



Approved:

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Subject:

323. Abandoned Vehicles

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323.1: PURPOSE AND SCOPE

This policy provides procedures for the marking, recording, and storage of vehicles parked in violation of the ORS or Albany Municipal Code (AMC) regulating abandoned vehicles under the authority of [ORS 819.110](#) or [AMC 13.70](#).

323.2: POLICY

It is the policy of the Albany Police Department to enforce state law and city ordinance regarding the removal of vehicles abandoned on roadways.

323.3: ENFORCEMENT

Enforcement of abandoned vehicle laws should follow this procedure:

- a. A visible chalk mark should be placed on the left rear tire tread at the fender level unless missing tires or other vehicle conditions prevent marking.
 - 1) Any deviation in markings shall be noted in the **incident report**.
- b. A Notice of Potential Vehicle Impound/Tow shall be prominently attached to a window in a manner which does not block a driver's view when operating the vehicle.
- c. A tow date will be set no less than 24 hours from the date and time of the notice.
- d. Community Services Officers and appointed Volunteers will typically be assigned to follow up on marked, abandoned vehicles.
- e. If an abandoned vehicle is moved before the scheduled tow date, the information shall be documented in a **supplemental report as such**.
 - 1) If a vehicle is found in the same condition in which the pre-tow notice was affixed, within 30 days of the original notice, the owner shall be considered notified and the vehicle shall be taken into custody.

- f. Parking citations for the 24-hour parking ordinance shall not be issued when the vehicle is being monitored for the abandoned vehicle violation.
- g. The investigating employee should make a good faith effort to notify the owner of any vehicle subject to towing prior to having the vehicle removed. This may be accomplished by personal contact, telephone or by leaving notice attached to the vehicle.

323.3.1: VEHICLE IMPOUNDMENT

- a. Any vehicle in violation shall be impounded by the authorized towing service. The officer will complete the tow module or, if the tow module is not available or practical, a [Vehicle Impoundment Notice: Form A53](#), authorizing the towing of the vehicle.
- b. Officers authorizing the towing of vehicles are responsible for notifying the Communications Center so that vehicles may be entered into LEDS.
- c. The Communications Center is responsible for notifying the Records Section of towed vehicles entered into LEDS.
- d. Within 48 hours of the storage of any such vehicle (excluding weekends and holidays) it shall be the responsibility of the Records Section to determine the names and addresses of any individuals having an interest in the vehicle through DMV.
- e. Records personnel shall mail a copy of the approved Vehicle Impound Notice along with information describing the location of the vehicle, the procedures for its release, and the owner's right to a hearing, to the legal and registered owners of the stored vehicle within 48 hours (excluding weekends and holidays) after it has been impounded, unless the vehicle has been previously released ([ORS 819.180\(1\)](#)).
- f. Vehicles Impounded under this section may be subject to hearing procedures outlined in [Vehicle Impound Hearings: Policy 321](#) and AMC 13.70.080.

323.4: VEHICLE DISPOSAL

- a. If, after 30 days from the custody, the vehicle remains unclaimed and the towing and storage fees have not been paid, and if no request for a vehicle impound hearing has been made, the Department may provide the lien holder storing the vehicle with authorization to dispose of any vehicle which has been appraised at a value of \$500 or less ([ORS 819.215](#)).
- b. Vehicles disposed of under this policy must be appraised by an appraiser certified by the Department of Transportation ([ORS 819.215](#)).
- c. If the vehicle is appraised at more than \$500, the vehicle and contents shall be sold in the manner described in Oregon law and Albany Municipal Code.