

**ORDINANCE NUMBER _____ SUPPLEMENTAL
AMENDING CHAPTER 231, TO REQUIRE THE REMOVAL OR
IMMOBILIZATION OF MOTOR VEHICLES BEARING OUTSTANDING
CITATIONS**

WHEREAS, Section 231-8 of the City of Stamford Code of Ordinances provides that the City of Stamford may remove a vehicle with six (6) or more parking citations issued for a violation of any provision of § 231-5 or 231-6 or immobilize such vehicle to prevent its removal or operation except by persons authorized to do so by the traffic authority; and

WHEREAS, the Board of Representatives believes that it is in the best interest of the citizens of Stamford to require that such vehicles be removed or immobilized.

NOW THEREFORE BE IT RESOLVED THAT Section 231-8 of the Code of Ordinances be amended as follows:

Article I – Miscellaneous

Sec. 231-8. Removal or immobilization of motor vehicles bearing outstanding citations.

A. Whenever there is found any motor vehicle parked upon the streets or public grounds of the city, or property owned or managed by the Stamford Housing Authority, which has received six (6) or more parking citations issued for a violation of any provision of § 231-5 or 231-6 of this Article which are delinquent, unpaid or otherwise unsettled and uncontested, such vehicle ~~may~~ shall, by towing or otherwise, upon approval of the traffic authority or his/her designee, be removed for safekeeping, by or under the direction of a police officer, traffic violations officer or other individual empowered by the traffic authority, to a garage or other location, or such vehicle ~~may~~ shall be immobilized in such a manner as to prevent its removal or operation except by persons as shall be authorized to do so by the traffic authority.

B. It shall be the duty of any police or traffic violations officer removing or immobilizing a motor vehicle or under whose direction such a vehicle is removed or immobilized to inform as soon as practicable, within one (1) business day, the owner of the removed or immobilized vehicle. The traffic authority shall give notice to the City of Stamford Police Department before removing any vehicle. Furthermore, the traffic authority shall send notice of the removal or immobilization to the registered owner by certified mail, within one (1) business day, of said action. The notice shall apprise the owner of the prior unsettled parking violations notices for which such vehicle was removed or immobilized. In any case involving immobilization of a vehicle pursuant to this section, there shall be placed on such vehicle, in a conspicuous manner, a notice warning that such

vehicle has been immobilized and that any attempt to move such vehicle might result in damage thereto.

C. Release of vehicle.

(1) Before the owner or duly authorized person shall be allowed to repossess or to secure the release of said vehicle, he or she shall pay the following:

(a) The cost of towing and/or booting fee, whichever applies; and

(b) The cost of storage for each day or portion of a day that such vehicle is stored; and

(c) All sums legally due for any City of Stamford parking citations issued and outstanding against such vehicle in lieu of the above; or

(d) A bond with a surety company, authorized to do business in this state, in an amount sufficient to cover the charges specified in Subsection C.(1) (a), (b) and (c) above.

(2) No such vehicle shall be released until the owner or a duly authorized person has established his or her identity and right to possession and has signed a proper receipt therefor.

D. The owner or keeper of any garage or other place where such motor vehicle is stored shall have a lien upon said vehicle for such owner's or keeper's towing and/or storage charges. Any such vehicles which remain unclaimed may be disposed of pursuant to the provisions of Connecticut General Statutes, § 14-150, including by auction or sale.

E. Any person who, after having had his or her vehicle towed or immobilized, shall remove such vehicle without complying with Subsection C shall, in addition to the charge provided for in said subsection, be liable for any damage done to the immobilization device or mechanism and be subject to a fine of not more than ninety dollars (\$90.). [Amended 7-6-1999 by Ord. No. 900]

F. Prior to scheduling any vehicle on a list for impoundment or immobilization, the traffic authority shall cause to be mailed to the registered owner a list of all delinquent charges and a statement warning that such vehicle shall be impounded or immobilized if found and giving notice of appeal rights pursuant to § 231-10 B. of this article. Such notice shall be mailed no sooner than fifteen (15) days prior to the placement of any vehicle on a list for impoundment or immobilization.