

	KENOSHA POLICE DEPARTMENT			
	POLICY AND PROCEDURE			
	61.5 Towing Illegally Parked Vehicles			
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I. PURPOSE

The purpose of this policy is to establish guidelines for the towing of vehicles in accordance with applicable state laws and City of Kenosha Code of General Ordinance.

II. POLICY

Officers and Parking Enforcement of the Kenosha Police Department are authorized to tow vehicles pursuant to Wisconsin State Statutes and the City of Kenosha Code of General Ordinances.

III. AUTHORITY TO REMOVE AND TO TOW

A. Officers and Parking Enforcement Aides are authorized to order the towing for an illegally parked vehicle pursuant to Wisconsin State Statutes and the City of Kenosha Code of General Ordinances. The applicable Wisconsin State Statutes and City of Kenosha Code of General Ordinances include but are not limited to:

1. Wisconsin State Statute 349.13 (3) Authority to Regulate the Stopping, Standing or Parking of Vehicles.
2. City of Kenosha Code of General Ordinance 7.041 Parking Regulations – Unregistered Vehicles.
3. City of Kenosha Code of General Ordinance 7.11 Loading Zones.
4. City of Kenosha Code of General Ordinance 7.126 Motor Vehicles – Nuisances – Repair Work.
5. City of Kenosha Code of General Ordinance 7.128 Towing of Illegally Parked Vehicles.
 - A. **Towing.** Vehicles Illegally Parked on a Highway having any of the following:
 1. Two (2) or more open warrants of any kind or two (2) or more commitments;
 2. Two (2) or more open parking citations, more than thirty (30) days old;
 3. No license plates and VIN number identifies the vehicle owner as having two (2) or more open parking citations, more than thirty (30) days old;
 4. One (1) open warrant/commitment and one (1) open parking citation more than thirty (30) days old;

Shall, following the issuance of a parking citation, be towed by a City licensed tower at the request of the City Police Department.
6. City of Kenosha Code of General Ordinance 7.129 Parking of certain motor vehicles and equipment prohibited on the exterior of any residential property and on any public

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street, highway, alley, thoroughfare or right-of-way in any residential zoning district of the City.

7. City of Kenosha Code of General Ordinance 7.13 Miscellaneous.
 - 7.13 F.1 - Declarations of Emergency
 - 7.13 F. 2a - Snow Emergency Streets
 - 7.13 F.2b – Narrow Snow Emergency Street
 - 7.13 I Removal of Illegally Parked Vehicles
8. City of Kenosha Code of General Ordinance 13.12 Towing Service.

III. ENFORCEMENT ACTION

- A. Officers and Parking Enforcement Aides intending to tow a vehicle shall ensure that their action is in conformity with Wisconsin State Statutes and City of Kenosha Code of General Ordinances.
 1. Officers or Parking Enforcement Aides shall contact the Communications Center and request a tow truck. The communication Center will assign a case number which will be placed on the citation, tow card and investigative report. The decision as to which towing firm that will be dispatched will be made by the Communications Center.
 2. The Officer or Parking Enforcement Aide will provide the Communications Center with the following information:
 - a. Officer or parking enforcement aide's unit number.
 - b. Specific location of the vehicle to be towed.
 - c. Vehicle identification information:
 - Make of the vehicle
 - Model of vehicle
 - Vehicle plate number and State from where the vehicle is registered or VIN if no vehicle plate information is available
 - d. If the tow firm will require special equipment to remove the vehicle.
 3. The officer or parking enforcement aide shall check to determine if the vehicle is reported stolen and before the vehicle is towed an inventory search shall be conducted.
 4. The officer or parking enforcement aide shall complete the citation, tow information slip for tow firm, tow card and an investigative report.

IV. COUNTER PERSONNEL

- A. Personnel assigned to the counter will be responsible for the following:
 1. Counter Personnel shall be available to handle, in person and telephone inquiries on vehicles towed. Whenever counter personnel are not available, inquiries will be directed by the inside Patrol Supervisor.
 - a. Counter personnel will receive tow cards from parking control and officers and then enter the information into the computer and print a tow list. Tow cards will then be placed in the Patrol Supervisor's office along with a print out of the tow list.
 - b. Inquiry will be made to ensure that the vehicle was stolen or if vehicle was towed and not entered on the towing list yet.
 - c. If vehicle is not on towing list, handle as stolen vehicle.
 2. When an illegally parked vehicle is towed to a towing contractor's lot, counter personnel shall inform the claimant:

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- a. The parking violation that caused tow.
 - b. That a towing fee and possibly a storage charge must be paid to the towing contractor in cash or MasterCard/Visa charge card before release of vehicle, unless otherwise ordered by the City Attorney.
 - c. To claim vehicle, proof of ownership must be shown.
 - d. If towed vehicle is not properly registered, the claimant will be referred to the Traffic Officer for release of the vehicle.
3. A towed vehicle must be released to registered owner if tow fee is paid.

V. COURT OFFICER

A. COURT APPEARANCE REQUESTS

1. A person wishing to contest the legality of a parking citation and of the tow resulting will need to comply with the procedures set forth in Municipal Ordinance number 7.128 (E) or may comply with the following procedure:
 - a. Contact the Municipal Court Officer and request a court date.
 - b. Proper Identification is required. **ONLY THE REGISTERED OWNER OF THE VEHICLE TICKETED MAY SET UP A COURT DATE.**