

ORDINANCE NO. 14,203

AN ORDINANCE to amend the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, by amending Section 114-485.12, relating to traffic and vehicle regulations.

Be It Ordained by the City Council of the
City of Des Moines, Iowa:

Section 1. That the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, is hereby amended by amending Section 114-485.12, relating to traffic and vehicle regulations, as follows:

Sec. 114-485.12. Right of owner to redeem impounded vehicle.

(a) The registered owner or person having a legal entitlement to possession of a motor vehicle impounded pursuant to section 114-485.11 of this article may claim the vehicle by paying to the city its impound and preservation fee and in addition paying the city's towing contractor an amount sufficient to cover all of the towing contractor's charges attributable to the towing and storage of the vehicle. The city's impound and preservation fee shall be in the amount set in the schedule of fees adopted by the City council by resolution. If a hearing pursuant to section 114-485.16 of this article is held and a hearing officer determines there was no probable cause to impound the vehicle, the costs attributable to the impoundment shall be refunded upon the presentation to the city treasurer of the following:

(1) A certificate of no probable cause issued by the city; and

(2) The bond receipt.

(b) If a motor vehicle was impounded pursuant to section 114-485.02 of this

article, all delinquent parking citation-complaints must be satisfied.

(c) If the vehicle is not claimed until after a hearing requested pursuant to section 114-485.15 of this article, the vehicle may be claimed (i) upon payment of all charges referred to in section 114-485.16 of this article or (ii) upon presentation of a certificate of no probable cause within two working days of its issuance to the party in possession of the vehicle.

(d) Failure to timely present such certificate will result in assumed liability on the part of the owner or person having legal entitlement to possession to the vehicle for all related storage charges.

Sec. 2. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

FORM APPROVED:

Douglas P. Philip, Assistant City Attorney

Preston Daniels, Mayor

Attest:

I, Diane Rauh, City Clerk of the City of Des Moines, Iowa, hereby certify that the above and foregoing is a true copy of an ordinance (Roll Call No. 03-210), passed by the City Council of said City at a meeting held January 27, 2003, signed by the Mayor on January 27, 2003, and published as provided by law in the Business Record on February 10, 2003. Authorized by Publication Order No.3556.

Diane Rauh City Clerk