

## CHAPTER 7

### ENFORCEMENT

#### SECTION

- 9-701. Impoundment of vehicles
- 9-702. Issuance of traffic citations.
- 9-703. Failure to obey citation.
- 9-704. Illegal parking.
- 9-705. Repealed.

**9-701. Impoundment of vehicles.** Members of the police department are hereby authorized to remove from the streets and impound any vehicle whose operator is arrested, or any vehicle which is illegally parked, abandoned, or otherwise parked so as to constitute an obstruction or hazard to normal traffic. Any vehicle left parked on any street or alley for more than seventy-two (72) hours consecutive without permission from the chief of police shall be presumed to have been abandoned if the owner cannot be located after a reasonable investigation. Such an impounded vehicle shall be stored until the owner claims it, gives satisfactory evidence of ownership, and pays all applicable fines and costs. The fee for impounding a vehicle shall be five dollars (\$5.00) and a storage cost of one dollar (\$1.00) per day shall also be charged.

**9-702. Issuance of traffic citations.** When a police officer halts a traffic violator other than for the purpose of giving a warning and does not take such person into custody under arrest, he shall take the name, address, and operator's license number of said person, the license number of the motor vehicle involved, and such other pertinent information as may be necessary, and shall issue to him a written traffic citation containing a notice to answer to the charge against him in the city court at a specified time. The officer, upon receiving the written promise of the alleged violator to answer as specified in the citation, shall release such person from custody.

**9-703. Failure to obey citation.** It shall be unlawful for any person to violate his written promise to appear in court after giving said promise to an officer upon the issuance of a traffic citation, regardless of the disposition of the charge for which the citation was originally issued.

**9-704. Illegal parking.**

A. Whenever any motor vehicle without a driver is found parked or stopped in violation of any of the restrictions imposed by this Code, the officer finding such vehicle shall take its license number and may take any other information displayed on the vehicle which may identify its user, and shall conspicuously affix to such vehicle a citation for the driver and/or owner to answer for the violation within ten (10) days during the hours and at a place specified by the citation.

B. If the offense is a two (2) hour free parking violation pursuant to the provisions of 9-506, the offender may have the charge disposed of by paying a fine as specified in 9-508 B., provided said person waives the right to a judicial hearing. After seven (7) days a warrant shall be issued for the violator's arrest and if the offender does not so appear, one notice of this failure to appear shall be forwarded to the offender reminding the offender of the prima facie responsibility for the violation and warning that in the event such letter is disregarded for a period of five (5) days additional, a warrant of arrest will be secured (Ord. #831, 07/07/93).

C. For other parking violations provided for by this chapter, the offender may similarly waive this chapter, the offender may similarly waive the right to a judicial hearing and have the charges disposed of, but the fine shall be \$3.00 within ten (10) days and \$5.00 if paid within thirty (30) days (Ord. #831, 07/07/93).

**9-705. Repealed by Ordinance #424, 11/23/70.**