

ORDINANCE NO. 4522-13

AN ORDINANCE TO AMEND TITLE 15, CHAPTER 14 OF THE CODE OF THE CITY OF JOHNSON CITY, TENNESSEE, TO REVISE SECTION 15-1406, AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

BE IT ORDAINED BY THE CITY OF JOHNSON CITY as follows:

SECTION I. That Section 15-1406 of the Code of the City of Johnson City, Tennessee, be amended by revising it as follows:

The original Section 15-1406 read as follows:

15-1406. Abatement and removal by city. If the vehicle is not disposed of after the time provided for in the notice, the manager shall report the location of such vehicle to the police department. The police department or a wrecker company designated by it shall then remove such vehicle or cause it to be removed to the city garage. At the time that the vehicle is removed by the police department or the wrecker company, a tow-in ticket shall be completed by the person towing such vehicle to such garage in the presence of the manager, in triplicate.

The new Section 15-1406, as amended, is substituted as follows:

15-1406. Abatement and removal by city. If the vehicle is not disposed of after the time provided for in the notice, the manager shall report the location of such vehicle to the police department. The police department or a wrecker company designated by it shall then remove such vehicle or cause it to be removed to the wrecker company storage lot. At the time that the vehicle is removed by the police department or the wrecker company, a tow-in ticket shall be completed by the person towing such vehicle to such garage. In the case of a vehicle parked on private property, the manager or his designee shall cause to be served a citation and summons issued by the Municipal Court upon the owner of the vehicle and the owner of the real property where the vehicle is located. If the owner of the vehicle or the owner of the real property cannot be located or identified in the course of due diligence, an affidavit by the manager or his designee stating the efforts to locate and identify the owner of the vehicle or the owner of the real property, as the case may be, shall be submitted to the Municipal Court to show the efforts to provide notice. The Municipal Judge shall be authorized pursuant to T.C.A. §55-5-122 to order the police department to remove a vehicle from private property when the manager or his designee shows that the vehicle is in violation of this chapter and that notice has been given or that due diligence to provide notice has been satisfactorily shown.

SECTION II. BE IT FURTHER ORDAINED that all ordinances and parts of ordinances in conflict herewith be and the same are hereby repealed.

SECTION III. BE IT FURTHER ORDAINED that this ordinance shall take effect upon third and final reading, and publication, as required by law, the public welfare requiring it.

PASSED IN OPEN, PUBLIC MEETING ON
THE FIRST READING 12/17/2015
PASSED IN OPEN, PUBLIC MEETING ON
THE SECOND READING 1/07/2016
PASSED IN OPEN, PUBLIC MEETING ON
THE THIRD READING 1/21/2016

APPROVED AND SIGNED IN OPEN MEETING
ON THE 21st DAY OF January, 2016
FOLLOWING PASSAGE ON THIRD READING.

/s/ Clayton Stout
MAYOR

ATTEST:

/s/ Janet Jennings
CITY RECORDER

APPROVED AS TO FORM:

/s/ James H. Epps, IV
STAFF ATTORNEY