

ORDINANCE NO. 2769

AN ORDINANCE PROVIDING FOR THE REMOVAL OF VEHICLES ON A STREET OR HIGHWAY WHEN SAID VEHICLE IS LEFT UNATTENDED IN PROHIBITED PARKING AREAS AND DECLARING AN EMERGENCY.

THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

Section 1: AUTHORITY TO IMPOUND VEHICLES

a) Members of the Police Department are hereby authorized to move a vehicle from a street or highway to the nearest garage or other place of safety, or to a garage designated or maintained by the Police Department, or otherwise maintained by the Police Department, or otherwise maintained by this City, under the circumstances hereinafter enumerated.

- (1) When any vehicle is left unattended upon any bridge, viaduct or causeway, or where such vehicle constitutes an obstruction of traffic.
- (2) When a vehicle upon the highway is so disabled as to constitute an obstruction to traffic and the person or persons in charge of the vehicle, by reason of physical injury or are incapacitated to such an extent as to be unable to provide for its custody or removal.
- (3) When a vehicle is left unattended on a street and is so parked illegally as to constitute a definite hazard and obstruction to the normal movement of traffic.
- (4) When any vehicle is parked in an area which is restricted to parking within certain hours and the vehicle is parked in violation of the said restricted parking.

b) Whenever an officer moves a vehicle from a street as authorized in this Ordinance and the officer knows or is able to ascertain from the registration record, the name and address of the owner thereof, such officer shall immediately give or cause to give notice in writing to such owner of the fact of such removal and the reasons therefor and the place to which such vehicle has been removed. In the event that any such vehicle is stored in a public garage, a copy of the notice shall be given to the proprietor of such garage.

Section 2: TOW-AWAY CHARGES AND STORAGE CHARGES

Any vehicle removed from the street by a Police Officer under Section 1 of this Ordinance shall be subject to a tow-away charge of FIVE DOLLARS (\$5.00) which shall be paid to the City Recorder of the City of Albany before the vehicle is released to the custody of the owner. The owner of the said vehicle shall further be required to pay reasonable storage charges not to exceed THREE DOLLARS (\$3.00) for each twenty-four hour period the vehicle is required to be stored.

ORDINANCE NO. 2769, cont'd.

Section 3: EMERGENCY CLAUSE

Whereas, it is in the betterment of the public health, interest, safety and general welfare of the citizens of the City of Albany that this matter of the removal of vehicles on a street or highway described herein be effective at the earliest possible moment, therefore, an emergency is hereby declared to exist and this Ordinance shall become immediately effective upon its passage by the Council and approval by the Mayor.

Passed by the Council: February 13, 1958

Approved by the Mayor: February 13, 1958

W. L. [Signature]

Mayor

Effective Date: February 13, 1958

ATTEST:

[Signature]
Recorder