

THE CITY COUNCIL OF NORTH ROYALTON, OHIO

ORDINANCE NO. 12-96

INTRODUCED BY: Muller, Willey, Marnecheck

AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART 4 TRAFFIC CODE, CHAPTER 404 ENFORCEMENT; IMPOUNDING, SECTION 404.055 IMPOUNDING GARAGES, AND DECLARING AN EMERGENCY

WHEREAS: It has been determined that the insurance amounts we require impounding garages to carry is insufficient to meet our coverage needs; and

WHEREAS: It is therefore necessary to amend the Codified Ordinances of the City of North Royalton, Part 4 Traffic Code, Chapter 404 Enforcement; Impounding, Section 404.055 Impounding Garages, to increase these insurance coverage amounts; and

WHEREAS: Council desires to provide for these amendments.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH ROYALTON, COUNTY OF CUYAHOGA AND STATE OF OHIO, THAT:

Section 1. Part 4 Traffic Code, Chapter 404 Enforcement; Impounding, Section 404.055 Impounding Garages of the Codified Ordinances of the City of North Royalton is hereby amended to hereinafter read as follows:

404.055 IMPOUNDING GARAGES.

- (a) Designation by Chief. The Chief of Police is hereby authorized and directed to designate a list of garages for the purpose provided for in Section 404.05. The list shall be posted and available to all members of the Police Department.
- (b) Conditions. Any garage, upon written application to the Chief of Police, may be listed among designated impounding garages upon compliance with the following conditions:
- (1) The garage, in the opinion of the Chief, has the proper equipment for towing and sufficient and proper facilities for impounding vehicles under Section 404.05.
 - (2) The garage owner shall carry an insurance policy or policies which meet the approval of the Chief and which name the City as co-insured as follows:
 - A. Fire and theft insurance in the amount of ~~fifty thousand dollars (\$50,000)~~ **one hundred fifty thousand dollars (\$150,000)**;
 - B. ~~Public liability insurance in the amount of one hundred fifty thousand dollars (\$150,000) for injury to one person, three hundred thousand dollars (\$300,000) for injury to two or more persons and fifty thousand dollars (\$50,000) for property damage.~~
B. Comprehensive/general insurance in the amount of one million dollars (\$1,000,000), combined single limit.
 - (3) The garage shall make reports, in writing, to the Chief of all vehicles impounded and unclaimed as of the first day of each month.
 - (4) The garage owner shall make reports of all incidents of damage to City or private property if no report is made by the Department.
- (c) Priority of Garages. Whenever a car is required to be towed or impounded, or both, the member of the Department who is in charge shall phone a garage on the designated list of impounding garages.
- (d) Removal from List. Any garage owner who violates any of the provisions of subsection (b) hereof or of Section 404.08 or 404.09 shall be removed from the list of impounding garages by the Chief of Police and shall not be eligible for reinstatement to the list for a period of six months.
- (e) Records. The police officer or the person in charge of records shall keep a record of the names of all owners of vehicles impounded, the number of their license tags, the nature and circumstances of each violation and the disposition of each case.

Section 2. Section 404.055 of the Codified Ordinances of the City of North Royalton is hereby amended as provided for herein and all other provisions of Chapter 404 shall remain in full force and effect.

Section 3. This Ordinance shall supersede all previously adopted ordinances in direct conflict herewith.

Section 4. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 5. This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the city, and for the further reason that it is immediately necessary to amend the Codified Ordinances of the City of North Royalton, Part 4 Traffic Code, Chapter 404 Enforcement; Impounding, Section 404.055 Impounding Garages, to increase insurance coverage amounts required of impounding garages.

THEREFORE, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

/s/ Larry Antoskiewicz
PRESIDENT OF COUNCIL

APPROVED: /s/ Robert A. Stefanik
MAYOR

DATE PASSED: June 5, 2012

DATE APPROVED: June 6, 2012

ATTEST: /s/ Laura J. Haller
DIRECTOR OF LEGISLATIVE SERVICES

First reading suspended
Second reading suspended
Third reading June 5, 2012

YEAS: Antoskiewicz, Nickell, Petrusky, Willey
Marnecheck, Muller, Kasaris

NAYS: none