

1 **BOARD BILL NO. 35 CSAA INTRODUCED BY ALDERMAN JOSEPH**
2 **VACCARO, ALDERMAN TERRY KENNEDY, ALDERMAN JEFFREY BOYD,**
3 **ALDERWOMAN BETH MURPHY, ALDERWOMAN MARLENE DAVIS,**
4 **PRESIDENT LEWIS REED, ALDERWOMAN PAMELA BOYD**

5
6 An ordinance protecting victims of automobile theft from paying storing, towing
7 and administrative fees directly related to recovery of a stolen automobile by amending
8 Ordinance 64668, approved June 11, 1999 and containing a severability clause.

9 WHEREAS, from April 2016-April 2017 there were 761 reported automobile
10 thefts in the City of St. Louis (the “City”).

11 WHEREAS, the City’s Street Department oversees the towing of all automobiles
12 found on public property.

13 WHEREAS, the current fees for towing and storage are as follows:

- 14 (1) Towing: \$100;
15 (2) Dollying (for vehicles with flat tires, missing tires, 4x4): \$60;
16 (3) Labor: \$80/hour
17 (4) Storage \$25/day

18 WHEREAS, Ordinance 64668 permits administrative fees to be applied to
19 automobiles that were towed as a result of four (4) or more parking violations. These
20 fines can be unfair if parking tickets were issued after the automobile was stolen and
21 would not have occurred notwithstanding the automobile theft.

22 WHEREAS, Ordinance 63115 ensures all private towing companies who tow an
23 automobile from private property to contact the St. Louis Metropolitan Police

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1 Department (“SLMPD”) within twenty-four (24) hours after removal. Typically,
2 however, private companies will call SLMPD and determine if the automobile is stolen
3 before towing it. If the automobile is determined to be stolen, the automobile is turned
4 over to SLMPD. SLMPD immediately contacts the owner, but if they are unable to find
5 the owner in a short period of time (typically an (1) hour), they contact the Department of
6 Streets to tow the automobile and store it.

7 WHEREAS, this short period of time that SLMPD possesses the automobile
8 means many automobiles are towed and impounded by the Department of Streets, which
9 is an unfair financial burden to victims of crime.

10 **BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:**

11 **SECTION ONE.** Ordinance 64668, approved June 11, 1999, is hereby amended
12 to read as follows:

13 **SECTION FIVE.** It is prohibited for the Department of Streets, any St. Louis City
14 department or quasi government agency located in the City of St. Louis to charge a
15 towing or storage fee, including dollying and labor, for any stolen automobile recovered
16 in the city limits, as long as the automobile is claimed at the Towing Service Divisions
17 (7410 Hall St.) during regular business hours by the registered owner of the automobile,
18 possessing a valid state I.D., within seventy-two (72) hours of the automobile’s owner
19 being contacted by St. Louis Metropolitan Police Department. The seventy-two (72)
20 hours will not include Sundays and St. Louis City holidays.

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1 **SECTION SIX.** The St. Louis Metropolitan Police Department employee who initially
2 contacts the owner of the stolen automobile will record the exact date and time of the
3 initial contact on the police report. The time on the police report is presumed to be the
4 correct “starting time” for the seventy-two (72) hour period. The victim’s contact
5 information on file with St. Louis Metropolitan Police Department is presumed to be the
6 most up-to-date and correct contact information.

7 **SECTION SEVEN.** It is prohibited for the Department of Streets, any City department
8 or quasi government agency located in the City of St. Louis to charge an administrative
9 fee under this Ordinance if the towing of a stolen automobile was the direct result of
10 parking violation(s) acquired after an initial police report for the stolen automobile was
11 filed. Nothing in this Section will interfere with a department’s right to collect
12 administrative fees for an automobile that acquired four (4) or more parking
13 violation before a police report for the stolen car was filed.

14 **SECTION TWO. Severability Clause.** The provisions of this ordinance shall be
15 severable. In the event that any provision of this ordinance is found by a court of
16 competent jurisdiction to be unconstitutional, the remaining provisions of this ordinance
17 are valid unless the court finds the valid provisions of this ordinance are so essentially
18 and inseparably connected with, and so dependent upon, the void provision that it cannot
19 be presumed that the Board of Aldermen would have enacted the valid provisions without

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- 1 the void ones or unless the Court finds that the valid provisions, standing alone, are
- 2 incomplete and incapable of being executed in accordance with the legislative intent.

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