

CHAPTER 93
MOTOR VEHICLE TOWING AND ROADSIDE SERVICES

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93.01 GENERAL PUBLIC. When it becomes necessary for the Sheriff's Department to utilize existing towing and roadside services it will do so in a fair and impartial manner, based on the capability to perform, the geographical proximity to the roadside incident, availability to timely provide the service, and any other factor relevant to achieving the greatest degree of safety for the motoring public and care for injured parties and damaged or disabled vehicles and property.

(a) Owner's Request. In all situations where it is appropriate, the owner or driver shall be allowed to choose a towing service. The selected service will be utilized if there is no adverse impact on safety to the motoring public and the service is located within reasonable geographic proximity to the roadside scene.

(b) Rotation Listing. When an owner or driver does not specify a particular service or is unable or unavailable to do so, a towing services rotation listing will be utilized by the Sheriff's Department except for roadside occurrences that require special heavy-duty equipment, vehicles, or expertise.

(c) Qualifications and Requirements. In order to ensure that the motoring public in Sheboygan County will receive competent and responsible towing services, the following minimum standards shall be required for placement on the Sheriff's Department rotation listing:

(1) The towing service must make application to the Sheriff's Department for inclusion on the listing in the manner required by the Department.

(2) The towing service must show that its operations and equipment are in compliance with all applicable State of Wisconsin laws and Administrative Codes and that the compliance will be maintained at all times.

(3) The service must provide twenty-four-hour-per-day, seven-day-per-week service with a maximum response time of forty (40) minutes. Response time is defined as the time period between the call from the Sheriff's Department and the service arriving at the roadside scene.

(4) Vehicles, equipment, and trained personnel shall be capable of adequate performance at the roadside scene.

(5) Towing services personnel shall not be under the influence of alcohol or drugs when responding to a call for service.

(6) Towing services personnel shall comply with all reasonable directives of a police officer when at the roadside scene.

(d) Removals from Rotation Listing. Any towing service which fails to comply with the minimum qualifications and requirements for rotation listing may be removed from the listing. Notification of removal shall be by letter. The Sheriff shall be responsible for determining removal and the time period of suspension from the listing.

(e) Hearing. A towing service that receives a notification of removal from the rotation listing may request a hearing with the Law Committee. Such request must be made within ten (10) days of receipt of notification of removal. The Law Committee shall conduct the hearing within thirty (30) days of receipt of the request. Law Committee decisions shall be final.

93.02 SHERIFF'S DEPARTMENT, IMPOUNDED, AND ABANDONED VEHICLES. Towing and roadside services for vehicles owned by the County, abandoned vehicles, and vehicles impounded by the

Sheriff's Department may be contracted for. The contracting process shall be in the manner prescribed by the Law Committee.

93.03 VEHICLES REQUIRING HEAVY-DUTY TOW TRUCKS AND OTHER SPECIAL CIRCUMSTANCES. Towing and roadside services in circumstances requiring heavy-duty tow trucks and/or roadside situations where special expertise, equipment, or vehicles are required may be contracted for without regard to the rotational system set forth in Section 93.01(b) of this Code. The contracting process shall be in the manner prescribed by the Law Committee.

93.04 CONSTRUCTION. The herein Ordinance shall, however, not be construed as granting any rights to towing or other service vendors and when, in the judgment of the officer(s) at a site, compelling reasons exist for other action, such as release of trapped victims, danger to other users of the road, components of critical care for special property or hazardous property appear to require more than routine attention, a need to reopen the highway immediately because of weather conditions, etc., then in such circumstances the herein provisions shall be construed to be directory only and shall not be subject to court enforcement.