

ORDINANCE NO. 9049

AN ORDINANCE AMENDING SUBSECTION A OF
SECTION 8 OF CHAPTER 1 OF TITLE XV OF THE PUEBLO
MUNICIPAL CODE RELATING TO THE IMMOBILIZATION
OF VEHICLES AND PROVIDING PENALTIES THEREFOR

BE IT ORDAINED BY THE CITY COUNCIL OF PUEBLO, that: (brackets indicate matter being deleted, underscoring indicates new matter being added)

SECTION 1.

Section 15-1-8(a) of Chapter 1 of Title XV of the Pueblo Municipal Code is hereby amended to read as follows:

Sec. 15-1-8. – Amendments and additions.

(24) 1801. Abandoned and impounded vehicles.

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(3) Immobilization. When a driver, owner or person in charge of a motor vehicle has received a notice or citation to answer to a charge against him for violation of this Model Traffic Code, and such driver, owner or person in charge of such vehicle has failed to appear and answer such charge, members of the police department or employees of the City acting in their official capacity may, and they are hereby authorized to, temporarily immobilize such vehicle by installing on or attaching to such vehicle a device designed to restrict the normal movement of such vehicle, and if such vehicle is so immobilized, the member of the police department or employee of the City so installing or attaching such device shall conspicuously affix to such vehicle a notice in writing, on a form to be provided by the chief of police, advising the driver, owner or other person in charge of such vehicle that said vehicle has been immobilized by the City for violation of the Model Traffic Code, that release of such immobilization may be obtained [at a designated office of the police department which shall be open twenty-four hours every day or] from the clerk of municipal court, that unless arrangements are made for the release of the vehicle within [seventy-two hours] **three (3) business days** the vehicle will be removed by the police department, and that removing the device before a release is obtained is unlawful, and containing such other information as the chief of police shall deem proper. It shall be unlawful for any person to remove such device or to move such vehicle before the same is released by [the police department or] the clerk of the municipal court; and where such vehicle has been properly immobilized in said manner, a fee of [ten] **twenty-five** dollars **(\$25.00)** shall be charged by the [police department or] clerk of the municipal court before releasing such vehicle; and the parking restriction, if

any, otherwise applicable shall not apply while such vehicle is so immobilized. Any person may secure the release of an immobilized vehicle by either: (a) paying the amount of unpaid fines and court costs owing for which the vehicle was immobilized together with the immobilization fee above indicated, or (b) posting an **appearance** bond in the amount of **one half of the unpaid fines and court costs owing or [twenty-five] two hundred and fifty** dollars **(\$250.00), whichever is greater** and agreeing in writing to appear in court on a date certain to answer or respond to all pending notices, citations and traffic charges against such person or involving the vehicle.

SECTION 2.

Any person who violates Section 15-1-8(a)(24) of the Pueblo Municipal Code as amended hereby or violates this Ordinance as related thereto, shall be guilty of a municipal offense and shall be punished as provided by Section 15-1-6 of the Pueblo Municipal Code, as amended.

SECTION 3.

The officers of the City are directed and authorized to perform any and all acts consistent with the intent of this Ordinance to effectuate the policies and procedures described herein.

SECTION 4.

This Ordinance shall become effective immediately upon final passage and approval.

INTRODUCED September 26, 2016

BY: Ed Brown
Councilperson

APPROVED: 
PRESIDENT OF CITY COUNCIL

ATTESTED BY: 
CITY CLERK

PASSED AND APPROVED: October 11, 2016