

ORDINANCE NO. 2010-03-018

**AN ORDINANCE AMENDING CHAPTER 23
OF THE URBANA CITY CODE TO ESTABLISH ADMINISTRATIVE FEES FOR
POLICE ORDERED TOWS AND COMMERCIAL RELOCATOR TOWS**

WHEREAS, the Mayor and City Council find that the fees contained herein are proportional to the City's administrative costs resulting from vehicle towing; and

WHEREAS, the Mayor and City Council find that persons responsible for payment of the fees charged by commercial relocators should properly bear the City's costs.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, as follows:

Section 1. Urbana City Code Chapter 23, "Local Traffic Code," Article XX, "Procedures Following Towing of Vehicles Pursuant to Police Order," Section 23-283, "Disposition of impounded vehicles, reclamation by owner or other," is hereby amended by adding the following subsection thereto:

(c) When a release from the Urbana Police Department is required to reclaim a vehicle towed by police order, the person legally entitled to its possession also shall pay an administrative fee as provided in the schedule of fees adopted by the city council by ordinance. No vehicle shall be released until the administrative fee is paid.

(Ord. No. 9697-123, § 23-20-3, 4-21-97)

Section 2. Urbana City Code Chapter 23, "Local Traffic Code," Article XXI, "Commercial Relocation of Trespassing Vehicles," Section 23-291, "Relocator requirements," subsection f, "Fees," is hereby amended and as amended shall read as follows:

(f) *Fees.*

(1) Each relocator shall pay an administrative fee to the City for each unauthorized vehicle it tows from private

property and for which it receives compensation. The fee shall be in an amount as provided in the schedule of fees adopted by the city council by ordinance. Relocators are expressly authorized to add this City administrative fee to the towing and storage charges assessed against vehicle owners. No vehicle shall be released until the City administrative fee is paid.

(2) Each relocator shall, at its place of business, prominently post in full view of the public a schedule of its usual and customary charges for the towing and storage of vehicles. Such schedule shall be prima facie evidence of what constitutes the reasonable value of services and costs for purposes of section 23-295 herein.

Section 3. Urbana City Code Chapter 14, "Licenses and Permits,"

Section 14-7, "Schedule of fees," is hereby amended by adding the following subsection thereto:

(N) VEHICLE TOWING AND IMMOBILIZATION

1. Police ordered tow.....\$25
2. Relocator tow.....\$25

Section 4. Those sections, paragraphs, and provisions of the Code of Ordinances, City of Urbana, that are not expressly amended or repealed by this Ordinance are hereby re-enacted, and it is expressly declared to be the intention of this Ordinance not to repeal or amend any portions of the Code of Ordinances, City of Urbana, other than those expressly set forth as amended or repealed in this Ordinance. The invalidity of any section or provision of this Ordinance hereby passed and approved shall not invalidate other sections or provisions thereof.

Section 5. This Ordinance shall not be construed to affect any suit or proceeding pending in any court, or any rights acquired, or a liability incurred, or any cause or causes of action acquired or existing prior to the effective date of this Ordinance; nor shall any right or remedy of any character be lost, impaired, or affected by this Ordinance.

Section 6. The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the corporate authorities, and this Ordinance shall be in full force and effect from and after its passage.

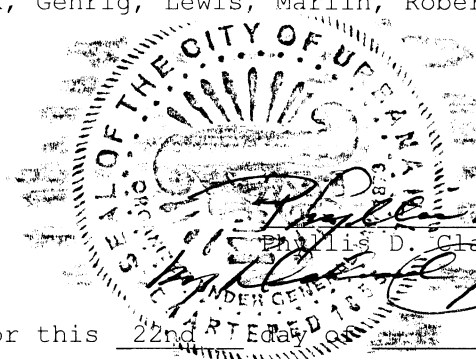
This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called, of a majority of the members of the Council of the City of Urbana, Illinois, at a meeting of said Council.

PASSED by the City Council this 15th day of March,
2010 .

AYES: Bowersox, Gehrig, Lewis, Marlin, Roberts, Smyth, Stevenson

NAYS:

ABSTAINS:



Phyllis D. Clark
Phyllis D. Clark, City Clerk
Robert D. Robert
Deputy Clerk

APPROVED by the Mayor this 22nd day of March,
2010 .

Laurel Lunt Prussing
Laurel Lunt Prussing, Mayor



CERTIFICATE OF PUBLICATION IN PAMPHLET FORM



I, PHYLLIS D. CLARK, certify that I am the duly elected and acting
Municipal Clerk of the City of Urbana, Champaign County, Illinois.

I certify that on the 15th day of March, 2010,
the Corporate Authorities of the City of Urbana passed and approved Ordinance
No. 2010-03-018, entitled:

**"AN ORDINANCE AMENDING CHAPTER 23 OF THE URBANA CITY
CODE TO ESTABLISH ADMINISTRATIVE FEES FOR POLICE
ORDERED TOWS AND COMMERCIAL RELOCATOR TOWS"**

which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 2010-03-018 was prepared,
and a copy of such Ordinance was posted in the Urbana City Building
commencing on the 27th day of April, 2010, and
continuing for at least ten (10) days thereafter. Copies of such Ordinance
were also available for public inspection upon request at the Office of the
City Clerk.

Dated at Urbana, Illinois, this 27th day of April,
2010.



Phyllis D. Clark
Phyllis D. Clark, City Clerk
by [Signature] Deputy Clerk