

ORDINANCE NO. 58

AN ORDINANCE PROVIDING FOR REMOVAL OF ABANDONED VEHICLES FROM PUBLIC RIGHT-OF-WAY.

WHEREAS, it has come to the attention that from time to time persons abandon vehicles upon public right-of-ways and private property in the City of Dunes City, and

WHEREAS, the City of Dunes City, to protect the health and welfare of the public, finds it necessary to remove said vehicles from time to time, and

WHEREAS, State statutes providing for removal of such abandoned vehicles do not apply with the confines of the City of Dunes City,

THE CITY OF DUNES CITY, does ordain and adopt by municipal ordinances all rights, duties and powers set forth in ORS 483.382 and 483.383, except as follows:

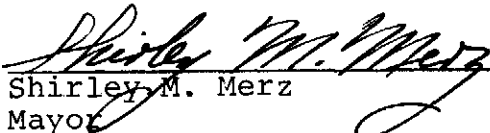
1. The City authorizes police officers in the City's employ, to remove abandoned vehicles and disabled vehicles from public highways, right-of-ways and easements.

2. The City and its police officers and their designated agents shall have the authority to remove said vehicles within twenty-four (24) hours of abandonment.


PASSED BY THE CITY COUNCIL OF DUNES CITY, OREGON, this 12th day of April, 1979.

APPROVED BY THE MAYOR this 13th day of April, 1979.

THIS ORDINANCE WILL TAKE EFFECT on the 12th day of May, 1979.


Shirley M. Merz
Mayor

ATTEST:


Patricia L. Barber
City Recorder

repealed by
 repealed by 1975
 1975 c.213 §1
 44; repealed by
 45; repealed by
 46; 1961 c.546 §4;
 291
 47; repealed by
 48; repealed by 1975 c.451 §291
 49 §1; 1967 c.237 §2;
 50 by 1975 c.451 §291
 51 §2; 1965 c.17 §1;
 52 by 1975 c.451 §291
 53 c.55 §4; repealed by
 54 §26; renumbered
 55 §124 §8; 1969 c.215 §1;
 56 c.249 §3; repealed by
 57 c.598 §2; repealed by
 58 §451 §291
 59 c.121 §1; repealed by
 60 c.114 §1; repealed by
 61 §362
 62 c.124 §9; renumbered
 63 §366
 64 §685
 65 §680
 66 §1961 c.647 §4; repealed by
 67 c.451 §291

483.324 [Amended by 1975 c.451 §51; renumbered
 483.325 [Repealed by 1975 c.451 §291]
 483.326 [Repealed by 1975 c.451 §291]
 483.340 [Repealed by 1963 c.124 §2]
 483.342 [Repealed by 1963 c.124 §2]
 483.343 [1969 c.628 §1; repealed by 1975 c.451 §291]
 483.344 [Repealed by 1963 c.124 §2]
 483.345 [1971 c.340 §3; 1973 c.679 §1; repealed by
 483.346 [1963 c.587 §1; 1975 c.451 §167; renumbered
 483.347 [1969 c.617 §2; repealed by 1975 c.451 §291]
 483.348 [1963 c.587 §3; 1975 c.451 §168; renumbered
 483.350 [1963 c.587 §2; repealed by 1975 c.451 §291]
 483.352 [1963 c.525 §1; 1973 c.219 §1; 1973 c.302 §1;
 483.354 [1963 c.525 §2; 1973 c.302 §2; 1975 c.451
 483.356 [1963 c.525 §3; 1975 c.82 §2; renumbered
 483.358 [Formerly 483.320; 1971 c.76 §1; 1971 c.607
 483.364 [Formerly 483.322; repealed by 1975 c.451
 483.366 [Formerly 483.324; repealed by 1975 c.451

ABANDONED VEHICLES

483.350 Abandoning vehicle prohibited. (1) A person shall not abandon a vehicle upon a highway. A person shall not abandon a vehicle upon public or private property without the express or implied consent of the owner or person in lawful possession or control of the property.
 (2) The last owner of the vehicle as shown by the records of the division shall be considered responsible for the abandonment of a vehicle in the manner described under subsection (1) of this section and liable for the cost of removal and disposition of the abandoned vehicle.
 (3) A person who violates this section commits a Class C traffic infraction.
483.382 Taking abandoned or disabled vehicle into custody. (1) No vehicle which the Department of State Police or sheriff has reason to believe is disabled or

abandoned shall be parked or left standing upon the right of way of any county road or state highway outside the corporate limits of incorporated cities or towns or upon any state property or the right of way of an interstate highway, for a period in excess of 24 hours. No vehicle shall be parked or left standing upon the right of way of any county road or state highway outside the corporate limits of incorporated cities or towns or upon any state property or the right of way of an interstate highway, for a period in excess of five days. Any vehicle so parked or left standing may be taken into custody by the Department of State Police if the same is upon the right of way of a state highway, interstate highway or state property, or by the sheriff of the county if the vehicle is upon the right of way of a county road, and held at the expense of the owner or person entitled to possession thereof. The Department of State Police or sheriff may utilize its or his own personnel, equipment and facilities for the removal and preservation of such vehicles, or may hire other personnel, equipment and facilities for that purpose. As used in this subsection, "interstate highway" means a highway that is part of the National System of Interstate and Defense Highways established pursuant to section 103(e), title 23, United States Code.

(2) Any vehicle parked or left standing upon any private property in excess of five days without the consent of the owner or person in lawful possession or control of the property may, at the request of either, be removed by the sheriff of the county in which the vehicle is located and held at the expense of the owner or person entitled to possession of the vehicle in the same manner as provided in subsection (1) of this section.

[1965 c.411 §1; 1965 c.245 §1; 1967 c.484 §1; 1973 c.441 §1]

483.383 Lien for towing. Any person who, at the request of a police officer, tows an abandoned vehicle from public or private property shall have a lien on the vehicle in accordance with ORS 87.500 to 87.515 for the just and reasonable charges for the towing service performed, and may retain possession of the vehicle until such charges are paid.
 [1969 c.214 §2]

483.384 Notice to owner; appraisal of value. (1) If a vehicle is removed and held by or at the direction of the Department of State Police under ORS 483.382, the Department of State Police shall forthwith provide the sheriff of the county in which the vehicle was located at the time it was taken into custody