

**CITY OF BILOXI
AGENDA ITEM
FACT SHEET**

Item No.: 4A

Council Meeting Date: December 16, 2025

ITEM TITLE: ORDINANCE (1st Reading)

INTRODUCED BY: Mayor Andrew "FoFo" Gilich

CONTACT PERSON: Richard Weaver, Chief Administrative Officer 
Peter Abide, City Attorney

SUMMARY EXPLANATION:

Ordinance to amend Chapter 12 – Licenses and Business Regulations to add Article XV – Towing Services

Resolution _____ Ordinance Public Hearing _____ Routine Agenda _____

Exhibits for Review

Contract _____ Minutes _____ Plans/Maps _____ Deed _____ Lease _____

Other (Specify):

Submittal Authorization: Council President _____ Mayor

STAFF RECOMMENDATION: Staff recommends approval

COUNCIL ACTION: Motion By: _____ Second By: _____

Vote:	Councilmember	Yes	No	AFR	ABST	Councilmember	Yes	No	AFR	ABST
	Gray	___	___	___	___	Tisdale	___	___	___	___
	Marshall	___	___	___	___	Glavan	___	___	___	___
	Nail	___	___	___	___	Shoemaker	___	___	___	___
	Creel	___	___	___	___					

ACTION TAKEN:

Ordinance No.

ORDINANCE TO AMEND CHAPTER 12 – LICENSES AND BUSINESS REGULATIONS
TO ADD ARTICLE XV – TOWING SERVICES

WHEREAS, The City of Biloxi desires to pass an ordinance within Chapter 12 of the Code of Ordinances of the City of Biloxi to address towing services; and

WHEREAS, the Biloxi City Council finds that it is in the best interests of the health, safety, and welfare of the residents of Biloxi that Chapter 12 be amended.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF BILOXI, MISSISSIPPI, AS FOLLOWS:

SECTION ONE: The findings, statements, and conclusions of fact contained in the preamble are adopted, ratified, and incorporated herein:

SECTION TWO: Chapter 12 of the Code of Ordinances of the City of Biloxi, Mississippi, is hereby amended to read as follows:

ARTICLE XV. – TOWING SERVICES

Sec. 12-15-1. – Definitions.

- (a) Chief or police chief shall refer to the chief of the city police department or his/her designee.
- (b) City means the City of Biloxi.
- (c) Owner means any person who holds the legal title to a motor vehicle or has the legal right of possession thereof. This does not include any person who has gained possession of a motor vehicle only because of tow services performed.
- (d) Person means any natural person, partnership, corporation, association, organization, trust or other entity.
- (e) Tow list means the rotation list of towing services available for request by the City.

- (f) Tow means to haul, carry, pull along, or otherwise transport or move a motor vehicle by means of another vehicle.
- (g) Tow management company shall mean any business or company contracted with by the city to provide management and dispatch of tow trucks or wreckers on the city's tow list.
- (h) Towing/Wrecker Service includes any person or other entity, whether licensed or not, that engages in or who owns or operates a business which engages, in whole or in part, in the towing or removal of motor vehicles for compensation.
- (i) Tow Truck or Wrecker means any motor vehicle used for the purpose of towing or removing motor vehicles from one location to another location.

Sec. 12-15-2. – Conditions for participation in city tow list.

- (a) Requests for proposals. The city shall publish a request for proposals for towing services. The request for proposal shall set forth the basic qualifications to participate in the city's tow list. Each applicant desiring to be placed on the tow list shall file a written response to this request for proposal. A towing service may request to discontinue participation in the rotation roster upon seventy-two (72) hours written notice.
- (b) Rules and regulations. The Biloxi Police Department will develop a manual, to be approved by the city council, detailing the rules and regulations pertaining to the operation of towing services on the city's tow list. If a towing service fails to abide by this ordinance or the rules and regulations promulgated by the Biloxi Police Department, the towing service may be subject to suspension and removal from the city's tow list.
- (c) Rates and charges. All Towing Services selected by the City must adhere to the City's approved rates and charges, as promulgated by the Biloxi Police Department in the towing manual and approved by the City Council. Such rates and charges will be evaluated periodically by the Biloxi Police Department and adjusted with the approval of the Biloxi City Council.

Sec. 12-15-3. – Tow management company

The City may enter into a contract with an entity to provide management and dispatch of towing services on the tow list provided by the City.

Sec. 12-15-4. – Compliance with state and federal law

Any towing service or person operating a tow truck or wrecker shall comply with all applicable state laws and federal laws. A failure to comply with any and all applicable state and federal laws is a violation of this article.

Sec. 12-15-5. – Owner tow requests

- (a) Nothing herein shall restrict the rights of a vehicle owner to request a tow from a towing service not listed on the city tow list.
- (b) If an owner selects a towing service, the tow truck must arrive to remove the vehicle within 45 minutes of the initial request if the vehicle is located on a public street to constitute a hazard, obstacle, or interference with traffic. If the towing service selected by the owner does not arrive within 45 minutes, the police officer may dispatch a towing service from the tow list at the owner's expense.

SECTION TWO: Upon unanimous vote of the members of the City Council, this ordinance shall be in full force and effect from and after passage, because it serves the public peace, health and safety of the citizens of Biloxi, and good cause exists for same. If not a unanimous vote this Ordinance shall become effective as soon thereafter as is signed, certified, and as is otherwise provided by law.