

**ORDINANCE NO.   717**

**AN ORDINANCE AMENDING THE TROUTDALE MUNICIPAL CODE TO REGULATE SPEED RACING.**

The Troutdale City Council finds:

1. High speed racing on public and private roads is a growing problem for law enforcement and poses an imminent threat to the safety of participants, spectators, and the general public.
2. The Council wishes to provide greater deterrents to speed racing by adopting an ordinance that prohibits speed racing, punishes participants and spectators and authorizes immediate impoundment of participants and spectators vehicles.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TROUTDALE:**

Section 1:

Troutdale Municipal Code Chapter 10.32, Miscellaneous Traffic Regulations, is amended to add a new section, 10.32.060, Speed Racing, to read as follows:

**10.32.060     Speed racing.**

- A. For purposes of this subchapter, the following definitions apply unless the context requires a different meaning:

“SPEED RACING” is defined as set forth in ORS 811.125.

“SPECTATOR” is defined as a person who attends, participates in, or is present at or near the scene of any activity prohibited by this ordinance for the purpose of encouraging any part of such activity.

- B. It is unlawful for any person to participate in speed racing upon any street, public or private, or any premises open to the public, within the city limits of Troutdale.
- C. It is unlawful for any person to be a spectator of speed racing within the city limits of Troutdale.
- D. Any vehicle utilized within the city limits of Troutdale in violation of this section, including vehicles belonging to, or under the control of, spectators may be towed without notice.
- E. Violation of this section are punishable by a fine in an amount established by resolution of the council.

Section 2:

Troutdale Municipal Code, Section 10.36.010 A., Impound, is amended to read as follows:

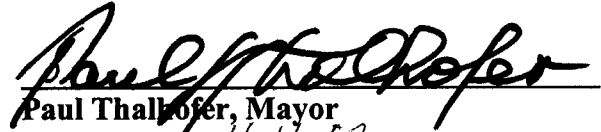
**10.36.010. Impound.**

A. A vehicle may be towed without prior notice when:

1. The vehicle is a hazardous vehicle. As used herein, a "hazardous vehicle" is one defined as a hazard under ORS 819.120 or any successor provision of state law;
2. A police officer reasonably believes that the vehicle is stolen;
3. A police officer reasonably believes that the vehicle or its contents constitute evidence of any offense, if such towing is reasonably necessary to obtain or preserve such evidence;
4. The vehicle is in possession of a person taken into custody by a police officer and no other reasonable disposition of the vehicle is available;
5. The vehicle is illegally parked on a public or private street in a conspicuously restricted space, zone or traffic lane where parking is limited or prohibited to designated classes of vehicles or periods of time, or at any time when the vehicle interferes with the intended use of such space, zone or traffic lane;
6. The vehicle obstructs the entrance of any post office or postal station, or is within ten feet of a private mailbox during the hours of delivery;
7. A police officer reasonably believes the vehicle operator does not possess a valid operator's license and either:
  - a. Is driving uninsured, or
  - b. Has failed to transfer the title of the vehicle, register the vehicle, or carry a valid registration card.

8. The vehicle was used by, or was under the control of, a driver or spectator that is cited for violating Section 10.32.060.

YEAS:	<u>6</u>
NAYS:	<u>0</u>
ABSTAINED:	<u>0</u>

  
Paul Thalhofer, Mayor  
Dated: 4-17-02

  
Debbie Stickney, City Recorder

Adopted: April 9, 2002

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