

REQUESTED BY:
NOVAK-BROWN

LAW DEPARTMENT
DRAFT NO. 0117A

FORTE-STEINBECK
LARSON-GREATHOUSE

TITLE

AN ORDINANCE FOR THE PURPOSE OF REPEALING SECTION 131.11(D) AND 131.11(E) (MOTOR VEHICLE IMPOUNDMENT AND TOWING FEE) OF CHAPTER 131 ("POLICE DEPARTMENT") OF THE CODIFIED ORDINANCES OF THE CITY OF WARREN, OHIO IN ITS ENTIRETY AND ENACTING SECTION 131.11 (MOTOR VEHICLE IMPOUNDMENT AND TOWING FEE) OF CHAPTER 131 ("POLICE DEPARTMENT") OF THE CODIFIED ORDINANCES OF THE CITY OF WARREN, OHIO.

ORDINANCE NO. 13014/2021

WHEREAS, Section 131.11 (Motor Vehicle Impoundment and Towing Fee) of Chapter 131 ("Police Department") of the Codified Ordinances of the City of Warren, Ohio provides the method for impoundment and towing of vehicles under certain circumstances that are necessary or mandatory as well as fees associated with the towing and impoundment of such vehicles; and

WHEREAS, this Council deems it to be in the best interests of the City of Warren to update Section 131.11 (Motor Vehicle Impoundment and Towing Fee) of Chapter 131 ("Police Department") of the Codified Ordinances of the City of Warren to fully implement a fair and equitable method of funding the cost of the involvement of the Warren Police Department in the processes of such impoundment and towing; NOW THEREFORE

BE IT ORDAINED by the Council of the City of Warren, State of Ohio:

Section 1: That Section 131.11(Motor Vehicle Impoundment and Towing Fee) of Chapter 131 ("Police Department") of the Codified Ordinances of the City of Warren, Ohio, be and hereby is repealed in its entirety.

Section 2: That Section 131.11 (Motor Vehicle Impoundment and Towing Fee) of Chapter 131 ("Police Department") of the Codified Ordinances of the City of Warren, Ohio, be and hereby are enacted as follows:

"CHAPTER 131"
POLICE DEPARTMENT

131.11 MOTOR VEHICLE IMPOUNDMENT AND TOWING FEE

(a) Whenever a motor vehicle is towed, removed, ordered into storage or impounded at the behest of a Warren City police officer, the owner of said vehicle shall be responsible to pay a fee to the City of Warren representing ordinary, usual and reasonable expenses of the City of Warren incurred as a result of such towing, removal, ordering into storage or impoundment. Such fee shall be, and is, seventy-five dollars (\$75.00).

(b) The fee provided for in subsection (a) hereof shall be paid by the owner to the City at the time that the owner appears at the Warren Police Department for the purpose of securing a release authorization form. No such release authorization form shall be issued unless and until said fee is paid in full. There shall be established an appeal process in accordance with the Warren Police Department Impound Lot policies, which shall be heard by the Chief or his/her designee.

(c) The fee provided for in subsection (a) hereof shall be, and is, in addition to any fine and any other fee or charge provided for in the Codified Ordinances of the City of Warren or elsewhere.

(Ord. 12217/09. Passed 9-9-09.)

(d) All fees collected per this section shall be deposited into the City's General Fund, to generate financial resources necessary to maintain costly repairs and/or replacement of the City's vehicle fleet and replace Police vehicles as necessary, therefore, lessening the burden of the General Fund of the City of Warren, Ohio.

(Ord. 12370/11. Passed 11-7-11.)

(e) That the Director of Public Service and Safety is hereby authorized to establish a location for the Lot, arrange for its construction, and to purchase equipment for the storage of vehicles impounded by the Warren City Police Department.

Section 3: That this Ordinance is hereby a necessary measure for the immediate preservation of the public peace, health, welfare and safety, and for the further reason that the integrity and efficiency of the City of Warren in general, and the Warren Police Department in particular, be more fully insured at the earliest possible time and without undue delay. WHEREFORE, this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed in Council this 24th day of MARCH, 2021.

SIGNED: [Signature] ATTEST: [Signature]
President of Council Clerk

FILED WITH THE MAYOR: 3-25-2021

DATE APPROVED: 3-25-2021

[Signature]
MAYOR, CITY OF WARREN, OHIO