



AN ORDINANCE AMENDING THE ALBANY MUNICIPAL CODE (AMC) CHAPTER 13.90, PRIVATE PROPERTY IMPOUNDS

WHEREAS, the City of Albany is amending AMC Chapter 13.90, Private Property Impounds, to address and regulate towing from private parking facilities; and

WHEREAS, towing from private parking facilities affects city residents and visitors; and

WHEREAS, regulation of towing will ensure that public safety and convenience are protected; and

WHEREAS, AMC Chapter 13.90 conforms to the laws and regulations of the State of Oregon Motor Vehicle Code regarding towing from private property.

NOW THEREFORE, THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

Section 1: Amending AMC Chapter 13, Vehicles and Traffic. AMC Chapter 13.90, Private Property Impounds, Section 13.90.110, Regulations is hereby amended:

13.90.110 Regulations.

(1) It shall be unlawful to tow a vehicle from a private parking facility unless:

(a) The private parking facility owner/operator gives the private property impound (PPI) tower express written authorization identifying the specific vehicle, signed at the time of the tow.

(2) Signage. It shall be unlawful to tow a vehicle from a private parking facility unless the private parking facility meets the following signage requirements:

(a) At least one sign shall be posted and readily visible at each entryway into the parking lot, not more than 10 feet from the public right-of-way or street edge. Such signs shall:

(1) Be posted so that the center of the sign is not more than eight feet nor less than four feet above the ground; and

(2) Be at least 16 inches by 24 inches in size; and

(3) Be printed in letters not less than 2 inches high; and

(4) State that parking is prohibited, reserved or otherwise restricted; and

(5) State who is authorized to park and the hours during which parking is restricted. (Example: "Parking for customers of _____ only during _____ hours."); and

(6) State that towing and storage of a vehicle will be at the owner's expense; and

(7) Prominently display the PPI tower's name and 24-hour telephone contact number for release of a vehicle; and

(8) Be maintained so as to remain legible and unobstructed by any tree, shrub, bush, vehicle, or other obstacle; and


(9) When replacing missing or defaced signs, new signs must be posted for a minimum of 24 hours before towing commences or resumes.

- (b) When a private parking facility is shared by multiple business operations (i.e., shopping mall or office park), parking spaces must be marked, or signs posted, so as to indicate which spaces are reserved for each business.
- (c) PPI towers may request an exception to the rules for sign location. Such request shall be made to the Police Chief or his/her designee and must be made in writing and offer an alternative posting for approval.
- (d) Fire lanes from which vehicles may be towed shall be marked in compliance with the Oregon Fire Code.
- (e) **Signage shall not be required if the vehicle being towed has been properly posted as abandoned per ORS 98.830.**

Passed by Council: Oct 10, 2018

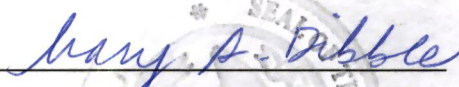
Approved by Mayor: Oct 10, 2018

Effective Date: Nov 9, 2018



Mayor

ATTEST:



City Clerk

