

ORDINANCE NO. 18-67

By: W. Schwedinger

To provide for the removal of and impounding of vehicles.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BEXLEY, OHIO:

Section 1. Any police officer is authorized to remove from the streets, sidewalks, or public grounds:

(a) Any automobile, vehicle or trackless trolley, parked, left standing, or abandoned thereon in violation of any of the ordinances of the City of Bexley;

(b) Any vehicle which fails to comply with the provisions of any Bexley ordinance;

(c) Any vehicle for which two or more citation tags for violations of any Bexley ordinance have been issued and the owner or operator thereof has failed to respond to such citation tags;

(d) Any vehicle which has been stolen, or from which the driver or operator has been removed due to illness, injury, or intoxication;

(e) Any vehicle which is wrecked or so disabled that it is not capable of being operated;

(f) Any vehicle operated by any person who has failed to stop in case of an accident;

(g) Any vehicle operated by any person while engaged in, or connected with, the commission of a felony;

(h) Any vehicle operated by a person without an operator's license, or during a period of revocation of such license;

(i) Any vehicle operated by a person who refuses to obey the instructions of any police officer after such person has been placed under arrest; or

(j) Any vehicle operated by any person who is arrested for reckless operation.

Section 2. The removal and storage of a vehicle impounded, and the payment of the expense of removal and storage of a vehicle so impounded shall not release the owner, chauffeur, driver or other person in charge of such vehicle from penalties imposed for violation of any Bexley ordinance or any other traffic ordinances or rule.

Section 3. The removal by a police officer of a vehicle for any of the reasons mentioned in Section 1 hereof shall be at the risk of the owner or person in charge thereof and there shall be no liability on the part of the City for any damage caused by such removal.

The storage of any vehicle when impounded by the City

shall be at the risk of the chauffeur, driver or owner thereof, and the City shall not be liable for damage of any nature or the theft or destruction by fire of any vehicle so impounded.

Section 4. The expense of removal, conveyance or towing of such vehicle and the expense of storage thereof when removed to any impounding place designated by the Mayor shall be borne by the owner, chauffeur, driver or other person in charge thereof and shall be paid before the vehicle is released.

Section 5. If, at the expiration of twelve hours after any vehicle has been impounded, the owner, chauffeur, driver or other person in charge thereof, has not presented himself at the automobile and vehicle pound to claim the vehicle, it shall be the duty of the officer who authorized such impounding to notify in writing, the owner, chauffeur, driver or other person in charge of the same, at his last known place of residence, informing him of the nature and circumstances of the violation on account of which such vehicle has been impounded, and also the amount of charges for redelivery.

When the owner, chauffeur, driver or other person in charge of the vehicle impounded presents himself at the automobile and vehicle pound to claim his vehicle, he shall furnish satisfactory proof of his right and title therefor to the officer in charge.

Section 6. No vehicle impounded under the provisions of this ordinance shall be removed from such pound except upon the payment by the owner, chauffeur, driver, or other person in charge of such vehicle, of a service charge of ten dollars (\$10.00) to the officer in charge, and a storage charge of one dollar (\$1.00) per day for each twenty-four hours, or fraction thereof; and further provided that the accumulated maximum storage charge to be collected on any automobile or vehicle shall not exceed seventy-five dollars (\$75.00). Provided, however, that no storage charge shall be made or collected for the first twelve hours such vehicle is held and impounded, and further that no storage or service charge shall be made or collected from the owner if such person was not the legal owner of such impounded vehicle on the date the impoundment took place.

Section 7. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: May 9, 1967.

Wayne E. Bell
President of Council Pro Tem

Attest:

Edith J. Smith
Clerk of Council

Approved: May 9th, 1967

W. H. Schreiner
MAYOR

Posted 5/10/67