

ORDINANCE NO. 2010-07-052

**AN ORDINANCE  
AMENDING CHAPTER 23 OF THE URBANA CITY CODE  
TO ESTABLISH AN ADMINISTRATIVE FEE FOR TOWING OF VEHICLES  
USED IN THE COMMISSION OF CERTAIN OFFENSES**

WHEREAS, the City of Urbana, Illinois, is a home-rule unit of local government under the Illinois Constitution, 1970, Article VII, Section 6; and

WHEREAS, the city has a strong interest in deterring drivers from committing serious traffic and drug offenses, such as driving under the influence of drugs or alcohol, fleeing or eluding a police officer, driving on a revoked driver's license, operating a vehicle when the registration is cancelled, suspended or revoked and driving while possessing felony amounts of cannabis, controlled substances or methamphetamine; and

WHEREAS, the implementation of an administrative fee for towing of vehicles used in the commission of certain offenses will deter drivers from committing these offenses; and

WHEREAS, the fee imposed herein will help reasonably compensate the City for the damages done by persons who commit these offenses; and

WHEREAS, the Mayor and City Council find that the best interests of the City are served by amending Chapter 23 of the Urbana City Code to establish an administrative fee for towing of vehicles used in the commission of certain offenses.

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 XIX, "Towing," is hereby amended by adding Section 23-277 thereto, as set forth in Exhibit "A," which is attached hereto and incorporated herein by reference.

Section 2. Urbana City Code Chapter 23, "Local Traffic Code," Article XX, "Procedures Following Towing of Vehicles Pursuant to Police Order," Section 23-284, "Disposition of impounded vehicles by public sale," is hereby amended by adding the following subsection thereto:

(d) A motor vehicle impounded under subsection 23-277(a) shall be disposed of only as provided for in subsection 23-277(e) above.

Section 3. Urbana City Code Chapter 14, "Licenses and Permits," Section 14-7, "Schedule of fees," subsection (N), "Vehicle Towing and Immobilization," is hereby amended by adding the following fee thereto:

4. Vehicle used in commission of offense ..... \$250

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Those sections, paragraphs, and provisions of the Code of Ordinances, City of Urbana, that are not expressly amended or repealed by this Ordinance are hereby re-enacted, and it is expressly declared to be the intention of this Ordinance not to repeal or amend any portions of the Code of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 and publication in accordance with Section 1-2-4 of the Illinois Municipal Code.

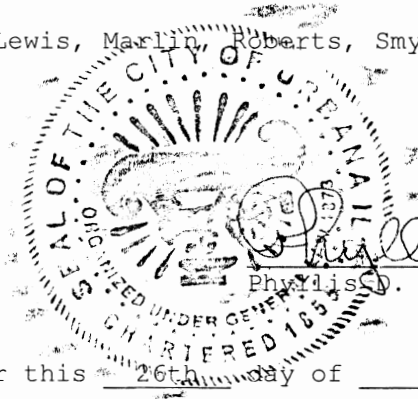
This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called, of a majority of the members of the Council of the City of Urbana, Illinois, at a meeting of said Council.

PASSED by the City Council this 19th day of July,  
2010.

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

NAYS:

ABSTAINS:



*Phyllis D. Clark*  
Phyllis D. Clark, City Clerk

APPROVED by the Mayor this 26th day of July,  
2010.

*Laurel Lunt Prussing*  
Laurel Lunt Prussing, Mayor