

**A BILL FOR AN ORDINANCE)
AUTHORIZING THE)
IMPOUNDING OF VEHICLES)
OF PERSONS FAILING TO)
PAY FINES FOR PARKING)
VIOLATIONS)**

ORDINANCE BILL Number 3
for 1999
Bill Number 2238

WHEREAS, the City Council of the City of Lebanon has determined that meaningful enforcement of City Ordinances concerning parking within the City limits is heretofore inadequate as many repeat parking offenders do not pay their duly assessed parking fines; and

WHEREAS, the City Council finds that state law does not allow the suspension of violator's driving privileges or vehicle license registrations for failure to pay fines assessed for parking violations; and

WHEREAS, the City Council further finds that meaningful enforcement for violations of the city ordinances concerning parking restrictions is important to the safety, health and welfare for citizens of the City of Lebanon;

**NOW, THEREFORE, THE CITIZENS OF THE CITY OF LEBANON DO
HEREBY ORDAIN:**

Section 1. There is hereby added to Chapter 10.24 of the Lebanon Municipal Code the following section, which shall be identified as Section 10.24.145:

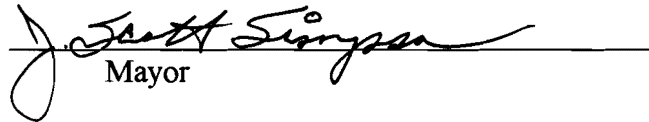
10.24.145 Enforcement of unpaid or overdue fines.

- A.** In addition to the penalties provided in this Code, in the event that any person shall be found guilty of a violation of Section 10.24.140 of this Code, and such person fails to pay the fine for said violation within the time allowed by the Municipal Court, the Municipal Court shall cause a notification of such fact to be delivered to the Chief of Police of the Lebanon Police Department. Upon receipt of such notification, the Chief of Police, or his delegate, shall authorize the placement of an impound device (commonly known as a parking "boot" or similar device) to impound or prevent the movement of any vehicle or vehicles owned by said violator as reported to the Police Department by the State of Oregon, Department of Transportation, Motor Vehicles Division which are located within the city limits of the City of Lebanon.
- B.** A violator whose vehicle or vehicles have been impounded in the manner provided in this section, may redeem the vehicle or procure

the removal of such impound device by paying to the Municipal Court the fine or fines which have been imposed and are delinquent, in addition to any actual costs incurred by the Court or the Police Department in enforcing this section for the payment of such fines. Upon notification to the Police Department, or upon the payment of such delinquent fines to the Police Department in the event the Municipal Court is not in session, the Police Department shall cause to have the impoundment device removed from the vehicle or vehicles owned by the violator.

- C. It shall be unlawful for any person to place upon any vehicle or to remove from any vehicle any impoundment device, except as authorized in this section,. A violation of this subsection shall be a Class C Misdemeanor.
- D. Any Police Officer, agent or person acting under the authority of the Chief of Police who acts in good faith in enforcing this section shall be immune from any criminal or civil liability to any person by enforcing this section of the Code.

PASSED by the City Council this 10th day of March, 1999 by a vote of 6 for and 0 against and approved by the Mayor.



Mayor

ATTEST:



City Recorder, *Pro tempore*