towing policy and for the amounts set forth in the Towing Fee Schedule in sec. 54-75 shall be deemed a qualified person for purposes of this section. The Town shall employ towing contractors and garage-keepers in a manner which is nondiscriminatory and approved by the Board of Safety and/or the Town Council.

(b) Metered parking management service tows.

- (1) Any towing service provider or garage-keeper who performs towing and/or storage services for the Town of Munster Park Board, through its contracted parking management service, for the amounts set forth in the Towing Fee Schedule in sec. 54-75 must do the following:
  - a. Successfully complete the Town of Munster Contractor License Permit annually.
  - b. Provide proof of a current certificate of insurance naming the Town of Munster and the Town of Munster Park Board as additional insureds.
- (2) The town shall contract with contractors and garage-keepers in a manner which is nondiscriminatory and approved by the Town of Munster Park Board and/or the Town Council.

**SECTION SIX:** All other ordinances not specifically modified by this ordinance shall remain in full force and effect.

This Ordinance shall be effective from and after adoption by this Council and compliance with I.C. 36-5-2-10.

Now, therefore, be it **ORDAINED** that the above-referenced Ordinance is hereby enacted.

**ORDAINED and ADOPTED** by the Town Council of the Town of Munster, Indiana, on the \_\_\_\_ day of \_\_\_\_\_ 2023, by a vote of \_\_\_\_ in favor and \_\_\_\_ opposed.

**TOWN COUNCIL OF THE TOWN OF MUNSTER,  
LAKE COUNTY, INDIANA**

\_\_\_\_\_  
Chuck Gardiner, President

ATTEST:

\_\_\_\_\_  
Wendy Mis, Clerk-Treasurer