

**TOWING AND SECURING VEHICLES
ORDINANCE**

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ORDINANCE NO. 2011-07-05

**AN ORDINANCE PERTAINING TO THE TOWING AND SECURING
OF VEHICLES AND ABANDONED PROPERTY WITHIN THE
TOWN OF TAYLOR AND THE JURISDICTION.**

**BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF TAYLOR, ALABAMA
AS FOLLOWS,**

SECTION 1. DEFINITION.

Vehicle – As referred to in State of Alabama Title 32, Section 1-1.1, No 81.

SECTION 2. TOWED, INVENTORIED AND SECURED VEHICLES.

(A) Notwithstanding any other provisions of law, and except as otherwise provided in this section, a motor vehicle is subject to be declared a nuisance if it is driven on a highway or other public roadway in the Town of Taylor or its police jurisdiction and any of the following conditions exist:

1. The motor vehicle is driven by a person whose license or license privilege is suspended for a DUI, revoked, cancelled or denied by the issuing authority or its issuing agency at the time he or she was stopped or arrested and transported to jail.
2. If a driver is unable to produce a valid driver's license on the demand of the law enforcement officer, the officer may have the vehicle towed to a place of safety, regardless of ownership, unless the police officer is reasonably able, by other means, to verify that the driver is properly licensed. Prior to towing the vehicle, the officer shall make a reasonable attempt to verify the license status of a driver who claims to be properly licensed, but who is unable to produce the license on demand of the law enforcement officer. A notation of the officer's attempt to verify that the driver is properly licensed shall be noted on the inventory report. The driver and occupants of the vehicle will be transported to a place of safety by the law enforcement officer and an inventory report made with a full inventory of items in the vehicle.
3. If the owner of the vehicle is present in the vehicle and has a valid license, the vehicle shall not be towed except for the above.
4. If there is a medical necessity jeopardizing life or limb, the law enforcement officer may elect not to have the vehicle towed.

SECTION 3. RELEASE OF TOWED AND INVENTORIED VEHICLE.

(A) A vehicle towed and inventoried pursuant to this section shall be released if:

1. The registered owner, or his/her representative, or a representative with written notarized authorization from the registered owner, appears at the Taylor Town Hall and presents a valid driver's license, proof of valid insurance, a copy of the title, a copy of the tag receipt, or notarized bill of sale, and a copy of the written authorization, if applicable, to be copied by the police department.
2. The registered owner or his/her representative will be responsible for paying a \$325.00 Administrative Fee to the Town of Taylor before the vehicle is released.
3. If the registered owner does not have a valid driver's license, he/she may bring someone with them who has a verified valid license and the vehicle may be released without written notarized permission, or the owner may have the vehicle towed by a private towing service upon proof of ownership.
4. The person redeeming the vehicle will be responsible for paying the set Administrative Fee.
5. Any vehicle that has been inventoried and not redeemed pursuant to this section within 60 days from the date of the towing can be sold for fees owed according to the state law.

SECTION 4. ABANDONED VEHICLES OR PROPERTY ON CITY STREETS.

(A) It shall be unlawful for any person to abandon any vehicle or property upon any street for a period of seven days or longer. Police Officers may remove any vehicle or property after seven days. Officers may remove any vehicle or property from Town premises after 24 hours.

(B) Police Officers may immediately remove any vehicle or property parked or placed upon any city street, street right of way or city premises that constitute a hazard, a visual impediment, impairs the flow of pedestrian or vehicular traffic safety, if the driver is impaired and unable to remove the vehicle, or if the driver refuses to remove such vehicle.

(C) The vehicle or property may be removed to a place of safety by a towing company at the direction of a police officer and secured in a location designated by the Taylor Police Department. If the vehicle is secured on city property, the city shall charge a \$325.00 Administrative fee. The vehicles or property shall not be released until payment of the Administrative Fee is satisfied.

(D) Vehicles and/or property secured and not redeemed pursuant to this section within 60 days can be sold for fees owed according to state law.

SECTION 5. EFFECTIVE DATE.

This ordinance shall become effective upon its approval and after publications as required by law.

ADOPTED and **APPROVED** this the 5th day of July, 2011.

Kamy J. Whitton

Mayor

Keith Thompson

Council Member

Dana Watts

Council Member

Marvin B. Smith

Council Member

Billy M. Sledge

Council Member

Vacant

Council Member

Attest:
Barbara F. Benton
Town Clerk

Council member Marvin B. Smith moved that said ordinance be adopted, which motion was

Seconded by Council member Dana Watts and upon said motion being put to vote, the following vote was recorded:

Ayes: 5 Nays: 0

The Mayor thereupon announced that said motion had been passed.

I, the undersigned, do hereby certify that the foregoing Ordinance No 2011-07-05 was posted in three public places within the Town of Taylor, Alabama, to-wit: Taylor Town Hall, Taylor Senior Citizens and Taylor Grocery beginning this the 6th day of July, 2011.

Barbara F. Benton
Barbara F. Benton, Clerk