

THE CITY COUNCIL OF NORTH ROYALTON, OHIO

ORDINANCE NO. 12-103

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 404.05 IMPOUNDING OF VEHICLES; REDEMPTION, PARAGRAPH (b), AND DECLARING AN EMERGENCY

WHEREAS: It has been determined to be necessary to amend the Codified Ordinances of the City of North Royalton, Part 4 Traffic Code, Chapter 404 Enforcement; Impounding, Section 404.05 Impounding of Vehicles; Redemption, Paragraph (b) to remove language that states that the city requires all fees, charges, etc. to be paid prior to vehicle release; and

WHEREAS: Council desires to provide for this amendment.

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 404.05 Impounding of Vehicles; Redemption, Paragraph (b) of the Codified Ordinances of the City of North Royalton is hereby amended to hereinafter read as follows:

(b) Any vehicle removed under authority of paragraph (a)(2) or (3) hereof shall be ordered into storage and/or disposed of as provided under Ohio R.C. 4513.60 et seq. Any other vehicle removed under authority of this section shall be ordered into storage and the Police Department shall forthwith notify the registered vehicle owner of the fact of such removal and impounding, reasons therefor and the place of storage. Any person desiring to redeem an impounded vehicle shall appear at the Police Department to furnish satisfactory evidence of identity and ownership or right to possession. ~~Prior to issuance of a release form, the claimant, owner or operator shall either pay the amount due for any fines for violations on account of which such vehicle was impounded or, as the court may require, post a bond in an amount set by the court, to appear to answer to such violations.~~ The pound operator shall release such vehicle upon the receipt of the release form and payment of all towage and storage charges.

Section 2. Section 404.05 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 404.05 Impounding of Vehicles; Redemption, Paragraph (b) to remove language that states that the city requires all fees, charges, etc. to be paid prior to vehicle release.

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 26, 2012

DATE APPROVED: June 27, 2012

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

First reading June 19, 2012
Second reading suspended
Third reading June 26, 2012

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

NAYS: none
ABSENT: Nickell