

*Amended by 99*

GARIBALDI ORDINANCES

ORDINANCE NO. 97

AN ORDINANCE AMENDING ORDINANCE NO. 61 PROVIDING FOR THE REGULATION OF TRAFFIC ON THE STREETS AND PUBLIC WAYS OF THE CITY OF GARIBALDI.

The City of Garibaldi does ordain as follows:

Ordinance No. 61 is amended to read as follows:

Section 1. APPLICABILITY OF STATE TRAFFIC LAWS. Violations of provisions in Oregon Revised Statutes, Chapters 481, 482, 483, 484, 485 and 487 as now or hereafter constituted shall be an offense against this city. The offenses of driving while under the influence of intoxicants and driving while suspended shall be prosecuted in the Justice Court of Tillamook County.

Section 52. IMPOUNDMENT OF VEHICLES.

(1) Whenever a vehicle is placed in a manner or location that constitutes an obstruction to traffic or a hazard to public safety, a police officer shall order the owner or operator of the vehicle to remove it. If the vehicle is unattended, the officer may cause the vehicle to be towed and stored at the owner's expense. The owner shall be liable for the costs of towing and storing, notwithstanding that the vehicle was parked by another or that the vehicle was initially parked in a safe maner but subsequently became an obstruction or hazard.

(2) The disposition of a vehicle towed and stored under authority of this section shall be in accordance with the provisions of the ordinance of the City relating to impoundment and disposition of vehicles abandoned on the City street.

(3) The impoundment of a vehicle will not preclude the issuance of a citation for violation of a provision of this ordinance.

(4) Stolen vehicles may be towed from public or private property and stored at the expense of the vehicle owner.

(5) Whenever a police officer observes a vehicle parked in violation of a provison of this ordinance or state law, if the vehicle has four or more unpaid parking violations outstanding against it, the officer may, in addition to issuing a citation, cause the vehicle to be impounded. A vehicle so impounded shall not be released until all outstanding fines and charges have been paid. Vehicles impounded under authority of this subsection shall be disposed of in the same manner as is provided in subsection (2) of this section.


Section 63. CITATION ON ILLEGALLY PARKED VEHICLE. Whenever a vehicle without an operator is found parked in violation of a restriction imposed by this ordinance or state law, the officer finding the vehicle shall take its license number and any other information displayed on the vehicle which may identify its owner, and shall conspicuously affix to the vehicle a traffic citation instructing the operator to answer to the charge against him or pay the penalty imposed within five days during the hours and at a place specified in the citation.

GARIBALDI ORDINANCES

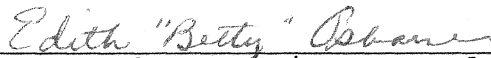
Section 64. FAILURE TO COMPLY WITH TRAFFIC CITATION ATTACHED TO PARKED VEHICLE. If the operator does not respond to a traffic citation affixed to a vehicle within a period of five days, the City of Garibaldi may send to the owner of the vehicle to which the traffic citation was affixed a letter informing the owner of the violation and warning him that in the event that the letter is disregarded for a period of five days, a warrant for the arrest of the owner will be issued.

Section 65. MUNICIPAL COURT ARRAIGNMENTS. The municipal judge shall hold arraignments no less than once per month for the entry of pleas and sentencing. Police officers and other witnesses shall not be required to attend the arraignments. Upon entry of a not guilty plea, the court shall set a trial date and provide no less than 20 days notice to the police officers and other witnesses. In the event the defendant is represented by counsel, notice shall also be given to the City Attorney. Entry of pleas may be made by mail or by telephone if accompanied by a deposit for the scheduled bail.

Passed and adopted by the Council this 10 day of Nov, 1980, and approved by the Mayor this 10 day of Nov, 1980.

  
\_\_\_\_\_  
Russell Curnutt, Mayor

ATTEST:

  
\_\_\_\_\_  
Betty Osborne, City Recorder