

ORDINANCE NO. 25-17

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF CANEY, KANSAS; ADDING ARTICLE 6, SECTIONS 1 THROUGH 8 DEALING WITH TOWING AND TOWING COMPANIES.

BE IT, THEREFOR, ORDAINED BY THE GOVERNING BODY OF THE CITY OF CANEY, KANSAS:

SECTION 1. AMENDMENT. That chapter 6 of the Code of Ordinances of the City of Caney, Kansas is hereby amended to add the following Article 6, sections 1 through 9, as follows:

ARTICLE 6. TOWING AND TOWING COMPANIES

Section 1. Purpose. The purpose of this Ordinance is to establish requirements for the licensing, operation, equipment, insurance, and conduct of tow service providers operating within the City of Caney, and to set forth the procedures governing the Police Department's rotation tow list.

Section 2. Licensing, Approval, and Agreements

- a. No person shall operate a tow service provider within the City without first obtaining a City-issued Tow Operator's License.
- b. City of Caney Business License Form must be completed and a \$25 Business Fee paid.
- c. Annual renewal requires:
 1. \$25 renewal fee,
 2. Updated proof of insurance, and
 3. Renewal of the Tow Service Provider Agreement.
- d. Providers must be approved by the Chief of Police or designee prior to placement on the Police Department's rotation list.
- e. Providers must execute and maintain a Tow Service Provider Authorization & Indemnification Agreement with the City.

Section 3. Business Operations

- a. Business offices must be open to the public:
- b. Business signage must display the company name and phone number in a conspicuous exterior location.
- c. Tow services must be available 24 hours per day, seven (7) days per week.
- d. Storage Facilities:

1. Must be properly zoned and within city limits, or within five (5) miles of city limits.
 2. Outdoor storage must be fenced with a minimum 6-foot chain link fence.
 3. Secure indoor storage must be available for stolen property and valuable contents.
- e. Tow companies must tow abandoned vehicles in proportion to police tow requests.
 - f. At accident scenes, tow companies shall clean up debris (glass, parts, fluids) and dispose of it properly at their place of business.

Section 4. Equipment Requirements

Each tow service provider shall maintain at least one 16-ton capacity wrecker (Holmes 600 or equivalent) or greater.

Section 5. Insurance Requirements

Proof of insurance must be submitted on an ACORD certificate form with the City named as an additional insured (except workers' compensation). Minimum requirements:

- a. Commercial General Liability or Garage Liability: \$500,000 CSL (bodily injury & property damage, including products/completed operations).
- b. Business Auto Liability: \$500,000 CSL with coverage for:
 1. Any Auto, OR
 2. All Owned, Hired, and Non-Owned Autos, OR
 3. All Scheduled, Hired, and Non-Owned Autos.
- c. Garage Keepers Liability: \$75,000 per location.
- d. On-Hook/Cargo Coverage: \$50,000.
- e. Workers' Compensation: Statutory + Employer's Liability:
 1. \$100,000 per accident (bodily injury by accident).
 2. \$500,000 policy limit (bodily injury by disease).
 3. \$100,000 per employee (bodily injury by disease).
- f. Insurance carrier must be licensed in Kansas, carry a Best's rating of A- or better, Class X or higher, or be otherwise approved by the City.

Section 6. Personal Property in Towed Vehicles

- a. Tow providers may retain personal property until payment/arrangements are made.
- b. Mandatory release of:
 1. Medical supplies and essential personal items upon request (both codes).
 2. Release to owner/operator with proof of title, Insurance and registration unless directed otherwise by the Police Department.
- c. Providers are responsible for reasonable care of property. Unclaimed property shall be disposed of pursuant to local ordinance, including public auction.

Section 7. Rotation Tow List Procedures

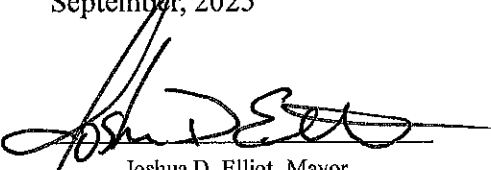
- a. The Police Department shall maintain a list of authorized tow service providers.
- b. Rotation shall be followed unless:
 - 1. The vehicle owner requests a specific tow company;
 - 2. A special event or circumstance requires deviation;
 - 3. The next provider lacks appropriate equipment; or
 - 4. Response is delayed.
- c. Failure to promptly respond or accept a call forfeits that turn; the next provider shall be contacted.

Section 8. Suspension or Revocation

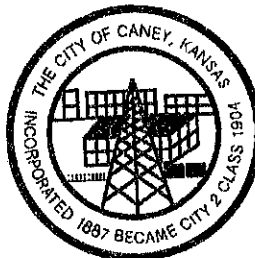
The Chief of Police may suspend or revoke authorization with seven (7) days' written notice for:

- a. Fraud or false statements in an application.
- b. Overcharging beyond the approved fee schedule.
- c. Failure to respond within twenty (20) minutes or failure to answer Police Department calls.
- d. Responding to scenes without being called and soliciting business.
- e. Any violation of towing rules, regulations, or City Code.

PASSED AND ADOPTED by the Governing Body of the City of Caney, Kansas this 22 day of September, 2025


Joshua D. Elliot, Mayor

Attest:




Adam Lanter, City Clerk