

ORDINANCE NO. 492

AN ORDINANCE AMENDING WILSONVILLE CODE SECTIONS 5.140, "PARKING CITATIONS AND OWNER RESPONSIBILITY - CITATION ON ILLEGALLY PARKED VEHICLE," AND 5.200, "ABANDONED VEHICLES PROHIBITED," AND CREATING A NEW SECTION, SECTION 5.205, "HAZARDOUS VEHICLES PROHIBITED."

WHEREAS, the city adopted parking regulations and provisions for towing of abandoned and hazardous vehicles; and

WHEREAS, the growth of jobs and housing in the city has caused increased traffic, and illegal parking of vehicles on public streets has become a matter of public safety; and

WHEREAS, vehicles have been parked for several days without authorization on a public street; and

WHEREAS, the concern for public safety and welfare necessitates amending the parking provisions so that illegally parked or abandoned vehicles do not present a public hazard; and

WHEREAS, state law provides that cities may adopt standards for abandoned vehicles and may supersede the minimum state provisions by ordinance, ORS 801.040 (4)(a);

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WILSONVILLE ORDAINS AS FOLLOWS:

1. Section 5.140 of the Wilsonville Code is amended as follows (deleted language stricken, new language underlined):

"5.140 Parking Citations and Owner Responsibility - Citation on Illegally Parked Vehicle.

"(1) Whenever a vehicle without an operator is found parked in violation of a restriction imposed by City ordinance or State Law, the officer finding the vehicle shall take its license number and any other information displayed on the vehicle which may identify its owner, and shall conspicuously affix to the vehicle a parking citation instructing the operator to within five (5) days, during the hours and at a place specified in the citation, pay the penalty imposed or post bail and request a court hearing to answer the charge against him.

“(2) Subsection (1) shall not apply to a vehicle that has been determined to be abandoned under 5.200 or a hazard under 5.205 of this chapter.”

2. Section 5.200 of the Wilsonville Code is amended as follows (deleted language stricken, new language underlined):

“5.200 Abandoned Vehicles Prohibited.

“(1) No vehicle which the Police have reason to believe is disabled or abandoned shall be parked or left standing upon the right-of-way of any City street or alley or upon any City property for a period in excess of three (3) days.”

3. A new section, Section 5.205, is added to the Wilsonville Code, to read as follows:

“5.205 Hazardous Vehicles Prohibited

“(1) Police have the authority to immediately remove any vehicle left parked, disabled, abandoned or standing unattended on a highway right of way and that in such a location constitutes a hazard or obstruction to motor vehicle traffic and to persons using the streets within the City.

“(2) As used in this section, a hazard or obstruction includes, but is not necessarily limited to:

“(a) A vehicle parked in a posted “no parking” zone or area;

“(b) A vehicle parked so that any part of vehicle extends within the paved portion of the travel lane;

“(c) A vehicle parked so that any part of the vehicle extends within the highway shoulder or bicycle lane;

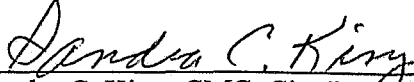
“(d) A vehicle blocking a private right-of-way;

“(e) A vehicle with a leak in the gas tank;

“(f) A vehicle blocking a fire hydrant.

“(3) If city police remove a vehicle under the authority in this section, notice shall be provided in accordance with WC Sections 5.240-5.254.”

SUBMITTED to the Wilsonville City Council and read for the first time at a regular meeting thereof on the 1st day of December, 1997, and scheduled for a second reading at a regular meeting thereof on the 15th day of December, 1997, commencing at the hour of 7:00 P.M. at the Wilsonville City Hall Annex.

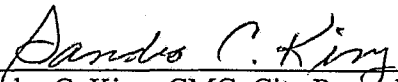


Sandra C. King, CMC, City Recorder

ENACTED by the City Council on December 15th, 1997, by the following votes:

YES: 5

NO: -0-



Sandra C. King, CMC, City Recorder

DATED and signed by the Mayor this 17th day of December, 1997.



CHARLOTTE LEHAN, MAYOR

SUMMARY OF VOTES:

Mayor Lehan	<u>Yes</u>
Councilor Kirk	<u>Yes</u>
Councilor Luper	<u>Yes</u>
Councilor Helser	<u>Yes</u>
Councilor Barton	<u>Yes</u>