



City of Grand Island

Tuesday, January 9, 2018

Council Session

Item F-1

#9672 - Consideration of Amendment to Chapter 22-151 and 22-153 of the Grand Island City Code Related to Motor Vehicle Fee

Staff Contact: Jerry Janulewicz

Council Agenda Memo

From: Jerry Janulewicz, City Attorney
Meeting: January 9, 2018
Subject: Amending the Annual Motor Vehicle Fee Schedule
Presenter(s): Jerry Janulewicz, City Attorney

Background

On August 29, 2017 the City Council enacted Ordinance No. 9464, which imposes a motor vehicle fee on vehicles, operated within the city and are owned by persons residing and businesses located within the City. The ordinance included a fee schedule, effective November 1, 2017, establishing a \$22.50 fee for passenger cars and \$52.50 for commercial vehicles. Included within the motor vehicle registration classification of commercial vehicles are pick-up trucks commonly referred to as quarter ton, half ton, and three-quarter ton pick-ups.

Following the effective date of the motor vehicle fee, a number of complaints have been voiced concerning the fee imposed on pick-up trucks, as many are used as everyday common transportation for individuals and families much in the same manner as a mini-van or sedan. In light of the complaints, City Administration is proposing an amendment to the fee schedule for Council's consideration. The amending ordinance, if adopted, would place commercial vehicles licensed for 5 ton combined weight or less in the same fee schedule category as a passenger vehicle.

Discussion

The amending ordinance, if adopted and enacted, would place pick-up trucks registered as 5 ton combined weight or less in the same fee schedule category as passenger vehicle. Also included in this category are "autocycles", which are three-wheeled vehicles equipped with roll bars, air bags, and seat belts

Finally, the proposed ordinance includes provisions for partial refunds of the motor vehicle fee if paid at the higher rate prior to the effective date of the new fee schedule. The new fee schedule would be effective March 1, 2018, to allow time for programming the change into the State's DMV registration program and sending out March renewal notices.

Alternatives

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

City Administration recommends that the Council move to approve the Ordinance.

Sample Motion

Move to approve Ordinance No. 9672.

ORDINANCE NO. 9672

An ordinance to amend Chapter 22 of the Grand Island City Code; to amend Article XIII, Sections 22-151 and 22-153, pertaining to an annual motor vehicle fee; to repeal any ordinance or parts of ordinances in conflict herewith; and to provide for publication and the effective date of this ordinance.

WHEREAS, Pursuant to Nebraska Revised Statutes Section 18-1214, as amended, cities are authorized to impose an annual motor vehicle fee upon motor vehicles; and

WHEREAS, it is desirable to revise the current annual motor vehicle fee schedule and to provide for partial refund of fees as provided hereby.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA:

SECTION 1. Chapter 22 Section 22-151 and 22-153 is amended to read as follows:

§22-151 Refund of Fee

1. Upon the transfer of ownership of any vehicle, the number of unexpired months remaining on the vehicle fee for street improvements paid pursuant to this chapter shall be credited or the money paid refunded to the transferor; provided, that when such vehicle is transferred within the same calendar month in which acquired, no refund shall be allowed for such month. Should such transferor acquire another vehicle at the time of such transfer, such transferor shall have the credit herein provided applied toward payment of the motor vehicle fee for street improvements then owing. Such vehicle fee, or any part of it, shall not be refunded for any cause or by any method except as prescribed ~~herein~~ by § 22-151.

2. Partial refund of the City of Grand Island Motor Vehicle fee shall be paid by the City upon application and proof of payment of such fee for a registration period commencing prior to March 1, 2018 at an amount that exceeds the fee in effect commencing March 1,

Approved as to Form	☐ _____
January 3, 2018	☐ City Attorney

ORDINANCE NO. 9672 (Cont.)

2018. Partial refunds provided hereby shall equal the difference between the fee paid and the fee effective March 1, 2018. The City Finance Director may adopt such procedures, rules and forms necessary to implement this § 22-151(2).

§22-153 Fee Schedule

Commencing November 1, 2017, the fee provided for in this chapter shall be as follows:

- Any motor vehicle registered as a motorcycle and any dealer motorcycle license plates\$12.50
- Any motor vehicle registered as a passenger car, farm truck (any tonnage) or minitruck and any dealer license plates\$22.50
- Any motor vehicle registered as a bus, commercial vehicle (any tonnage), or motor recreational vehicle\$52.50

Commencing March 1, 2018, the fee provided for in this chapter shall be as follows:

- Any motor vehicle registered as a motorcycle and any dealer motorcycle license plates\$12.50
- Any motor vehicle registered as a passenger car, autocycle, farm truck (any tonnage), commercial vehicle 5 ton combined weight or less, or minitruck, and any dealer license plates (excluding dealer motorcycle plates).....\$22.50
- Any motor vehicle registered as a bus, commercial vehicle more than 5 ton combined weight, or motor recreational vehicle\$52.50

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ORDINANCE NO. 9672 (Cont.)

SECTION 2. Any ordinances or parts of ordinances in conflict herewith be, and hereby are, repealed.

SECTION 3. This ordinance shall be in force and take effect from and after its passage and publication as provided by law.

Enacted: January 9, 2018.

Jeremy L. Jensen, Mayor

Attest:

RaNae Edwards, City Clerk