

Ordinance No. 90316

AN ORDINANCE relating to the business of "Motor Vehicle Wrecker"; requiring a license therefor; defining offenses and prescribing penalties and amending Ordinance 48022 (The License Code) by the addition thereto of Sections 336 through 346.

Walter J. Jones

FILE NO. 240577

Council Bill No. 81787

INTRODUCED: JUN 5 1961	BY: <i>Walter J. Jones</i> Public Safety
REFERRED: JUN 5 1961	TO: License Public Safety
REPORTED: JUN 12 1961	SECOND READING: JUN 12 1961
THIRD READING: JUN 12 1961	SIGNED: JUN 12 1961
PRESENTED TO MAYOR: JUN 12 1961	APPROVED: JUN 12 1961
RETD. TO CITY CLERK: JUN 12 1961	PUBLISHED: JUN 17 1961
VETOED BY MAYOR:	VETO PUBLISHED:
PASSED OVER VETO:	VETO SUSTAINED:
ENGROSSED:	BY:
VOL.	PAGE

C.F. 243326 - Pet of Leon L. Wolfstone, Atty. re Ord. 90316,
and validity of same, etc.

Ord. 92986 - AMENDS SEC. 338

SEE BACK COVER

PAGE
A. A. (BG)
BLOG.
ENG.
B. D.
A. C.
S. E.
C. O.
LIGHT

C.F. 244929 Rept of Corp Counsel on court case re. Ord. 90316, licensing and
regulating motor vehicle wreckers and fence and access requirements
and appeal of case to Supreme Court.

Ord 101488 - RE TO & DEFINING "MOTOR VEHICLE WRECKER" & AMENDING SEC 336 OF LICENSE CODE (48022).

ORDINANCE 90316

AN ORDINANCE relating to the business of "Motor Vehicle Wrecker"; requiring a license therefor; defining offenses and prescribing penalties and amending Ordinance 48022 (The License Code) by the addition thereto of Sections 336 through 346.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Ordinance 48022 (The License Code) is amended by adding eleven new sections thereto designated 336, 337, 338, 339, 340, 341, 342, 343, 344, 345 and 346, as follows:

Section 336. The term "Motor Vehicle Wrecker", when used in this ordinance, shall mean anyone engaging in the business of buying, acquiring or dealing in motor vehicles of a type usually licensed by the State of Washington, and which motor vehicles are intended by him to be wrecked, dismantled or disassembled; or anyone who maintains or uses any building, premises, or place to wreck, dismantle or disassemble any such a motor vehicle, and who possesses for sale, offers to sell, or sells any part of any motor vehicle wrecked, dismantled, or disassembled at such building, premises or place; or anyone who stores, or who causes, suffers or allows to remain, on any lot or parcel of land, three (3) or more motor vehicles of a type usually licensed under the laws of the State of Washington, and from which parts have been, or are to be, removed, or which for more than thirty (30) days have not been capable of operation under their own power.

Section 337. It is unlawful for anyone to be or to become a "Motor Vehicle Wrecker" without having first obtained, for each location at which he is or becomes a motor vehicle wrecker, an annual "Motor Vehicle Wrecker's License", which shall expire on June 30, of each year, and the fee for which is hereby fixed at Fifty Dollars (\$50.00).

Section 338. The activities of a Motor Vehicle Wrecker shall be conducted entirely within an enclosed building, or on premises enclosed by a view obscuring, firm and substantial fence

or a solid wall, at least eight (8) feet high, and no motor vehicle or part of a motor vehicle acquired or purchased in the course of such business shall be parked, stored or displayed on the outside of such building, fence or wall. Any such fence or wall shall be maintained in firm, substantial condition and shall have not more than one (1) opening upon any public way. Such opening shall be not more than twenty (20) feet wide, and shall be equipped with a substantial, solid, tight gate or door of the same height as the fence or wall. Such gate or door shall swing inwardly, or shall be parallel to the fence or wall and shall slide horizontally, and shall be kept securely closed when the establishment is not open for business.

Premises which may not conform with this section, but at which the business of a Motor Vehicle Wrecker was being conducted on the effective date of this ordinance, shall conform with this section within ninety (90) days after such effective date.

Section 339. Motor vehicles, parts of motor vehicles, and any other material within a building or premises where the business of a Motor Vehicle Wrecker is conducted shall be arranged so as to allow reasonable access to all parts of the premises and so as to permit convenient inspection thereof, and nothing within such premises shall be placed nearer than one (1) foot to an enclosing fence or wall.

Section 340. Every Motor Vehicle Wrecker shall clearly, legibly and consecutively mark with a number each motor vehicle acquired or purchased by him at the time such motor vehicle is placed on any premises at which he is licensed to engage in business as a Motor Vehicle Wrecker.

Section 341. Every Motor Vehicle Wrecker shall keep, at a location designated by him in his license application, a record of every acquisition or purchase of a motor vehicle or a part of a motor vehicle, which records shall include the following:

1. The date.
2. The number placed on the motor vehicle by the Motor Vehicle Wrecker.
3. The Certificate of Title Number of the motor vehicle if registered in a title state, the registration number if registered in a non-title state, or comparable identification if elsewhere registered.
4. The name of the state and license number where the motor vehicle was last registered, or comparable information if last registered outside any state.
5. A description of the motor vehicle, including make, year, model, body type, identification number and motor number.
6. The name, age, street address, and a general description, including dress, complexion, color of hair and facial appearance, of the person with whom the transaction is had; or other identification of the seller.

Section 342. Every Motor Vehicle Wrecker shall deliver to the Chief of Police, before the hour of noon of each business day, a copy of the record of the transactions for the immediately preceding business day.

Section 343. The City Comptroller, the Chief of Police, or any Police Officer of the City, may enter and inspect the premises, or anything on the premises of a Motor Vehicle Wrecker, and may inspect the records of any Motor Vehicle Wrecker at any reasonable time.

Section 344. Any motor vehicle or part of a motor vehicle acquired or purchased by a Motor Vehicle Wrecker shall be held at least ten (10) days before such motor vehicle or part of a motor vehicle is disassembled or offered for sale or sold unless the disassembling or offering for sale or sale of such motor vehicle or part of a motor vehicle within a lesser period than ten (10) days has been authorized by a Police Officer designated for such purpose by the Chief of Police.

Section 345. It is unlawful for any Motor Vehicle Wrecker to cause, suffer or allow anyone to use the premises on which such Motor Vehicle Wrecker conducts his business for the purpose of dismantling or cutting up any motor vehicle or part of a motor vehicle which is not owned by such Motor Vehicle Wrecker.

Section 346. It is unlawful for any Motor Vehicle Wrecker to park, store or display, or to cause, suffer or allow anyone to park, store or display, any motor vehicle for sale as a used car on any premises at which he is licensed to engage in business as a Motor Vehicle Wrecker.

Section 2. Should any portion of this ordinance be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 3. Anyone violating or failing to comply with the requirements of this ordinance shall upon conviction thereof be subject to fine not exceeding Three Hundred Dollars (\$300.00) or imprisonment in the City Jail not exceeding ninety (90) days, or to both such penalties, and each day's violation or failure to comply shall constitute a separate offense.

(To be used for all Ordinances except Emergency.)

Section 4. This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 12 day of June, 19 61,
and signed by me in open session in authentication of its passage this 12 day of
June, 19 61.

Clarence F. Massart
President Pro Tem of the City Council.

Approved by me this 12 day of June, 19 61.

Jordan D. Clinton
Mayor.

Filed by me this 12 day of June, 19 61.

Attest: *C. H. Granderson*
City Comptroller and City Clerk.

(SEAL)

Published JUN 17 1961

By W. A. Perine
Deputy Clerk.

The City of Seattle--Legislative Department

MR. PRESIDENT:

Date Reported
and Adopted

Your Committee on License and Public Safety
to which was referred C. B. No. 81787,

JUN 12 1961

relating to the business of "Motor Vehicle Wrecker"; requiring a license therefor; defining offenses and prescribing penalties and amending Ordinance 48022 (The License Code) by the addition thereto of Sections 336 through 346,

RECOMMENDS THAT THE SAME DO PASS.

Massart

Public Safety

Chairman

Carroll

License

Chairman

Committee

Committee

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Affidavit of Publication

STATE OF WASHINGTON, | ss.
COUNTY OF KING |

M. E. Brown, being first duly sworn, on oath deposes and says that he is the business manager and one of the publishers of The Daily Journal of Commerce, a daily newspaper. That said newspaper is a legal newspaper and it is now and has been for more than six months prior to the date of the publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of said newspaper. That the said Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of said King County.

That the annexed is a true copy of
ORDINANCE NO 90316

....., as it was published in the regular issue
(and not in supplement form) of said newspaper on the
.....17th..... day ofJune 1961....., and that said
newspaper was regularly distributed to its subscribers during
all of said period.

M. E. Brown

Subscribed and sworn to before me this

.....17th..... day ofJune 1961.....

D. Sawyer

Notary Public in and for the State of Washington, residing at Seattle.
(This form officially sanctioned by Washington State Press Association.)
Affidavit Form D.