

ORDINANCE 2013-08-14-01  
AMMENDING ORDINANCE 1999-06-09-01

ABANDONED VEHICLES

WHEREAS, the Town Council of the Town of Poseyville has deemed it necessary to amend Section 104 Costs and Charges of ORDINANCE 1999-06-09-01 as follows:

SECTION 104

- Part (B) A towing charge of up to \$200.00  
Part (C) A storage charge of up to \$25.00 per day or any part thereof.

All other aspects of the ordinance remain in full force and effect.

BE IT ORDAINED BY THE TOWN COUNCIL OF POSEYVILLE THAT THIS ORDINANCE BE PASSED THIS 14<sup>th</sup> DAY OF August, 2013.

TOWN COUNCIL OF POSEYVILLE, IN



Bruce C. Baker, Council President

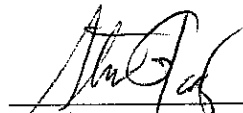


Steven J. Ahrens, Council Member



Ron Fallowfield, Council Member

ATTEST:



Stanley G. Forzley, Cl. Treas.

ORDINANCE NO. 1999-06-09-01

ABANDONED VEHICLES

- 101 Definitions
- 102 Adoption of State Law
- 103 Powers of the Town council
- 104 Costs and Charges
- 105 Abandoned Vehicle Account

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101 DEFINITIONS

Unless specifically set forth herein, the definitions of the terms used in this subchapter shall be the same as the terms are defined in IC 9-13-2 and as those terms may be hereafter amended to provide.

**"PUBLIC PROPERTY."** Property owned by the Town of Poseyville, County of Posey, State of Indiana, or federal government, and any political subdivisions or agencies thereof. This shall include and apply to all public roads, streets and alleys.

**"TOWING SERVICE."** A person or entity who has been authorized by the Town Council to move, remove, store, or impound vehicles and parts.

**"ABANDONED VEHICLE."**

- (1) A vehicle located on public property illegally.
- (2) A vehicle left on public property without being moved for three days.
- (3) 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.
- (4) A vehicle that has remained on private property without the consent of the owner, or person in control of that property, for more than 48 hours.
- (5) A vehicle from which the engine, transmission, or differential has been removed or that is otherwise partially dismantled or inoperable and left on public property.
- (6) A vehicle that has been removed by a towing service or a public agency upon request of an officer enforcing a

statute or ordinance other than this chapter, if the impounded vehicle is not claimed or redeemed by the owner or the owner's agent within 15 days of its removal.

- (7) A vehicle that is at least six model years old, mechanically inoperable, and is left on private property continuously in a location where any portion of the vehicle is visible from public property for more than 30 days.

**102 ADOPTION OF STATE LAW**

It is the purpose of this chapter to provide for the removal and disposal of abandoned vehicles. The Town hereby in all ways adopts the powers and procedures for the removal, storage, disposal, and impoundment of abandoned vehicles and parts as set forth in IC 9-22-1 et seq., and as those provisions may hereafter be amended.

**103 POWERS OF THE TOWN COUNCIL**

The Town Council is hereby authorized to enter into towing contracts, employ personnel, and acquire equipment, property, and facilities, subject to appropriation, for the purpose of removal, storage, and disposition of abandoned vehicles and parts.

**104 COSTS AND CHARGES**

The following fees and charges are hereby imposed upon the owner of an abandoned vehicle or parts, or upon a lienholder seeking to obtain possession of the vehicle or parts, when any vehicle or parts are towed, removed, stored, or impounded pursuant to this chapter, and said fee shall be paid before the owner of lienholder is entitled to reclaim the vehicle.

- (A) A processing charge of up to \$50.00.
- (B) A towing charge of up to \$75.00.
- (C) A storage charge of up to \$4.00 per day or any part thereof.

**105 ABANDONED VEHICLE ACCOUNT**

(A) There is hereby created a new account to be known as the "Abandoned Vehicle Account".

(B) The cost for removing and storing an abandoned vehicle or parts not claimed by the owner or lienholder shall be paid from the Abandoned Vehicle Account.

(C) The proceeds from any sale of an abandoned vehicle or parts shall be credited against all costs incidental to the removal, storage, and disposal of the vehicle or parts. All proceeds from the sale of an abandoned vehicle or parts that are

sold, including charges for bills of sale, and all monies received from an owner or lienholder for the cost of removal, storage or the vehicle or parts shall be deposited in the Abandoned Vehicle Account.

(D) The costs incurred by a public agency in administering this Ordinance shall be paid from the Abandoned Vehicle Fund.

(E) The Town Council shall annually appropriate sufficient money to the fund to carry out this Ordinance. Money remaining in the fund at the end of the year remains in the fund and does not revert to the General Fund.

BE IT ORDAINED BY THE TOWN COUNCIL OF POSEYVILLE THAT THIS ORDINANCE BE PASSED THIS 9<sup>th</sup> DAY OF June, 1999.

TOWN COUNCIL OF POSEYVILLE, INDIANA

*Bruce C. Baker*

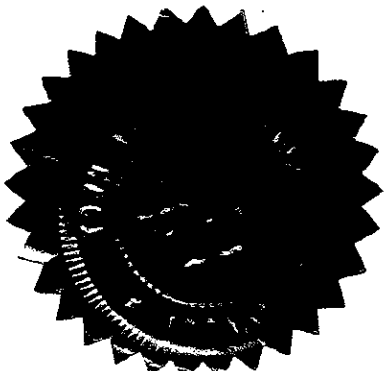
Bruce C. Baker

*Flora Mae Hopf*

Flora Mae Hopf

*Richard G. Kraft*

Richard G. Kraft



ATTEST:

*Donna G. Thompson*

Donna G. Thompson  
Clerk-Treasurer