

ORDINANCE 2017-4

AN ORDINANCE REGARDING ABANDONED VEHICLES

WHEREAS, the City of Princeton (hereinafter "City") currently has legislation codified at Chapter 14, Article II regarding abandoned vehicles that is obsolete due to (possibly among other things) reference to a State of Indiana statute that has been repealed.

WHEREAS, the General Assembly of the State of Indiana has passed new legislation regarding abandoned vehicles.

WHEREAS, Indiana Code 9-13-2-1 defines abandoned vehicles. Said definition makes the following (among other circumstances) an abandoned vehicle (note that this is not the verbatim definition(s) contained in the statute):

- a. A vehicle located on public property illegally.
- b. A vehicle left on public property without being moved for 24 hours.
- c. A vehicle located on public property in such a manner as to constitute a hazard or obstruction to the movement of pedestrian or vehicular traffic on a public right-of-way.
- d. A vehicle left on private property without the consent of the owner for at least 48 hours.
- e. A vehicle that has had the engine, transmission, or differential removed and left on public property.
- f. A vehicle removed by a towing service upon request of an officer enforcing a statute or an ordinance other than this chapter if the impounded vehicle is not claimed or redeemed by the owner within twenty days.
- g. A vehicle that is at least three model years old, that is mechanically inoperable, and is left on private property continuously in a location visible from public property for more than 20 days.

WHEREAS, Indiana Code 9-22-1 provides the statutory mechanism for handling abandoned vehicles. Said statute includes, among other things, the following sections and subsections:

- a. Indiana Code 9-22-1-4(a) makes the owner of an abandoned vehicle "liable for all of the costs incidental to the removal, storage, and disposal of the vehicle" or parts.
- b. Indiana Code 9-22-1-4(b) limits the costs for storage of an abandoned vehicle at \$1,500.
- c. Indiana Code 9-22-1-4(c) provides that, if an abandoned vehicle is sold by the person who towed the vehicle, the "person who previously owned the vehicle is not responsible for storage fees".
- d. Indiana Code 9-22-1-4(d) provides that, if the abandoned vehicle is sold and there is a surplus, the surplus should be returned to the previous owner.
- e. Indiana Code 9-22-1-11 provides that an officer who finds or is notified of a vehicle or parts believed to be abandoned shall attach a notice tag with specific information. This notice must include (among other things) a warning that the vehicle will be removed either: (a) after 24 hours if the abandoned vehicle is located "on or within the

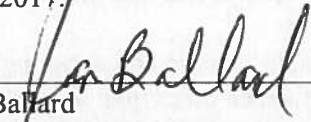
right-of-way of an interstate highway or any highway that is designated as part of the state highway system” or (b) after 72 hours for any other vehicle.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF PRINCETON, INDIANA as follows:

1. Chapter 14, Article II of the codified code for the City is hereby repealed and rescinded.
2. The City adopts the definition of “Abandoned Vehicles” as contained in Indiana Code 9-13-2-1.
3. The City adopts the mechanism for dealing with abandoned vehicles as contained at Indiana Code 9-22-1. However, before a vehicle titled in the same name as the owner or occupant of private property where a vehicle is located, said vehicle may not be removed earlier than ~~seven~~ days after the vehicle has been tagged.

This Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

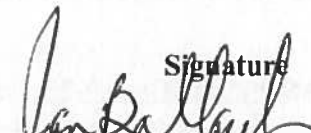
PASSED AND ADOPTED by the Common Council of the City of Princeton, Indiana this 3 day of April, 2017.

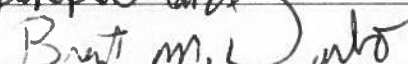


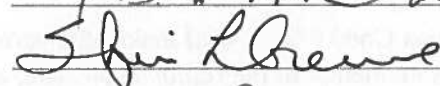
Jan Ballard
President - Common Council

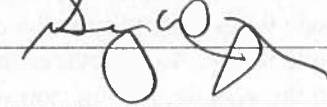
Council member	Vote (circle how you voted)
Jan Ballard	<input checked="" type="radio"/> Aye <input type="radio"/> Nay <input type="radio"/> Abstain
Brent Denbo	<input type="radio"/> Aye <input type="radio"/> Nay <input type="radio"/> Abstain
Sheri Greene	<input checked="" type="radio"/> Aye <input type="radio"/> Nay <input type="radio"/> Abstain
Greg Wright	<input checked="" type="radio"/> Aye <input type="radio"/> Nay <input type="radio"/> Abstain
Jim Maglis	<input type="radio"/> Aye <input type="radio"/> Nay <input type="radio"/> Abstain

Signature

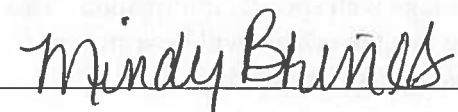








ATTEST:



Mindy Brines
Clerk-Treasurer

This Ordinance approved and signed by me this 3 day of April, 2017, at
the hour of 6:09 p.m.


Bradley Schmitt
Mayor

10/10/2010
10/10/2010

For signature approval and stamp on the 2nd page of the 10/10/2010

[Handwritten signature]
10/10/2010

