

AN ORDINANCE PROVIDING FOR THE
REMOVAL OF ABANDONED MOTOR VEHICLES

WHEREAS, a continually increasing number of motor vehicles are being abandoned upon the streets and vacant and private property within the CITY OF URBANA, ILLINOIS; and

WHEREAS, such abandonment of motor vehicles creates a problem insofar as the health, safety and welfare of the citizens of the CITY OF URBANA, ILLINOIS, are concerned; and

WHEREAS, the "Illinois Vehicle Code" grants to the corporate authorities of each municipality the power to provide for the removal of abandoned motor vehicles;

NOW, THEREFORE, BE IT ORDAINED by the CITY COUNCIL of the CITY OF URBANA, ILLINOIS, as follows:

SECTION 1. For the purpose of this ordinance, the following words shall have the meanings ascribed to them as follows:

"Highway" means any street, alley, or public way within the CITY OF URBANA.

"Abandoned Vehicle" means all motor vehicles or other vehicles in a state of disrepair rendering the vehicle incapable of being driven in its condition; or any motor vehicle or other vehicle that has not been moved or used for seven (7) consecutive days or more and is apparently deserted.

"Antique Vehicle" means any motor vehicle or other vehicle twenty-five (25) years of age or older.

SECTION 2. The abandonment of a motor vehicle or other vehicle or any part thereof on any highway in this municipality is unlawful and subject to penalties as set forth herein. The abandonment of a motor vehicle or other vehicle or any part thereof on private or public property, other than a highway, in view of the general public, anywhere in this municipality is unlawful except on property of the owner or bailee of such abandoned vehicle. A motor vehicle or other vehicle or any part thereof so abandoned on private property may be authorized for removal by or upon the order of the chief of police department of the municipality, after a waiting period of seven (7) days or more has expired.

SECTION 3. When an abandoned, lost, stolen or unclaimed motor vehicle or other vehicle comes into the temporary possession or custody of a person in this State, not the owner of the vehicle, such person shall immediately notify the municipal Police Department when the vehicle is within the corporate limits of the municipality. Upon receipt of such notification, the chief of the municipal Police Department shall authorize a towing service to remove and take possession of the abandoned, lost, stolen or unclaimed motor vehicle or other vehicle. The towing service will safely keep the towed vehicle and its contents, maintain a record of the tow until the vehicle is claimed by the owner or any other person legally entitled to possession thereof, or until it is disposed of as provided in this ordinance.

SECTION 4.

(a) When a motor vehicle or other vehicle is abandoned on a highway in this municipality ten (10) hours or more, its removal by a towing service may be authorized by order of the chief of the police department of this municipality.

(b) When an abandoned, unattended, wrecked, burned or partially dismantled motor vehicle or other vehicle is creating a traffic hazard because of its position in relation to the highway or its physical appearance is causing the impeding of traffic, its immediate removal from the highway by a towing service may be authorized by order of the chief of the police department of this municipality.

(c) When a vehicle removed from either public or private property is authorized by order of the chief of the police department of this municipality, the owner of the vehicle will be responsible for all towing costs.

SECTION 5. When a motor vehicle or other vehicle is authorized to be towed away, the police department shall keep and maintain a record of the vehicle towed, listing the color, year of manufacture, manufacturer's trade name, manufacturer's series name, body style, Vehicle Identification Number and license plate year and number displayed on the vehicle. The record shall also include the date and hour of tow, location towed from, location towed to, reason for towing and the name of the officer authorizing the tow.

SECTION 6. When the municipal police department does not know the identity of the registered owner or other legally entitled person, they will cause the motor vehicle registration records of the State of Illinois to be searched by a directed communication to the Secretary of State for the purpose of obtaining the required ownership information.

The police department will cause the stolen motor vehicle files of the Illinois State Police to be searched by a directed communication to the Illinois State Police for stolen or wanted information on the vehicle. When the Illinois State Police files are searched with negative results, the information contained in the National Crime Information Center (NCIC) files will be searched by the Illinois State Police. The information determined from these record searches will be used by the police department in sending a notification by certified mail to the owner or legally entitled person advising where the vehicle is held, requesting a disposition be made and setting forth public sale information.

SECTION 7. When the registered owner or other person legally entitled to the possession of a motor vehicle or other vehicle cannot be identified from the registration files of this State or from the registration files of a foreign state, if applicable, the police department shall notify the Illinois State Police for the purpose of identifying the vehicle's owner or other person legally entitled to the possession of the vehicle. The information obtained by the Illinois State Police will be immediately forwarded to the law enforcement agency having custody of the vehicle for notification of owner.

SECTION 8. Any time before a motor vehicle or other vehicle is sold at public sale or disposed of as provided herein, the owner or other person legally entitled to its possession may reclaim the vehicle by presenting to the police department proof of ownership or proof of the right to possession of the vehicle. No vehicle shall be released to the owner or other person under this Section until all towing and storage charges have been paid.

SECTION 9. Whenever an abandoned, lost, stolen, or unclaimed motor vehicle or other vehicle, seven (7) years of age or newer, remains unclaimed by the registered owner or other person legally entitled to its possession for a period of thirty (30) days after notice has been given as provided herein, the police department having possession of the vehicle shall cause it to be sold at public sale to the highest bidder. Notice of the time and place of the sale shall be posted in a conspicuous place

for at least ten (10) days prior to the sale on the premises where the vehicle has been impounded. At least ten (10) days prior to the sale, the police department shall cause a notice of the time and place of the sale to be sent by certified mail to the registered owner or other person known by the police department or towing service to be legally entitled to the possession of the vehicle. Such notice shall contain a complete description of the vehicle to be sold and what steps must be taken by any legally entitled person to reclaim the vehicle.

In those instances where the certified notification specified herein has been returned by the postal authorities to the police department due to the addressee having moved, or being unknown at the address obtained from the registration records of this State, the sending of a second certified notice will not be required.

SECTION 10. When the identity of the registered owner or other person legally entitled to the possession of an abandoned, lost or unclaimed vehicle of seven (7) years of age or newer cannot be determined by any means provided for in this ordinance, the vehicle may be sold as provided herein or disposed of in the manner authorized by the ordinance without notice to the registered owner or other person legally entitled to the possession of the vehicle.

When an abandoned vehicle of more than seven (7) years of age is impounded as specified by this Ordinance, it will be kept in custody for a minimum of ten (10) days for the purpose of determining ownership, the contacting of the registered owner by the U. S. Mail, public service or in person for a determination of disposition; and, an examination of the Illinois State Police stolen motor vehicle files for theft and wanted information. At the expiration of the ten (10) day period, without the benefit of disposition information being received from the registered owner, the chief of police will authorize the disposal of the vehicle as junk only.

A motor vehicle or other vehicle classified as an antique vehicle is excluded from this Ordinance.

SECTION 11. When a motor vehicle or other vehicle in the custody of the police department is reclaimed by the registered owner or other legally entitled person, or when the vehicle is sold at public sale or otherwise disposed of as provided in this Ordinance, a report of the transaction will be maintained by the police department for a period of one (1) year from the date of the sale or disposal.

SECTION 12. When a vehicle located within the corporate limits of this municipality is authorized to be towed away by the chief of police and disposed of as set forth in this Ordinance, the proceeds of the public sale or disposition after the deduction of towing, storage and processing charges shall be deposited in the municipal treasury.

SECTION 13. Any police officer, towing service owner, operator or employee shall not be held to answer or be liable for damages in any action brought by the registered owner, former registered owner, or his legal representative, or any other person legally entitled to the possession of a motor vehicle or other vehicle when the vehicle was processed and sold or disposed of as provided by this Ordinance.

SECTION 14. Any person violating any provision of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be fined an amount not exceeding \$500.00. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable hereunder as such.

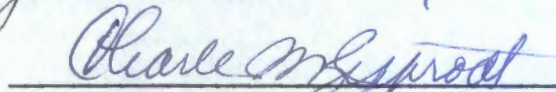
SECTION 15. This Ordinance shall be in full force and effect, from and after its passage and publication, in accordance with the terms of Section 1-2-4 of the Illinois Municipal Code, not earlier however, than July 1, 1970.

ADOPTED by the City Council of the City of Urbana this _____
679 day of July, 1970



Duane Eckerty, CITY CLERK

APPROVED by the Mayor of the City of Urbana, this _____
6th day of July, 1970



Charles M. Zipprott, MAYOR



Certificate of Publication

COPY OF ADVERTISE

CHAMPAIGN-URBANA COURIER, Inc. } ss.
County }

CHAMPAIGN-URBANA COURIER, Inc., a corporation, does hereby certify that it is the Champaign-Urbana Courier, a daily secular newspaper of general circulation in printed and published in the city of Urbana, in said County and State, and that paper is a newspaper as defined in "An Act to revise the law in relation to notices," February 13, 1874, as amended, and that the advertisement or notice hereunto made a part of this certificate, has been published in said newspaper at least

regular edition of said newspaper published on Tues., July 14, 1970

regular edition of said newspaper published on _____

said newspaper has been regularly and continuously published for more than one year; and that Darlene L. Marshall by resolution by the directors has authority to make this certificate.

TIMONY WHEREOF, the said Darlene L. Marshall has hereunto

name of said company, this 14th day of July

\$ 42.70

CHAMPAIGN-URBANA COURIER

CHAMPAIGN-URBANA COURIER, Inc.

By Darlene L. Marshall

DUANE ECKE
CITY C

APPROVED by the Mayor of
City of Urbana, this 6th day of
1970.

Charles M. Zip

660. 730. July 14, 1970.

DINANCE NO. 7071-22
ANCE PROVIDING F
OF ABANDONED
VEHICLES
continually
motor vehicles
upon the streets
private property within
URBANA, ILLINOIS) and
WHEREAS, such abandonn
vehicles creates a problem
the health, safety and w
citizens of the CITY
ILLINOIS, are concerned;
WHEREAS, the "Illinoi
grants to the corporate
each municipality the
for the removal of
vehicles;
NOW, THEREFORE
ED BY THE CITY
CITY OF URBANA,
lows:
SECTION 1. For
ordinance, the follo
the meanings ascr
lows:
"Highway" me
or public way
URBANA.
"Abandoned v
vehicles or of
of disparit
capable of be
or any mot
that has no
seven (7) m
and is app
"Antique v
vehicle or
years of a
SECTION 2.
motor v
municip
penalit
donmer
vehicl
or pu
in v
in
on
of
vr
As of July 1, the balance
in the educational fund was
\$369,501. The district also has
short-term investments with
a maturity value of \$750,000.
The balance on July 1, 1969,
totaling \$700,000.
Since the school is highly
dependent on impacted fed-
eral aid funds, which must
be approved each year by
Congress, an attempt
has been made to keep the
educational fund large enough
so that the school could op-
erate for one year if that
State regulations will not
allow money in the educa-
tional fund to be transferred
to the building fund. The
building fund balance as of
July 1 was \$34,251, with in-
crease of \$3,251, with in-

By Miller forces
Springer de
Arcola (Special)
Citizens for Miller, an organ-
ization supporting Robert Miller
of Urbana, Democratic candi-
date for congressman, has pro-

Bike-in set
for Friday
A five-mile bike-in through
Champaign will begin at 2
p.m. Friday at the Cham-
paign Park District Cham-
paign Center, 706 Holt
Center, 706 Holt