

Sec. 66-51. - Wrecker service advisory board; functions. 

- (a) The heretofore existing wrecker service advisory and appeals board is hereby abolished. There is hereby reconstituted a board to be called the wrecker service advisory and appeals board (the "wrecker service advisory board") consisting of five members who shall be residents of the county and who shall serve with or without compensation as may be approved by the county board of commissioners. Each member of the board of commissioners shall have one appointee to the wrecker service advisory board. At least two of these appointees shall be employed in, actively engaged with, or specifically knowledgeable about the wrecker service industry. The terms of office of the members of the wrecker service advisory board shall run concurrently with the term of the member of the board of commissioners who appointed that particular member. In any event, such term shall not exceed four years in the absence of reappointment. Members of the wrecker service advisory board may be removed at any time by the appointing member of the board of commissioners, for cause or for no cause. Members whose terms have expired shall continue to serve as members of the wrecker service advisory board until their successors have been appointed.
- (b) The wrecker service advisory board shall elect from its membership a chairperson and other officers as may be desired. Officers shall be elected on a calendar-year basis and may be re-elected for succeeding terms.
- (c) The wrecker service advisory board shall meet at least two times per year, but may meet more frequently as may be determined necessary by the chairman of the wrecker service advisory board.
- (d) The wrecker service advisory board shall recommend from time to time changes with respect to the fee schedule and any proposed changes in the ordinance. Any such recommendations shall be presented to the county board of commissioners for its consideration.
- (e) When requested to do so, the wrecker service advisory board will meet to hear complaints or charges against any approved wrecker service assigned to a zone in Cherokee County, Georgia. Charges brought against a wrecker service company or representative or employee of a wrecker service company will be heard after proper notice has been filed and served. These charges may include qualifications for service, equipment, quality of service, fees, public complaints, law enforcement complaints, and various other services rendered by a wrecker service that may affect the motoring public.
- (f) The wrecker service advisory board may take such action as it deems appropriate in its discretion, including without limitation, suspension or removal of the approved wrecker service from the county's approved list.
- (g) The wrecker service advisory board shall adopt a fair and equitable standard of rules and regulations governing any and all hearings brought before it so as to protect the rights of all parties involved and to give due process to all parties.
A copy of such rules and regulations governing a hearing shall be available to anyone requesting a copy and to individuals requesting a hearing.
The right for any party to be represented by legal counsel is acceptable, however, the wrecker service advisory board is not a court of law, and any person coming before it shall receive a fair hearing with or without legal counsel.
- (h) The wrecker service advisory board may issue such decision as may be appropriate in the circumstance, including, but not limited to, revocation of approval as an approved wrecker service or suspension of approved wrecker service privileges. No suspension, with or without conditions, shall exceed a period of three months.

- (i) Any party aggrieved by a decision of the wrecker service advisory board may file a notice of appeal with the board of commissioners within ten days of the date of the wrecker service advisory board decision by submission of a written request for the appeal to the marshal's office. Should the board of commissioners choose to hear the appeal, the aggrieved party shall be given at least three days' notice in advance of the date of a public hearing with respect to such appeal. The board of commissioners reserves the right not to hear an appeal. If an appeal is heard by the board of commissioners, they may affirm, reverse, vacate, or modify of the wrecker service advisory board.

(Ord. No. 95-O-8, § 3-25-36, 7-11-95; Ord. No. 01-O-008, § 3-25-36, 6-26-01; Ord. No. 01-O-20, § 3-25-36, 11-27-01; Ord. No. 2007-O-007, § 5, 10-2-07)