

PERMIT NUMBER _____

**APPLICATION FOR TOW TRUCK SERVICE PERMIT
(CODE OF ORDINANCE – CHAPTER 24)**

The annual fee for a permit shall be:

\$25 per driver, \$30 per vehicle review, \$15 validation of State registration, \$25 processing, \$10 application copy (if requested), and \$15 decal per vehicle. \$45 to add/replace/substitute a vehicle (if applicable).

NAMES OF PERMIT HOLDER: _____

TRADE NAME: _____

BUSINESS ADDRESS: _____

BUSINESS TELEPHONE NUMBER / E-MAIL ADDRESS: _____ / _____

NUMBER OF TOW TRUCKS PROPOSED TO BE OPERATED:

CLASS I: _____ CLASS II: _____

NAME OF PUBLIC LIABILITY/PROPERTY DAMAGE INSURANCE CARRIER:

NOTE: Do not accept this application unless completed and with all required documents attached.

RECOMMENDATION: (APPROVED) (REJECTED) DATE: _____

COMMENTS:

APPROVED BY: _____

CITY SECRETARY

I. LIST ALL OWNERS, AND/OR CORPORATE OFFICERS:

A. NAME: _____ % OF OWNERSHIP: _____

ADDRESS: _____

HOME PHONE: _____ BUSINESS PHONE: _____

COMMENTS: _____

(Continued on next page)

B. NAME: _____ % OF OWNERSHIP: _____

ADDRESS: _____

HOME PHONE: _____ BUSINESS PHONE: _____

COMMENTS: _____

C. NAME: _____ % OF OWNERSHIP: _____

ADDRESS: _____

HOME PHONE: _____ BUSINESS PHONE: _____

COMMENTS: _____

II. IS THE BUSINESS PROPERTY OWNED BY THE APPLICANT?

CIRCLE ONE: (YES) (NO)

IF NO, LIST NAME AND ADDRESS OF ACTUAL OWNER:

Name: _____

Address: _____

III. LIST YOUR CITY OF LUBBOCK TOW TRUCK BUSINESS PERMIT No.: _____

IV. DO YOU OWN A TEXAS VEHICLE STORAGE FACILITY: _____ (Sec. 1)

A. If "YES" – give the Vehicle Storage Facility License No.: _____

B. If "No" – do you have access to a Vehicle Storage Facility: _____

If "Yes" – list the name of the licensed facility _____
and License No. _____.

V. LIST THE APPROXIMATE CAPACITY OF YOUR STORAGE
FACILITY WHEN VEHICLES ARE STORED A MINIMUM OF TWO
(2) FEET APART ON BOTH SIDES AND/OR FRONT AND BACK: _____

V. LIST THE NUMBER OF CLASS I TOW TRUCKS YOU
HAVE MAINTAINED AND ARE READY FOR USE: _____

VI. LIST THE NUMBER OF CLASS II TOW TRUCKS YOU
HAVE MAINTAINED AND ARE READY FOR USE: _____

VII. LIST INFORMATION ON ALL CLASS I OR CLASS II WRECKERS OWNED BY THE BUSINESS. INCLUDE ALL WRECKERS LICENSED BY THE CITY AND/OR STATE WHETHER CURRENTLY OPERABLE OR NOT.

A. YEAR MODEL: _____ MAKE: _____ MODEL NAME: _____

LICENSE NUMBER: _____ MONTH/YEAR EXPIRES: _____

VIN NUMBER: _____ GROSS WEIGHT: _____

TDLR LICENSE

NUMBER: _____ EXPIRES: _____

IF NAME ON TITLE OF THIS VEHICLE IS DIFFERENT FROM THE BUSINESS OF THE OWNER(S), PROVIDE NAME, ADDRESS & TELEPHONE NUMBER OF TITLE OWNER:

B. YEAR MODEL: _____ MAKE: _____ MODEL NAME: _____

LICENSE NUMBER: _____ MONTH/YEAR EXPIRES: _____

VIN NUMBER: _____ GROSS WEIGHT: _____

TDLR LICENSE

NUMBER: _____ EXPIRES: _____

IF NAME ON TITLE OF THIS VEHICLE IS DIFFERENT FROM THE BUSINESS OF THE OWNER(S), PROVIDE NAME, ADDRESS & TELEPHONE NUMBER OF TITLE OWNER:

C. YEAR MODEL: _____ MAKE: _____ MODEL NAME: _____

LICENSE NUMBER: _____ MONTH/YEAR EXPIRES: _____

VIN NUMBER: _____ GROSS WEIGHT: _____

TDLR LICENSE

NUMBER: _____ EXPIRES: _____

IF NAME ON TITLE OF THIS VEHICLE IS DIFFERENT FROM THE BUSINESS OF THE OWNER(S), PROVIDE NAME, ADDRESS & TELEPHONE NUMBER OF TITLE OWNER:

D. YEAR MODEL: _____ MAKE: _____ MODEL NAME: _____

LICENSE NUMBER: _____ MONTH/YEAR EXPIRES: _____

VIN NUMBER: _____ GROSS WEIGHT: _____

TDLR LICENSE

NUMBER: _____ EXPIRES: _____

IF NAME ON TITLE OF THIS VEHICLE IS DIFFERENT FROM THE BUSINESS OF THE
OWNER(S), PROVIDE NAME, ADDRESS & TELEPHONE NUMBER OF TITLE OWNER:

E. YEAR MODEL: _____ MAKE: _____ MODEL NAME: _____

LICENSE NUMBER: _____ MONTH/YEAR EXPIRES: _____

VIN NUMBER: _____ GROSS WEIGHT: _____

TDLR LICENSE

NUMBER: _____ EXPIRES: _____

IF NAME ON TITLE OF THIS VEHICLE IS DIFFERENT FROM THE BUSINESS OF THE
OWNER(S), PROVIDE NAME, ADDRESS & TELEPHONE NUMBER OF TITLE OWNER:

F. YEAR MODEL: _____ MAKE: _____ MODEL NAME: _____

LICENSE NUMBER: _____ MONTH/YEAR EXPIRES: _____

VIN NUMBER: _____ GROSS WEIGHT: _____

TDLR LICENSE

NUMBER: _____ EXPIRES: _____

IF NAME ON TITLE OF THIS VEHICLE IS DIFFERENT FROM THE BUSINESS OF THE
OWNER(S), PROVIDE NAME, ADDRESS & TELEPHONE NUMBER OF TITLE OWNER:

G. YEAR MODEL: _____ MAKE: _____ MODEL NAME: _____

LICENSE NUMBER: _____ MONTH/YEAR EXPIRES: _____

VIN NUMBER: _____ GROSS WEIGHT: _____

TDLR LICENSE

NUMBER: _____ EXPIRES: _____

IF NAME ON TITLE OF THIS VEHICLE IS DIFFERENT FROM THE BUSINESS OF THE OWNER(S), PROVIDE NAME, ADDRESS & TELEPHONE NUMBER OF TITLE OWNER:

H. YEAR MODEL: _____ MAKE: _____ MODEL NAME: _____

LICENSE NUMBER: _____ MONTH/YEAR EXPIRES: _____

VIN NUMBER: _____ GROSS WEIGHT: _____

TDLR LICENSE

NUMBER: _____ EXPIRES: _____

IF NAME ON TITLE OF THIS VEHICLE IS DIFFERENT FROM THE BUSINESS OF THE OWNER(S), PROVIDE NAME, ADDRESS & TELEPHONE NUMBER OF TITLE OWNER:

IX. LIST ALL EMPLOYEES, FULL OR PART TIME AND GIVE REQUESTED INFORMATION:

A. NAME: _____ POSITION: _____

DRIVER'S LICENSE NUMBER: _____

CLASS: _____ EXPIRES: _____

CIRCLE ONE: (FULL TIME) (PART TIME) DATE HIRED: _____

COMMENTS: _____

B. NAME: _____ POSITION: _____

DRIVER'S LICENSE NUMBER: _____

CLASS: _____ EXPIRES: _____

CIRCLE ONE: (FULL TIME) (PART TIME) DATE HIRED: _____

COMMENTS: _____

C. NAME: _____ POSITION: _____

DRIVER'S LICENSE NUMBER: _____

CLASS: _____ EXPIRES: _____

CIRCLE ONE: (FULL TIME) (PART TIME) DATE HIRED: _____

COMMENTS: _____

D. NAME: _____ POSITION: _____

DRIVER'S LICENSE NUMBER: _____

CLASS: _____ EXPIRES: _____

CIRCLE ONE: (FULL TIME) (PART TIME) DATE HIRED: _____

COMMENTS: _____

E. NAME: _____ POSITION: _____

DRIVER'S LICENSE NUMBER: _____

CLASS: _____ EXPIRES: _____

CIRCLE ONE: (FULL TIME) (PART TIME) DATE HIRED: _____

COMMENTS: _____

F. NAME: _____ POSITION: _____

DRIVER'S LICENSE NUMBER: _____

CLASS: _____ EXPIRES: _____

CIRCLE ONE: (FULL TIME) (PART TIME) DATE HIRED: _____

COMMENTS: _____

G. NAME: _____ POSITION: _____

DRIVER'S LICENSE NUMBER: _____

CLASS: _____ EXPIRES: _____

CIRCLE ONE: (FULL TIME) (PART TIME) DATE HIRED: _____

COMMENTS: _____

H. NAME: _____ POSITION: _____

DRIVER'S LICENSE NUMBER: _____

CLASS: _____ EXPIRES: _____

CIRCLE ONE: (FULL TIME) (PART TIME) DATE HIRED: _____

COMMENTS: _____

I. NAME: _____ POSITION: _____

DRIVER'S LICENSE NUMBER: _____

CLASS: _____ EXPIRES: _____

CIRCLE ONE: (FULL TIME) (PART TIME) DATE HIRED: _____

COMMENTS: _____

J. NAME: _____ POSITION: _____

DRIVER'S LICENSE NUMBER: _____

CLASS: _____ EXPIRES: _____

CIRCLE ONE: (FULL TIME) (PART TIME) DATE HIRED: _____

COMMENTS: _____
K. NAME: _____ POSITION: _____
DRIVER'S LICENSE NUMBER: _____
CLASS: _____ EXPIRES: _____
CIRCLE ONE: (FULL TIME) (PART TIME) DATE HIRED: _____
COMMENTS: _____

L. NAME: _____ POSITION: _____
DRIVER'S LICENSE NUMBER: _____
CLASS: _____ EXPIRES: _____
CIRCLE ONE: (FULL TIME) (PART TIME) DATE HIRED: _____
COMMENTS: _____

HAVE CURRENT COPIES OF THE FOLLOWING DOCUMENTS BEEN ATTACHED TO THIS APPLICATION? (NOTE: APPLICATION WILL NOT BE ACCEPTED WITHOUT ALL DOCUMENTS)

- _____ 1. THE TEXAS VEHICLE STORAGE FACILITY LICENSE
- _____ 2. THE TDLR LICENSE FOR EACH TOW TRUCK OPERATED BY THE BUSINESS
- _____ 3. PAPERS OF INCORPORATION OR, IF UNINCORPORATED, THE ASSUMED NAME CERTIFICATE ON FILE WITH THE COUNTY CLERK
- _____ 4. ATTACH PHOTOS OF YOUR VEHICLES DISPLAYING THE TEXAS PERMIT FOR EACH VEHICLE. [Sec. 24.09.042] (properly identify each vehicle photo stating permit location – ex. VIN No. _____, front right bumper and back left bumper)

I, _____, PERMIT HOLDER/OWNER OF _____
_____ HEREBY AFFIRM THAT THE INFORMATION CONTAINED IN THIS APPLICATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND THAT I HAVE READ AND UNDERSTAND ALL REQUIREMENTS IN THIS APPLICATION.

APPLICANT

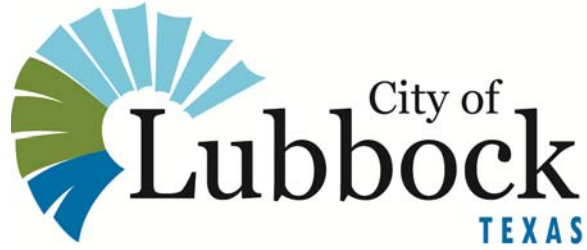
STATE OF TEXAS

COUNTY OF _____

SWORN TO and Subscribed before me by _____ on the _____ day
of _____, 20 _____. (name of applicant)

(seal)

Notary Public Signature



I, _____, authorize the Office of the
City Secretary to charge my _____ card for
\$ _____, via the card information listed below:

CREDIT CARD NUMBER	
CREDIT CARD TYPE (Visa or Master Card)	
AUTHORIZATION CODE (3-digit number on back of card)	
EXPIRATION DATE (MM/YY)	
CARDHOLDER ADDRESS (Street, City, State and Zip)	
CARDHOLDER SIGNATURE	

City of Lubbock
Office of the City Secretary
PO Box 2000
Lubbock, TX 79457

(806) 775-2061

*** NOTICE *** The City of Lubbock will start charging a 2.5% service fee on all credit card transactions beginning March 2024.

ARTICLE 24.09 TOW TRUCK SERVICES¹

DIVISION 1 Generally

§ 24.09.001. Definitions.

For the purpose of this article, the following terms shall have the meanings hereinafter ascribed to them:

Chief of police. The chief of police of the city, or a person designated by him to act in his stead for the purpose of this article.

City secretary. The city secretary of the city, or her designated representative.

Class I tow truck. A tow truck with a gross vehicle weight of at least seven thousand five hundred (7,500) pounds and less than twenty-six thousand (26,000) pounds.

Class II tow truck. A tow truck with a gross vehicle weight of at least twenty-six thousand (26,000) pounds, which shall be used exclusively to tow vehicles with a gross weight of more than ten thousand (10,000) pounds.

Consent tow. Any tow initiated by the owner, operator or other person in possession, custody or control of a motor vehicle, but which does not include tows initiated as a result of an accident or collision on a public highway, street or alley where a law enforcement officer has been dispatched to the scene.

Motor vehicle or vehicle. Every device in, upon, or by which any person or property is or may be transported or drawn upon a public highway, street, or alley, but not including devices moved solely by human power, or used exclusively upon stationary tracks or rails. The term includes, but shall not be limited to, an operable or inoperable automobile, truck, motorcycle, recreational vehicle and trailer.

Nonconsent tow. Any tow of a motor vehicle which is not a consent tow.

Owner. Any person who holds the legal title to a motor vehicle or who has the legal right to possession thereof.

Person. Any individual, corporation, partnership, joint venture or association. This does not include a governmental entity.

Police department. The police department of the city.

Rotation lists. Lists prepared by the police department in accordance with the provisions of this article of tow truck businesses which have requested and qualified for placement upon such lists.

Tow truck. A motor vehicle, including a wrecker, equipped with a mechanical device used to tow, winch, or otherwise move another motor vehicle.

Tow truck business. The business of performing nonconsent tows of motor vehicles within the

1. Editor's Note--See Corresponding Note Located In Appendix A Of This Code.

incorporated limits of the city.

(1983 Code, sec. 27-181; Ordinance 9858, sec. 1, adopted 11/16/1995 ; Ordinance 2011-O0113, sec. 1, adopted 11/16/2011)

§ 24.09.002. Penalties.

Any person who violates any of the provisions of this article shall, in addition to such administrative penalties that may be imposed by the chief of police of the city, the Texas Department of Transportation, or other state or federal agency, be guilty of a misdemeanor and, upon conviction, be subject to a fine not to exceed the amount provided by section 1.01.004 of this code.

(1983 Code, sec. 27-191; Ordinance 9858, sec. 1, adopted 11/16/1995 ; Ordinance 2011-O0113, sec. 1, adopted 11/16/2011)

§ 24.09.003. Complaints.

All citizen complaints involving tow truck businesses shall be submitted to the city secretary in writing and shall be signed by the complainant. The city secretary shall then notify the chief of police and the named tow truck business of the complaint.

(1983 Code, sec. 27-192; Ordinance 9858, sec. 1, adopted 11/16/1995 ; Ordinance 2011-O0113, sec. 1, adopted 11/16/2011)

§ 24.09.004. Duties of tow truck operators.

All tow truck operators within the city shall provide safe and efficient tow truck services, which include, but are not limited to, the following specific duties:

- (1) All tow truck operators responding to a call to the scene of an accident or collision for a nonconsent tow shall take direction from the law enforcement officer in charge of investigating the accident or collision.
- (2) Any tow truck operator towing a vehicle from the scene of an accident or collision within the city shall remove all debris of the accident or collision from the public right-of-way. This duty specifically includes the removal of broken glass and metal fragments and the spilled load of any vehicle. Such debris shall be disposed of in a manner which will keep it out of gutters, storm sewers, streams, public rights-of-way, and property not owned by the tow truck operator.
- (3) No tow truck operator shall store any vehicle or tow truck on public streets or public rights-of-way in the city.
- (4) Tow truck operators shall use reasonable care in towing and in the storage of vehicles so as to minimize any possibility of further damage or theft.
- (5) Tow truck operators shall comply with all federal and state laws, all rules and regulations promulgated pursuant to federal and state laws, and all city ordinances, including zoning, health, and fire prevention ordinances.
- (6) All vehicles towed as a result of nonconsent tows shall be taken to a licensed storage facility within the city limits for storage, unless the tow truck operator agrees to take the

vehicle to a location designated by the vehicle's owner and the vehicle's owner is not under arrest and the vehicle owner pays the applicable fee.

- (7) All tow truck operators shall inform the police department of all nonconsent tows within thirty (30) minutes of the completion of such tows. The information shall include the vehicle identification number, license plate number, a brief description of the vehicle, the location where the vehicle was picked up, and the location where the vehicle is being stored.

(1983 Code, sec. 27-186; Ordinance 9858, sec. 1, adopted 11/16/1995 ; Ordinance 2011-00113, sec. 1, adopted 11/16/2011)

§ 24.09.005. Driving tow truck to scene of accident or collision.

In order to maintain control over public streets within the incorporated limits of the city, prevent traffic congestion, and ensure the safety and welfare of citizens who reside therein, no person shall drive, or cause to be driven, a tow truck to the scene of an accident or collision on a public street in the city unless such person has been called to the scene by the police department or by a party involved in an accident or collision; provided, however, that when a tow truck is involved in an accident or collision, it shall not be a violation of this section..

(1983 Code, sec. 27-183; Ordinance 9858, sec. 1, adopted 11/16/1995 ; Ordinance 2011-00113, sec. 1, adopted 11/16/2011)

§ 24.09.006. Interception of police calls.

No person for purposes of facilitating a violation of this article or of any other law or ordinance shall intercept any message emanating on police department radio frequencies, nor shall the contents of any such intercepted message be divulged to another for purposes of facilitating a violation of this article or any other law or ordinance.

(1983 Code, sec. 27-184; Ordinance 9858, sec. 1, adopted 11/16/1995 ; Ordinance 2011-00113, sec. 1, adopted 11/16/2011)

§ 24.09.007. Tows from parking facilities.

All tows from parking facilities shall be in accordance with the requirements of chapter 2308 of the Texas Occupations Code, which act is hereby incorporated in its entirety into and made a part of this article for all purposes.

Editor's note—Vernon's Ann. Civ. St., art. 6701g-2, which pertained to removal of unauthorized vehicles from parking facilities or public highways, has been recodified. Effective September 1, 2007, the Texas Towing Act is contained in V.T.C.A., Occupations Code, ch. 2308.

(1983 Code, sec. 27-185; Ordinance 9858, sec. 1, adopted 11/16/1995 ; Ordinance 2011-00113, sec. 1, adopted 11/16/2011)

§ 24.09.008. Selection of a tow truck for nonconsent tows.

- (a) The city may contract with one or more tow truck businesses to perform nonconsent tows on behalf of the police department. Such contracts shall be awarded on the basis of

competitive bids or competitive proposals.

- (b) The police department shall establish and maintain a list of tow truck businesses that have a valid permit to perform nonconsent tows. The department may also establish and maintain class I and class II tow truck rotation lists.
- (c) The police department is hereby authorized to establish rules and regulations for implementation, operation and maintenance of the lists described in subsection (b) above. A copy of the rules and regulations shall be signed by the chief of police and filed with the city secretary.
- (d) Subject to subsection (e) of this section, any owner whose motor vehicle is subject to a nonconsent tow deemed necessary by a law enforcement officer may designate a tow truck business to perform the tow if he is able to do so, provided such business has a valid permit therefor and is otherwise qualified to perform nonconsent tows under state law and this article. To assist the owner in the selection of a tow truck business, the officer may present the owner with the list maintained by the department of tow truck businesses qualified to perform nonconsent tows and may also publish or advise the owner of the rates which such businesses have indicated to the city secretary that they intend to charge for a nonconsent tow and storage of the vehicle. A tow truck business which requests placement on the list shall provide such information in writing to the city secretary with its permit application and update the information in writing whenever the company adjusts its rates. If the owner is not able or does not wish to designate a tow truck business, the law enforcement officer may require a tow truck business with whom the city has contracted or a person on a rotation list to perform the tow. However, in no event will the city secretary or the police department establish or attempt to regulate the rates which may be charged by a tow truck business other than a business with whom the city has contracted under subsection (a) of this section to perform nonconsent tows.
- (e) Notwithstanding any other provision of this article, a law enforcement officer may require any motor vehicle and debris to be removed from a public right-of-way or other location at the owner's expense by any practical means where the officer, in the course of his duty, reasonably deems the motor vehicle or debris to constitute a traffic hazard or otherwise jeopardizes the public safety.

(1983 Code, sec. 27-182; Ordinance 9858, sec. 1, adopted 11/16/1995 ; Ordinance 2001-O0045, sec. 1, adopted 6/26/2001 ; Ordinance 2011-O0113, sec. 1, adopted 11/16/2011)

§ 24.09.009. through § 24.09.040. (Reserved)

DIVISION 2
Nonconsent Tow Permit

§ 24.09.041. Required.

It shall be unlawful for any person to perform nonconsent tows within the city unless such person possesses a valid permit therefor in accordance with this article. A tow truck business permitted by the state for consent towing only shall not be subject to this article. Tow trucks permitted under a consent towing permit may not be used for nonconsent towing, including incident management towing and private property towing as those terms are defined by state law.

(1983 Code, sec. 27-187; Ordinance 9858, sec. 1, adopted 11/16/1995 ; Ordinance 2011-00113, sec. 1, adopted 11/16/2011)

§ 24.09.042. Application and fee.

- (a) Applications for permits shall be made upon forms supplied by the city secretary, shall be verified by a notary, and shall contain the following information:
 - (1) The true name, the trade name, address and telephone number of the tow truck business;
 - (2) The number and category of tow trucks proposed to be operated with a photograph of each tow truck showing compliance with subsection (b)(4) below;
 - (3) The names and addresses of the true owners of the tow truck business and, if the business is a corporation, the names and addresses of the corporate officers;
 - (4) The true owners of the tow trucks to be used, if different from the true owners of the business;
 - (5) Proof that the applicant has a current valid permit with the Texas Department of Licensing and Regulation.
- (b) Display of permit information. A permit holder shall display on each permitted tow truck:
 - (1) The permit holder's name;
 - (2) The permit holder's telephone number;
 - (3) The city and state where the permit holder is located; and
 - (4) The Texas Department of Licensing and Regulation issued permit number for the tow truck.
- (c) The information required to be displayed in subsection (b) above, must be:
 - (1) Printed in letters and numbers that are at least two inches high and in a color that contrast with the color of the background surface; and
 - (2) Permanently affixed in conspicuous places on both sides of the tow truck.

- (d) The annual fee for a permit shall be in the amount as set forth and established in the adopted annual budget of the city and shall entitle the holder to operate a tow truck business in compliance with state law and this article. All fees are nonrefundable and due upon receipt of permit application in the office of the city secretary.
- (e) The city secretary shall issue a permit to those persons complying with the requirements of this article.

Editor's note—Vernon's Ann. Civ. St., art. 6675c, referred to in subsection (a)(5) above, has been recodified. Registration of vehicles is governed by V.T.C.A., Transportation Code, ch. 502.

(1983 Code, sec. 27-188; Ordinance 9858, sec. 1, adopted 11/16/1995 ; Ordinance 2011-00113, sec. 1, adopted 11/16/2011)

§ 24.09.043. Suspension or revocation grounds.

Grounds for suspension or revocation of a permit may include the following:

- (1) Failure at any time to meet any of the requirements of this article for a permit;
- (2) Operating a tow truck in such a manner as to endanger any person or property;
- (3) Failure to adhere to the police department's rules and regulations promulgated pursuant to section 24.09.008(c) of this article.
- (4) Violation of any federal or state law, or any rules or regulations promulgated pursuant to federal or state law, or any city ordinances related to the operation of a tow truck business.

(1983 Code, sec. 27-189; Ordinance 9858, sec. 1, adopted 11/16/1995 ; Ordinance 2011-00113, sec. 1, adopted 11/16/2011)

§ 24.09.044. Suspension and revocation procedures, appeals.

Notwithstanding any provision of this article, the chief of police shall be authorized to suspend or revoke any permit for a violation of any of those items listed as grounds for suspension or revocation in section 24.09.043. The chief of police may immediately suspend a permit for up to fifteen (15) days if there is substantial evidence of a violation which constitutes an imminent danger to the public and the permit holder is unable or unwilling to correct the violation. Otherwise, before any permit may be suspended or revoked, the chief of police shall hold a hearing at which evidence of such violation may be presented and rebutted. A hearing may be scheduled by the chief of police after receiving a complaint charging a violation or at his discretion upon his investigation and review. Notice of the hearing, the administrative action proposed to be taken and the grounds therefor shall be given to the permit holder at least ten (10) days prior to the hearing. Mailing such notice by certified mail to the last known business address of the permit holder not less than ten (10) days prior to the hearing shall constitute adequate notice. If the chief of police suspends or revokes a permit, he shall notify the permit holder in writing of the reasons for the suspension or revocation, the effective date of the suspension or revocation, the date of reinstatement, if any, and the conditions which must be satisfied for reinstatement, and such notification shall advise the permit holder that

he may appeal such decision to the permit and license appeal board in accordance with the city ordinance creating such board. Mailing such notification by certified mail to the last known business address of the permit holder within ten (10) days of the hearing shall be deemed sufficient. No person whose permit has been revoked shall be eligible to apply for a new permit for at least six (6) months from the date the revocation became effective. Prior suspensions may be considered by the chief of police in determining whether to suspend or revoke a permit.

(1983 Code, sec. 27-190; Ordinance 9858, sec. 1, adopted 11/16/1995 ; Ordinance 2011-O0113, sec. 1, adopted 11/16/2011)