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Fiscal Officer:
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**GREEN TOWNSHIP BOARD OF TRUSTEES
RESOLUTION #18-1113- D**

**RESOLUTION ADOPTING TOWNSHIP WRECKER AND TOWING
RULES AND REGULATIONS**

BY THE BOARD:

WHEREAS, the Green Township Police Chief will be responsible for the establishment and maintenance of a Township Wrecker System in order to provide for the prompt and efficient removal of damaged vehicles from township roads when the owner of the damaged vehicle does not request a specific towing company to remove the vehicle; and

WHEREAS, a secondary purpose for adopting wrecker and towing rules and regulations is to provide fair and equal treatment to those companies that are qualified to participate in the Township Wrecker System and request to be part of the System.

NOW, THEREFORE, BE IT RESOLVED that the Wrecker and Towing Rules and Regulations attached hereto as Exhibit A are herewith adopted for use by the township police department effective November 13, 2018.

ADOPTED at the regular meeting of the Board of Green Township Trustees, Hamilton County, Ohio, and the 13th day of November, 2018.

Mr. Callos yes

Mr. Rosiello yes

Mr. Linnenberg exc

IT IS HEREBY CERTIFIED that the forgoing is a true and correct transcription of a resolution adopted by the Board of Trustees in session this 13th day of November, 2018.

A handwritten signature in black ink, appearing to read "T. Straus", is written over a horizontal line.

Thomas J. Straus
Green Township Fiscal Officer
Hamilton County, Ohio

**GREEN TOWNSHIP POLICE DEPARTMENT
WRECKER AND TOWING RULES AND REGULATIONS
EFFECTIVE AS OF NOVEMBER 13, 2018**

The Green Township Police Chief will be responsible for the establishment and maintenance of a Township Wrecker System. The purpose of the System is to provide for the prompt and efficient removal of damaged vehicles from township roads when the owner of the damaged vehicle does not request a specific towing company to remove the vehicle. A secondary purpose of the system is to provide fair and equal treatment to those companies that are qualified to participate in the Township Wrecker System and request to be part of the System.

Those towing companies which are qualified to participate in the Township Wrecker system in accordance with the Township Wrecker and Towing Rules and Regulations may apply to the Police Chief for inclusion in the system.

The wrecker companies that are participating in the Township Wrecker System at the time of the adoption of these Rules and Regulations will continue to be registered township wreckers and may participate in the rotation of wrecker dispatch calls. Additional wrecker companies may be added to the register and rotation by the Police Chief provided the following circumstances are found to exist by police personnel:

Each wrecker company registered hereafter must either have its principal business office and equipment located within the boundaries of Green Township, or else the owner of the wrecker company must be a resident of Green Township. Owner of the wrecker company is defined herein as follows:

1. If the company is a sole proprietorship, then the sole proprietor is the owner and must be a resident of Green Township.
2. If the company is a partnership, each general partner that owns an interest of five percent (5%) or greater in the partnership shall be considered an owner, and each must be a resident of Green Township.
3. If the company is a corporation, each stockholder that owns five percent (5%) or more of the common stock in the corporation shall be considered an owner and each such stockholder must be a resident of Green Township.

Every person, firm, or corporation registered with the Green Township Police Department, as part of the Township Wrecker System, will be governed by the following Rules and Regulations.

1. Every person, firm or corporation registered as a Wrecker or Towing Operator under the Township Wrecker System, will submit to the Green Township Police Chief the name and home address of the registered wrecker owner(s) and the business name, location and telephone numbers where the wrecker(s) will be maintained, along with

a description of the type of equipment and type of service the wrecker is equipped to render, and the size and character of the storage facilities to be provided by said wrecker for the storage of vehicles which come into his possession by virtue of his towing operation.

a. The registered wrecker owner(s) will submit to the Green Township Police Chief, upon request, the name, address and date of birth of all persons employed in the towing and storage operation, and any additional information as required by the Township Police in their investigation of the applicant and his proposed operation, or in any subsequent investigation required.

b. Written notice to the Township Police Chief must be made of any material change in the above information or in the equipment employed.

c. All registered wreckers must provide service 24 hours a day, seven days a week, and will maintain not more than one business telephone number for daytime operation, nor more than one telephone number for night or other availability on file with the Dispatch center. At no time will more than two numbers be called to dispatch a Township rotation wrecker. The above required telephone numbers may be changed through notification of the Township Police Chief. It is recommended that one telephone number be available for all hours, if possible, as this minimizes time required in dispatching a wrecker.

d. Each wrecker service on the Rotation List shall be operated by a separate owner. Owner(s) may possess more than one wrecker service, but only one service per owner will be permitted on the Rotation List.

2. Every registered wrecker owner, and/or insurance carrier for that owner, shall provide the Township Police current certificate of insurance stating the amounts of coverage on the equipment, premises and any other form of liability which could arise in this type of operation.

a. The Township Police will be advised by the registered wrecker owner, and/or insurance carrier of any change or termination of said coverage, with notice to be made ten days prior to effective date.

3. No person, firm, or corporation (or their agents or employees) under registration with the Township Wrecker system, shall respond to the scene of an accident unless dispatched, as herein provided, or engaged by a third person having a direct interest in the vehicle or vehicles involved.

4. When no wrecker is specified, as per wrecker requested procedures, registered Township rotation wreckers will be employed to remove vehicles involved in accidents under the rotation system.

5. For the purpose of this regulation, the removal of any vehicle on the traveled portion or berm of a highway, capable of being removed by a single crane tow, shall be considered a straight tow job.

6. The rates for towing passenger cars and light trucks will be established from time to time by resolution of the Board of Trustees of Green Township.

7. All charges in excess of the rates prescribed by resolution of the Board of Trustees of Green Township will be reported to the Police Chief stating in detail all charges and reasons for same. The above information shall be submitted in writing. Overcharges or unjustified extra charges will be considered serious violations and will be dealt with accordingly, to include suspension or removal from this system.

8. Upon the payment of reasonable permissible charges, vehicles in your possession must be released promptly and willingly by any authorized person claiming same, unless the vehicle is otherwise controlled by a Township Police holder. Any unnecessary delays, intimidation, threats of excessive charge or any other means of denying authorized persons the prompt possession of their property will not be tolerated.

9. The registered wrecker operator shall be responsible for all post-accident damage, missing, stolen, exchanged parts, accessories, or property damage that was caused by negligence or carelessness on the part of said wrecker operator and/or his employees or agents.

10. Towing operators are reminded that the fees established by resolution of the Board of Trustees of Green Township are the maximum charges permitted and should not be construed as the amount that must be collected. Charges of less than the maximum rate are in order in all cases where such tows are simple and not time consuming.

11. The fees established by resolution of the Board of Trustees of Green Township shall not apply when the owner or the operator of a vehicle makes a request for a specific towing operator. Requests for a specific towing operator may be relayed by police personnel.

12. Vehicles will be towed to the location indicated by the police personnel requesting the service. If not indicated, the vehicle will be removed to the registered wrecker's storage facility.

a. The wrecker service storage facility shall be of such size to allow for secure storage of all vehicles towed at the request of the Township Police Department. The storage area shall be secured in such a manner to maximize safety and security of stored vehicles.

b. The wrecker service storage facility shall be located entirely within Hamilton County and within or reasonably close to the wrecker district assigned to the wrecker service.

c. Rotation wrecker service shall have available a secure indoor storage facility to be used at the request of the vehicle owner, the discretion of the wrecker driver or at the discretion of the requesting Police Officer.

d. When an officer places a Township Police Holder on such vehicles, the wrecker operator will assume custody of such vehicle if towed to his storage lot. He will not relinquish custody of said vehicle until compliance with terms of the holder has been met and release approved by the Township Police Department personnel.

e. In all cases, process for release shall include verification by a member of the towing service of ownership of vehicles, authorization by the Police Department, and payment of all charges due.

13. Any vehicle placed in the custody of a wrecker operator by means of a Township Police Holder, and/or routine rotation towing, shall remain on the storage premises, and at no time shall it be moved or disposed of in any manner, or placed into use by said wrecker operator unless authorized by the Township Police Department or the owner, if no Township Police Holder is in effect on said vehicle.

14. Any wrecker operator who disposes of a vehicle which is being held under a Township Police Holder, without the authorization of the Green Township Police Chief, will be immediately removed from the Wrecker Rotation List.

15. When requested by police personnel, wrecker operators will furnish the Township Police Department with motor and serial numbers moved by order of the Township Police Department.

16. No vehicle shall be moved from an accident scene by a registered Township Rotation system Wrecker unless requested to do so through the County Dispatch System, or by a police officer on the scene.

17. Every wrecker and wrecker operator must meet the following minimum requirements:

a. Each wrecker and its equipment will be of sufficient capacity to safely handle any vehicles towed. The manufacturer's rated capacity of vehicles and equipment shall not be exceeded while towing vehicles.

b. Minimum requirements for wreckers are:

[1] REGULAR DUTY WRECKER:

(a) Minimum manufacturer rated capacity of 10,000 lbs. gross vehicle weight (GVW).

(b) Minimum capacity of single line steel cable winch lines 30,000 lbs. GVW.

[2] EXTRA HEAVY DUTY WRECKERS

GVW.

(a) Minimum manufacturer rated capacity 30,000 lbs.

(b) Minimum capacity of single line steel cable winch lines and boom 30,000 lbs. GVW.

(c) Minimum cable size of 5/8" or larger.

(d) Extra Heavy Duty wreckers will be equipped with air supply to be used in towing large vehicles with air brakes.

c. Wreckers shall not be loaded beyond the manufacturer's rated capacity of the vehicle and equipment. Use of a wrecker beyond its safe, legal or manufacturer's capacity, will be considered grounds for revocation of towing privilege.

d. Lifting and towing devices shall be designed and used to permit vehicles to be handled without inflicting additional damage. Operators must be trained in the use of equipment.

e. Opening of locked vehicles shall be accomplished with all precaution taken to insure minimal or no damage to vehicle.

f. Each wrecker shall be equipped with "Class A" turn signals meeting all legal requirements and mounted so as to be visible from behind vehicle being towed.

g. Each wrecker shall be equipped with an amber warning light or warning lights, permissible under Ohio law which, when lighted, are visible at a distance of 500 feet from all sides of the vehicle. No red lights shall face forward.

h. Each wrecker shall be equipped with brakes of sufficient capacity, and maintained in excellent condition, capable of exceeding legal requirements. Brakes shall be capable of stopping the loaded wrecker in thirty feet or less from a speed of twenty miles per hour.

i. Each wrecker shall meet or exceed all other legal requirements not listed in the above sections.

j. Each wrecker shall present a clean, well-painted appearance at all times.

k. Towing operators shall keep and maintain towing equipment in a condition that is adequate to perform such towing service in an efficient and workmanlike manner.

l. Each wrecker shall display in some manner on the exterior, and in plain view, the registered name under which the wrecker is operated on the township rotation system.

18. In addition to any other specifications set forth these rules and regulations, each wrecker shall carry as standard equipment the items listed below at the time of any inspection.

a. **MIRRORS** - Should have not less than 45 square inches of area located in usable position for driver and not to impede vision to front or sides.

b. **FIRE EXTINGUISHER** - Should be at least one quarter in capacity of: carbon dioxide, dry powder, or other approved contents for all grade fires.

c. **FLARES** - At least six 30-minute flares in a protective case.

d. **PUSH BOARD** - At least twelve inches wide and the width of the equipment. Push board shall be so constructed as not to inflict any damage to vehicle being pushed.

e. **HITCH** - Type of hitch used - sturdy bumper plate, cradling and shall be constructed as so not to inflict damage to vehicle being towed.

f. **CRANE** - Type of make and capacity and condition.

g. **WINCH** - Type of make and capacity and condition.

h. **SAFETY CHAINS** - Shall not be attached to, or available on vehicle to be used in case of cable breaking or hitch coming loose.

i. **TOW BAR** - Shall be a device that will hold vehicle a firm distance behind wrecker.

j. **SHOVEL** - Capable for use in picking up debris at scene or in cases where moving earth may be necessary.

k. **AXE** - Single blade, long handle.

l. **BROOM** - Long handle, heavy duty push or standard broom.

m. **WRECKING BAR** - Sturdy wrecking bar, at least thirty-six inches in length.

n. **BLOCKS** At least six blocks no less than 4"x4"x12".

o. **TIE ROPE** - At least twenty-five feet of heavy duty clothes line or sash cord, or its equivalent.

p. **HAND TOOLS** - Standard mechanic's hand tools, including wrenches, pliers, screwdrivers, hammer, etc.

q. **LOCKOUT TOOLS** - Any type special tools designed to efficiently enter a modern passenger vehicle without inflicting damage.

r. **STOP LIGHTS** - At least two stop lights, one at regular height and one sufficiently high so as to be seen over towed vehicles.

s. **TURN SIGNALS** - No less than three sets of Class "A" turn signals; two in front, two in rear, and two on the highest point of the vehicle.

t. **FLASHERS** - Shall be capable of flashing all turn signals simultaneously, while all other flashing equipment on the wrecker is operating.

u. **FLOOD LIGHTS** - Aimed so as to be of the most assistance to the operator when working in rear of wrecker at night and so aimed as not be a hazard to other motorists.

v. **SNATCH BLOCKS** - At least one.

19. Wrecker operators must display a high proficiency in the operation of their tools and equipment. Vehicles shall be towed without inflicting any damage.

20. Each company that participates in the Township Wrecker System must agree to inspections by police personnel for vehicle roadworthiness and shall further agree in writing to abide by the provisions of the Wrecker and Towing Rules and Regulations, as may be amended from time to time.

21. There shall be no division within the township of boundaries for dispatch of registered township rotation wreckers. Registered wreckers will be responsible for accepting a dispatch anywhere within the township.

22. The list of available registered Township Rotation Wreckers maintained at the Police Communication Center shall be maintained to reflect a continuing rotation, so that as a wrecker is dispatched by police personnel, that registered township rotation wrecker will go to the back of the list, and move forward again as future dispatch calls are made.

23. Towing operators dispatched by police personnel and then canceled, will not be registered with a call, and the towing operator will retain the position enjoyed before dispatch, provided the police communications is informed of the cancellation by the investigating officer on the scene.

24. Wrecker call must be made by the registered wrecker accepting the call. Under no circumstances will a non-registered wrecker be permitted to tow a vehicle from a scene or incident which is under Township Police Department control, and/or investigation, except when requested by the vehicle owner

25. If a wrecker is unable to respond immediately upon dispatch, the owner/operator will notify police communications of his inability or refusal to respond. Another wrecker will then be dispatched. When a wrecker is not available for service due to equipment and/or mechanical failure, the police communications dispatcher will be notified of the condition by the wrecker owner and/or operator and will be passed over in the regular rotation list until the wrecker company notifies the police communications dispatcher and the Township Police Department that it is again ready for immediate service.

26. If the need for an additional wrecker arises for a single vehicle, such as a truck, the wrecker service on the scene may request another wrecker from its fleet to respond to the scene to assist. If none are available, a second wrecker from the rotation will be dispatched.

27. Investigations and/or evidence indicating illegal or un-businesslike actions by registered wrecker operators, and/or his employees, shall be grounds for immediate suspension from the Township Rotation Wrecker system, pending results of investigation and/or final disposition.

28. Amendments to these Rules and Regulations can will be made as required. Notice of any amendments will be provided to all registered wrecker owners, and shall become effective immediately upon receipt of said notification.

29. Each wrecker firm, or operator towing vehicles for the Green Township Police understands that being on the Green Township Police Rotation System does not entitle wrecker firms or operators to any special rights or privileges and that they can be removed from the Green Township Rotation System at any time with or without cause.

30. All wrecker operators seeking participation in the Township Rotation System will be furnished with a copy of these Rules and Regulations at time of consideration. No wrecker operator will be permitted to participate in the Rotation System until all equipment and operators are found to be in compliance with the minimum rules and regulations set forth herein.

31. All registered township rotation wreckers shall agree that, in consideration of participation on the rotation list, the company will also tow, at no cost to the township, all passenger type vehicles that belong to the Green Township Police Department, Fire & EMS Department, Public Services Department and Administration. Towing of these vehicles will be

made from point of breakdown within Hamilton County to the Green Township Administrative Complex or other service facility designated by the Township. A separate rotation list for the towing of township owned vehicles will not be maintained.

WRECKER AND TOWING RULES ACKNOWLEDGMENT

The undersigned, in consideration of participating in the Green Township Wrecker and Towing Rotation List, agrees to the following:

1. I have received a copy of the Wrecker and Towing Rules and Regulations as amended effective November 13, 2018, and agree to comply with all its provisions.

2. I understand and agree that my business will tow all passenger type vehicles that belong to the Green Township Police Department, Fire & EMS Department, Public Services Department and Administration at no cost to Green Township. Towing of these vehicles will be made from point of breakdown within Hamilton County to the Green Township Administrative Complex or other service facility designated by the Township.

IN WITNESS WHEREOF, I have set my hand this _____ day of _____, 2018.

(Business Name)

By:
Printed Name and Title