

ORDINANCE

AN ORDINANCE OF THE COUNCIL OF THE CITY OF KNOXVILLE AMENDING CHAPTER 17, ARTICLE II, DIVISION 4, §17-98 OF THE KNOXVILLE CITY CODE GIVING AUTHORITY TO MUNICIPAL ENFORCEMENT OFFICERS IN THE NEIGHBORHOOD CODES ENFORCEMENT DIVISION TO TOW AND IMPOUND ANY VEHICLE IN VIOLATION OF CITY CODE ON PUBLIC PROPERTY.

ORDINANCE NO: O-97-2023

REQUESTED BY: Public Service

PREPARED BY: Law

APPROVED ON 1ST

READING: 6-13-2023

APPROVED ON 2ND

READING: 6-27-2023

APPROVED AS AN EMERGENCY

MEASURE: _____

MINUTE BOOK: 87 PAGE _____

WHEREAS, TENN. CODE ANN. § 55-16-104 empowers a municipality to adopt ordinances relating to taking into custody any motor vehicle found abandoned, immobile, or unattended on public or private property;

WHEREAS, Section 2-647 of the Knoxville City Code empowers municipal enforcement officers for the City to enforce the codes and ordinances of the City; and

WHEREAS, a municipal enforcement officer (“MEO”) within the City neighborhood codes enforcement division has the authority to tow and impound any abandoned or inoperable vehicle on private property, but not on public property; and

WHEREAS, MEOs can cite or tag vehicles that are in violation of City Code, but cannot remediate the issue; and

WHEREAS, the Knoxville Police Department (“KPD”) is the only City department that has the authority per City Code to tow and consequently impound vehicles on public property which are in violation of City Code; and

WHEREAS, the administration desires to amend §17-98 of the Knoxville City Code to give MEOs commissioned by the Chief of Police the authority to tow and consequently impound vehicles on public property which are in violation of City Code; and

WHEREAS, this change would allow KPD to focus on more pressing matters within law enforcement while giving the authority to remediate vehicle issues to Neighborhood Codes Enforcement; and

WHEREAS, it is expected that Neighborhood Codes Enforcement will work closely with KPD to check the history of the vehicle and ownership prior to requesting it be towed and impounded, which is a similar process that MEOs currently follow with abandoned and inoperable vehicles on private property; and

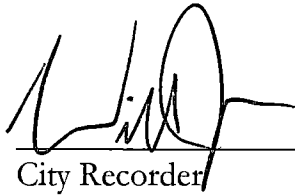
WHEREAS, the Council of the City of Knoxville has determined that it is in the public interest, safety, and welfare of the City of Knoxville that Chapter 17, Article II, Division 4, § 17-98 of the Knoxville City Code be amended to give authority to municipal enforcement officers commissioned by the Chief of Police within the City Neighborhood Codes Enforcement division to tow and impound vehicles on public property which are in violation of City Code.

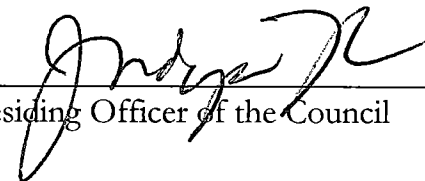
NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF KNOXVILLE:

SECTION 1: Chapter 17, Article II, Division 4 of the Knoxville City Code is hereby amended by deleting the first sentence of § 17-98 and replacing it with the following:

Members of the police department or a municipal enforcement officer authorized by the director of public service and commissioned by the chief of police shall have the authority to impound any vehicle, by towing such vehicle to the impoundment lot, under the following circumstances:

SECTION 2: The Ordinance shall take effect from and after its passage, the public welfare requiring it.



City Recorder

Presiding Officer of the Council