

TITLE XV: TRAFFIC REGULATIONS - CONTINUEDCHAPTER 154: ABANDONED VEHICLES

154-1: DEFINITIONS. For the purpose of this Code, the following words shall have the meanings ascribed to them as follows:

"ABANDONED VEHICLE" shall mean all motor vehicles or other vehicles in a state of disrepair, rendering the vehicle incapable of being driven in its condition; or any motor vehicle or other vehicle that has not been moved or used for seven (7) consecutive days or more and is apparently deserted.

"ANTIQUÉ VEHICLE" means any motor vehicle or other vehicle twenty-five (25) years of age or older.

"COMPONENT PART" means any part of a vehicle other than a tire having a manufacturer's identification number or an identification number issued by the Secretary of State.

"DERELICT VEHICLE" or "INOPERABLE VEHICLE" means any inoperable, unregistered, or discarded motor vehicle, regardless of title, having lost its characteristic as a substantial property and left unattended without justification on the owner's land contrary to the public policy expressed in this Code.

"HIGHWAY" means any street, alley or public way within this Municipality.

"REMOVE" means to remove, deface, cover, or destroy.

"VEHICLE" means every device in, upon or by which any person or property is or may be transported or drawn upon a street or highway, whether subject to or exempt from registration, excepting, however, bicycles, snowmobiles and devices used exclusively upon stationary rails or tracks.

154-2: ABANDONMENT.

(A) Highway. The abandonment of a motor vehicle or other vehicle or part thereof on any highway in this Municipality is unlawful and subject to penalties as set forth herein.

(B) Private Property. The abandonment of a motor vehicle or other vehicles or any part thereof on private or public property other than a highway in view of the general public anywhere in this Municipality is unlawful, except on property of the owner or bailee of such abandoned vehicle.

(C) Owner's Property. A motor vehicle or other vehicle or any part thereof so abandoned on private property shall be authorized for removal by or upon the order of the Police Department of the Municipality after waiting a period of seven (7) days or more.

154-3: POSSESSION OF VEHICLE BY OTHER PARTY; TOWING. When an abandoned, lost, stolen or unclaimed motor vehicle or other vehicle comes into the temporary possession or custody of a person in this Municipality who is not the owner of the vehicle, such person shall immediately notify the Police Department when the vehicle is within the corporate limits of the Municipality. Upon receipt of such notification, the Police Department or designated representative shall

authorize a towing service to remove and take possession of the abandoned, lost, stolen or unclaimed motor vehicle or other vehicle. The towing service will safely keep the towed vehicle and its contents, maintain a record of the tow, as set forth in Section 154-5, until the vehicle is claimed by the owner or any other person legally entitled to possession thereof.

154-4: REMOVAL OF MOTOR VEHICLES OR OTHER VEHICLES - TOWING OR HAULING AWAY.

(A) When a vehicle is abandoned or left unattended on a highway in an urban district for ten (10) hours or more, its removal by a towing service may be authorized by the Police Department.

(B) When an abandoned, unattended, wrecked, burned or partially dismantled vehicle is creating a traffic hazard because of its position in relation to the highway or its physical appearance is causing the impeding of traffic, its immediate removal from the highway or private property adjacent to the highway by a towing service may be authorized by the Police Department.

(C) When a vehicle removal from either public or private property is authorized by the Police Department, the owner of the vehicle will be responsible for all towing costs.

154-5: POLICE RESPONSIBILITIES. When a motor vehicle or other vehicle is authorized to be towed away as provided herein, the Police Department shall keep and maintain a record of the vehicle towed, listing by color, year of manufacture, manufacturer's trade name, manufacturer's series name, body style, vehicle identification number and license plate year and number displayed on the vehicle. The record shall also include the date and hour of tow, location towed from, location towed to, reason for towing and the name of the officer authorizing the tow.

154-6: LIABILITY OF CITY. Any police officer, towing service owner, operator or employee shall not be held to answer or be liable for damages in any action brought by the registered owner, former registered owner or his legal representative, or any other person legally entitled to the possession of a motor vehicle.

154-7 to 154-8: RESERVED.