

AN ORDINANCE OF THE CITY OF LAKE ANNETTE, MISSOURI PROVIDING FOR TOWING OF ABANDONED PROPERTY ON PUBLIC REAL PROPERTY

NOW THEREFORE, be it ordained by the Board of Aldermen of the City of Lake Annette, Missouri as follows:

SECTION 1: Any Law Enforcement Officer, or an official of the City where the City's real property is concerned, may authorize a towing company to remove to a place of safety:

1. Any abandoned property on the right-of-way of:
 - a. Any County road or City street within the City limits left unattended for ten (10) hours, or if a Law Enforcement Officer or an official of the City determines that the abandoned property is a serious hazard to other motorists;

Provided that commercial motor vehicles not hauling waste designated as hazardous under 49 U.S.C. 5103(a) may only be removed under this Section to a place of safety until the owner or owner's representative has had a reasonable opportunity to contact a towing company of choice.

2. Any unattended abandoned property illegally left standing upon any highway or bridge if the abandoned property is left in a position or under such circumstances as to obstruct the normal movement of traffic where there is no reasonable indication that the person in control of the property is arranging for its immediate control or removal.
3. Any abandoned property which has been abandoned under Section 577.080, RSMo.
4. Any abandoned property which has been reported as stolen or taken without consent of the owner.
5. Any abandoned property for which the person operating such property is arrested for an alleged offense for which the officer is required to take the person into custody and where such person is unable to arrange for the property's timely removal.
6. Any abandoned property which due to any other State law or City ordinance is subject to towing because of the owner's outstanding traffic or parking violations.

7. Any abandoned property left unattended in violation of a State law or City ordinance where signs have been posted giving notice of the law or where the violation causes a safety hazard.

B. When the City Police Department or official of the city authorizes a tow pursuant to this Section in which the abandoned property is moved from the immediate vicinity, it shall complete a crime inquiry and inspection report.

C. Any City agency other than the City Police Department authorizing a tow under this Section where property is towed away from the immediate vicinity shall report the tow to the City Police Department or County Sheriff within two (2) hours of the tow, along with a crime inquiry and inspection report

SECTION 2: That a copy of this ordinance shall be kept in the office of the City Clerk.

SECTION 3: That all ordinances in conflict herewith are hereby repealed.

SECTION 4: This ordinance shall be in full force and effect from and after its passage and approval.

First Reading by title only on the 10th day of March, 2014.

Second Reading by title only and passed by the Board of Aldermen on the 15th day of April, 2014.

APPROVAL:

ATTEST:

Angela Hansen, Mayor

Laurie Oakes, City Clerk