

Ordinance Number 146

AN ORDINANCE PROVIDING FOR REMOVAL AND DISPOSAL OF ABANDONED VEHICLES ON PUBLIC STREETS AND PROPERTY; AND SETTING A PENALTY FOR VIOLATIONS OF THE REGULATIONS.

Be it ordained by the Council of the Town of Buffalo, Iowa:

Section 1. Purpose. The purpose of this Ordinance is to protect the health and welfare of the citizens of the municipality by prevention of the storage of abandoned or obsolete motor vehicles on streets and public places and for the removal of such abandoned vehicles from public property, and to provide for the enforcement and penalties for the violation thereof.

Section 2. Definitions. Any vehicle which is found parked continuously and in one (1) place for a period of more than forty-eight (48) hours upon any public place in the Town is hereby determined to be an abandoned vehicle and may be removed and impounded as provided herein.

Section 3. Impounding. If any obsolete or abandoned motor vehicle is stored upon the streets and highways, parking lots, or public places and reasonably appearing to be abandoned, it may be removed under the direction of the marshal and may be impounded. Impoundment shall be in any town-owned garage or area or in any privately owned public garage or area designated by the Town Council.

Section 4. Impoundment fees. Within three (3) days after the impoundment of any such motor vehicle the owner thereof may appear and claim the same on payment of an impoundment fee of three (\$3.00) and towing charges if stored by the Town of Buffalo, or upon payment of the towing and storage fees, if stored in a public garage, whereupon said vehicle shall be released.

Section 5. Notice of impoundment. If any impounded vehicle is

not claimed by the owner within three (3) days after impoundment the marshal on said date, shall notify the commissioner of the Iowa State Public Safety Department as the administrator of the state motor vehicle department by registered letter giving notice that he has such a motor vehicle in his possession, and giving a full and complete description of the same, including all marks of identification and factory and serial numbers.

Section 6. Release of vehicle after notice. If within forty (40) days from notice to the owner thereof by the commissioner of the Iowa State Public Safety Department as provided by the state statute said owner shall appear and properly identify such vehicle, the same shall be released to him upon payment of the impoundment fee and towing charges or upon payment of the towing and storage fees if impounded in a privately-owned public garage and in addition thereto the costs incident to the location of such owner.

Section 7. Disposal of unclaimed vehicles. If the owner of an abandoned vehicle fails to make claim within said forty days the marshal shall proceed as set forth in sections 321.88 through 321.91 of the Code of Iowa.

Section 8. Penalty. Anyone violating any of the provisions of this Ordinance shall, upon conviction, be fined not to exceed one hundred (100.00) dollars, or confined in jail for a term not to exceed thirty (30) days. Each offense or violation of any of the provisions of this Ordinance shall be deemed a separate and distinct offense.

Section 9. All Ordinances or parts of Ordinances in conflict here with are hereby repealed.

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Section 10. Effective: This Ordinance shall be in full force and effect from and after its passage and publication as provided by law.

Passed this 6th day of July, 1970.

Signed Warren C. Moore
Warren C. Moore Mayor

Attest: Lewis M. Adams Jr.
Lewis M. Adams Jr. Clerk