



Resolution

No. 2330

OFFICE OF THE
MAYOR
CITY OF SAN LUIS

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SAN LUIS, ARIZONA, SETTING TOWING AND STORAGE FEES PURSUANT TO SAN LUIS CITY CODE SECTION 10.25.030(H); REPEALING ANY CONFLICTING PROVISIONS; AND PROVIDING FOR SEVERABILITY.

WHEREAS, A.R.S. § 9-499.05 authorizes cities to regulate the maximum charge for towing, transporting, and impounding vehicles from private property without the vehicle owner's or operator's consent under the notice requirements of the statute;

WHEREAS, San Luis City Code § 10.25.030(H) provides that the City Council may set the maximum fees for towing and impounding vehicles by resolution; and

WHEREAS, on February 11, 2009, the fee was set by Resolution No 817 at \$75 per towing and \$25 per twenty-four hours for storage and

WHEREAS, after thirteen and a half (13½) years, on August 24, 2022, staff recommended an increase to \$150 for towing and \$35.00 per twenty-four (24) hours for storage to reflect the then market conditions, and

WHEREAS, the City Council adopted a towing fee of \$90.00 and a \$35.00 per twenty-four (24) hours for storage through Resolution No. 2229;

WHEREAS, the current rates are significantly below the current market conditions in Yuma County, Arizona, causing (1) scarcity of services in San Luis and (2) consumers to pay high rates to bring services from outside the City of San Luis; and

WHEREAS, there is a need to bring the regulated price in line with current market conditions;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of San Luis, Arizona:

Section 1: The maximum fee for towing shall be \$165.00 per vehicle, and the maximum fee for storage impound shall be \$40.00 per twenty-four-hour day per vehicle.

Section 2: An after-hours towing service fee of \$30.00 per vehicle, to be charged after 5:00 pm, Monday through Friday, all hours on Saturdays, Sundays, and Holidays (but only those holidays that are listed in A.R.S. § 1-301 as it may be amended which are not observed on Sunday). A mileage service charge of \$5.00 per mile to transport a vehicle to or from outside the San Luis city limits.

Section 3: If a conflict arises between the provisions of this resolution and any other ordinance, resolution, regulation, or policy of the City of San Luis, the conflicting provisions are amended, superseded, and replaced, and this resolution shall govern.

Section 4: If any section, subsection, sentence, clause phrase, or portion of this resolution is held to be invalid or unconstitutional by the final decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portion of this resolution.

PASSED, ADOPTED, and APPROVED by the Mayor and City Council of the City of San Luis, Yuma County, Arizona, this ____ day of July 2024.

Nieves Riedel, Mayor

Attest:

Approved As to Form:

Sonia Cornelio, City Clerk

Kay Marion Macuil, City Attorney