

## CHAPTER 96: ABANDONED AND JUNK VEHICLES

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### 96.01 ROLE OF TOWN MARSHAL.

The Bristol Police Department is designated and assigned as the public agency with local responsibility for the removal and storage of abandoned vehicles and vehicle parts within the corporate limits of the town, pursuant to I.C. 9-22-1 *et seq.*, as amended, and the Bristol Police Department is granted all powers reasonable and necessary for the performance of its responsibilities under this chapter.

(> 97 Code, ' 6-28) (Ord. 6-10-82, passed 6-10-82)

### 96.02 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning. The definitions contained in I.C. 9-22-1 are adopted for other terms appearing in this chapter.

**ABANDONED VEHICLE.** This term includes the following:

- (1) A vehicle located on public property illegally;
- (2) A vehicle left on public property continuously without being moved for three days;
- (3) A vehicle located on public property in such a manner as to constitute a hazard or obstruction or the movement of pedestrian or vehicle traffic on a public right-of-way;
- (4) A vehicle that has remained on private property without the consent of the owner or person in control of that property for more than 48 hours;
- (5) A vehicle from which there has been removed the engine, transmission or differential or that is otherwise partially dismantled or inoperable and left on public property;

(6) A vehicle that has been removed by a towing service or a public agency upon request of an officer enforcing a statute or ordinance other than this chapter if the vehicle once impounded is not claimed or redeemed by the owner or his or her agent within 15 days of its removal; or

(7) A vehicle that is six or more model years old and mechanically inoperable and is left on private property continuously in a location visible from public property for more than 30 days.

**BUREAU.** The Indiana Bureau of Motor Vehicles.

**DEPARTMENT.** The Bristol Police Department.

**VEHICLE.** An automobile, motorcycle, truck, trailer, semitrailer, tractor, bus, school bus, recreational vehicle or motorized bicycle.

(>97 Code, ' 6-29) (Ord. 6-10-82, passed 6-10-82)

### **96.03 ABANDONMENT.**

No person shall abandon a vehicle on any public premises or private property in a location which is visible from public property within the town.

(>97 Code, ' 6-30) (Ord. 6-10-82, passed 6-10-82)

### **96.04 FINANCIAL RESPONSIBILITY.**

The owner of an abandoned vehicle is responsible for the abandonment and is liable, to the extent of the market value of the vehicle, for all of the costs incidental to the removal, storage and disposal of the vehicle or the parts.

(>97 Code, ' 6-31) (Ord. 6-10-82, passed 6-10-82)

### **96.05 PROCEDURES AND NOTICE REQUIREMENTS.**

(A) An officer who finds a vehicle or parts believed to be abandoned shall make a reasonable effort to ascertain the owner or person who may be in control of the vehicle or parts and then shall attach in a prominent place on the vehicle or parts a notice tag containing the following information:

(1) The date, time, officer's name and the address and telephone number of the Bristol Police Department, the department to contact for information;

(2) That the vehicle or parts are considered abandoned;

(3) That the vehicle or parts will be removed after the expiration of 72 hours from the time of notice;

(4) That the owner will be held responsible for all costs incidental to the removal, storage and disposal, and if not paid, the owner's registration privileges will be suspended on that car; and

(5) That the owner may avoid costs by removal of the vehicle or parts within 72 hours.

(B) If the vehicle parts or the vehicle is not removed within 72 hours, the officer shall prepare a written abandoned vehicle report of the vehicle or parts, including information on the condition, missing parts and other facts that might substantiate that the market value is less than \$100. Photographs shall be taken to describe the condition of the vehicle or parts.

(1) If, in the opinion of the officer, the market value of the abandoned vehicle or parts is less than \$100, the officer may immediately dispose of the vehicle to an automobile scrapyard or may require the vehicle or parts to be towed to a storage area. A copy of the abandoned vehicle report and photographs relating to the abandoned vehicle shall be forwarded to the Bureau. The Department shall retain the original records and photographs for at least two years.

(2) If, in the opinion of the officer, the market value of the abandoned vehicle or parts is \$100 or more, the officer shall require the vehicle or parts to be towed to a storage area.

(>97 Code, ' 6-32) (Ord. 6-10-82, passed 6-10-82)

#### **96.06 NOTICE AND DISPOSAL.**

Within 72 hours after removal of an abandoned vehicle to a storage area under ' 96.05, the Department shall prepare and forward to the Bureau an abandoned vehicle report containing a description of the vehicle, including the make, model, readily available vehicle identification number and the number of the license plate and request that the Bureau advise the Department of the name and most recent mailing address of the owner and any lienholder. Fifteen days after the Bureau mails its response to the Department, the Bureau may dispose of the vehicle or parts pursuant to I.C. 9-22-1 and the rules and regulations of the Bureau; provided, however, that if the vehicle or parts are in such condition that vehicle identification numbers or other means of identification are not available to determine the owner or lienholder, the vehicle may be disposed of without notice by the Department.

(>97 Code, ' 6-33) (Ord. 6-10-82, passed 6-10-82)

#### **96.07 COMPLAINT OF PROPERTY OWNER.**

Upon complaint of a private property owner or person in control of the property that a vehicle has been left on the property for 48 hours or more without the consent of the owner or person in control, an officer shall follow the procedures set forth in ' 96.05.

(>97 Code, ' 6-34) (Ord. 6-10-82, passed 6-10-82)

## **96.08 EXCEPTIONS.**

This chapter does not apply to:

(A) A vehicle in operable condition specifically adapted or constructed for operation on privately owned raceways;

(B) A vehicle stored as the property of a member of the armed forces of the United States who is on active duty assignment;

(C) A vehicle located on a vehicle sale lot or at a commercial vehicle servicing facility;

(D) A vehicle located upon property licensed or zoned as an automobile storage or impoundment yard; or

(E) A vehicle registered and licensed under I.C. 9-18-12-1 to 9-18-12-7 as an antique vehicle.

(>97 Code, ' 6-35) (Ord. 6-10-82, passed 6-10-82)

## **96.09 TOWING CHARGES.**

In no event shall the cost of towing and removal of a vehicle exceed \$35 nor shall the cost of storage exceed the sum of \$3 per day for the number of days the vehicle actually is in storage.

(>97 Code, ' 6-36) (Ord. 6-10-82, passed 6-10-82)

## **96.10 TOWING CONTRACTS.**

The Town Council is authorized to contract with any towing service or storage facility on an annual basis to provide towing and/or storage services for the town.

(>97 Code, ' 6-37) (Ord. 6-10-82, passed 6-10-82)

## **96.11 TIME.**

In computing any period of time prescribed in this chapter, the day of the act, event or tagging or mailing from which the designated period of time begins to run shall not be included. Such time shall begin to run on the next succeeding day and shall conclude on midnight of the last day of the period that is not a Saturday, Sunday or legal holiday.

(>97 Code, ' 6-38) (Ord. 6-10-82, passed 6-10-82)