

CITY OF LOCK HAVEN, PENNSYLVANIA

FILE OF CITY COUNCIL

SESSION OF 2009

ORDINANCE NO. 841

AN ORDINANCE AMENDING ORDINANCE NO. 670 WHICH ADOPTED THE CODE OF ORDINANCES OF THE CITY OF LOCK HAVEN, CLINTON COUNTY, PENNSYLVANIA, TO AMEND CHAPTER 15, MOTOR VEHICLES AND TRAFFIC, PART 4, GENERAL PARKING REGULATIONS, TO ADD "WHEELED VEHICLE IMMOBILIZER"

BE IT ENACTED AND ORDAINED by the City Council of the City of Lock Haven, Clinton County, Pennsylvania, that Chapter 15 be and hereby is amended as follows:

SECTION I. Part 4, General Parking Regulations, is hereby amended by adding Section 15-413, Wheeled Vehicle Immobilizer (Boot) as follows:

Section 15-413. WHEELED VEHICLE IMMOBILIZER (BOOT):

Section 15-413.1. Definitions: For the purpose of this Ordinance, the following terms and words are defined as follows:

Boot, Booting, or Booted. The terms "Boot", "Wheeled Vehicle Immobilizer" and "Immobilizing Device" shall be synonymous. The act of immobilizing a motor vehicle in such a manner as to prevent its operation while an immobilization device is employed, wherein damage to such vehicle will not result, unless the vehicle is moved while such device is in place or such means are employed.

Unsettled Citations. Citations/Summons for unpaid parking violations which have been issued by a Court of competent jurisdiction in which either no response has been made to the Summons, or for which a warrant has been issued for the operator and/or registered owner of the vehicle, including adjudicated citations for which the fines and costs imposed remain unpaid.

Unsettled Parking Violations. Violations of the parking, standing or stopping regulations of the City of Lock Haven or the Pennsylvania Motor Vehicle Code, which are outstanding and unpaid for over 30 days from the date of issuance.

Section 15-413.2. Boot Installation. A motor vehicle found to be parked within the City of Lock Haven upon any public ground, may, by or under direction of the Manager or his designee, be booted if there are five (5) or more unsettled parking violations or two (2) or more unsettled citations or one (1) or more arrest warrants pending against the owner of the motor vehicle, as the result of parking violations previously issued and pending.

storage have been satisfied. All towing and storage fees as specified shall be paid directly to the towing and storage firm prior to the release of said vehicle to the owner or other authorized person on the owner's behalf. Any vehicle unclaimed after forty-five (45) days of the date towed shall be deemed abandoned and subject to disposal in the manner authorized by Pennsylvania statute.

Section 15-413.7. Booting Fee. The owner of the immobilized (booted) vehicle shall be subject to a fee of \$75.00 for such immobilization and subsequent removal.

Section 15-413.8. Tampering with Boot Prohibited. Any person who shall tamper with, remove or attempt to remove any device used to immobilize a motor vehicle that has been "booted" pursuant to this ordinance, or who shall move or attempt to move the vehicle immobilized (booted) before release of the vehicle has been officially secured, shall be guilty of a summary offense and, upon conviction thereof, shall be fined not less than \$100.00 nor more than \$600.00, together with the cost of prosecution and the cost to replace the boot, or be imprisoned for not more than 30 days, or both.

Section 15-413.9. Implementation and Enforcement. It shall be the duty of the Officers of the Lock Haven City Police Department, or other designated employees of the City, acting in accordance with the instructions of the City Manager or his designee, to enforce the provisions of this ordinance.

Section 15-413.10. Right to Hearing Not Waived. Nothing in this Ordinance shall be construed to deprive any person of their Constitutional right to a hearing or trial as provided by law, relating to the violations for which parking violation notices or citations have been issued.

SECTION II. This ordinance shall become effective twenty (20) days after final adoption.

INTRODUCED BY COUNCILMAN Steve Stevenson

PASSED CITY COUNCIL FIRST READING July 20, 2009


PASSED CITY COUNCIL SECOND READING August 17, 2009

APPROVED:



Mayor

ATTEST:



City Clerk