



GENERAL ORDERS: Chapter 22.4

PUBLISHED DATE: 2/1/2021

EFFECTIVE DATE: 2/1/2021

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REVISED DATE: 8/15/2025

Vehicle Impound and Inventory Search

I. Policy

The department will tow or impound vehicles as needed to a place of safekeeping, to correct a traffic hazard, or to eliminate a public nuisance. This will be accomplished through the use of a private or city contracted towing company.

II. Definitions

Impound: A vehicle towed upon request of the employee for violating traffic, parking or criminal law, safekeeping, or evidence preservation.

III. Vehicle impound procedures

A. Reporting

1. All vehicles impounded require the following to be completed:
 - a. An impound report and tag number
 - b. Towing cost sheet
2. Vehicles that are simply towed to another location, such as off a snow or parade route, do not require a report. However, the details of the move must be reported to the Communications Section.
3. Employees shall clearly document the reason for impounding the vehicle in their report.
4. Vehicles impounded from private property require a person in control of the property to be identified (name, address, phone number) in the report.

B. Impounding vehicles

1. Employees should give the operator of a vehicle alternatives to impoundment (e.g., park and lock the vehicle, contact a third party to take control of vehicle, etc.) before impounding the vehicle whenever possible.
 - a. If the vehicle is legally parked, can easily be moved to a legal parking area or released to a third party in a timely manner, the vehicle should not be impounded without further justification.
2. Employees shall attempt to have the vehicle keys left with the vehicle and, if they are not available, noted in the report.
3. Vehicle damage outside of cosmetic and normal wear and tear shall be documented in the report along with body camera corroboration when possible.
4. When issuing a non-moving citation with no one able to receive it, the citation shall be submitted with the report.

C. Vehicle searches

1. Probable cause, voluntary consent and other legal searches
 - a. Officers may search vehicles:

- (1) If they have the requisite probable cause or a knowing and voluntary consent from the person in control of the vehicle, or
 - (2) As otherwise allowed or directed by law.
 - b. These searches will not extend beyond the scope of the probable cause, voluntary consent or as otherwise allowed or directed by law.
- 2. Inventory searches
 - a. The following parameters shall apply if an officer chooses to conduct a physical inventory search:
 - (1) The reason for impoundment must be lawful and not a tactic to search the vehicle.
 - (2) Closed containers, such as, but not limited to, the glove box, center console, trunk and backpacks may not be opened absent a knowing and voluntary consent.
 - (3) If contraband is discovered, the officer shall stop the search immediately and contact a supervisor to determine if a search warrant for the vehicle and closed containers should be obtained.
 - (4) Employees may use their discretion in determining if any items should be placed on property.
 - b. The following parameters shall apply if an officer chooses not to conduct a physical inventory search:
 - (1) The officer shall ask the operator or owner of the vehicle if there is loose property in the vehicle with a value greater than 50 dollars.
 - (a) The inquiry shall be recorded using an audio recording device and the results documented in the report.
 - (2) The officer shall ask the occupants of the vehicle if there is property in the vehicle they wish to retain and shall work with them to facilitate its retrieval.
 - (a) Officers may allow the occupants to retrieve the property or may choose to retrieve the property for them, depending on the circumstances of the situation and safety considerations.
 - (3) Officers will not open closed containers retrieved from a vehicle absent a knowing and voluntary consent.
 - (4) Officers may choose to disallow the retrieval of an item if they believe there is a safety consideration related to the return of the property.
 - (a) If an item is not allowed to be retrieved, the officer shall document the reasoning in the report.
 - (5) At the discretion of the officer and with the consent of the relevant occupant of the vehicle, items of extraordinary value or significance may be secured and placed on property for later return to the person.
- 3. Closed containers will not be accepted for placement on property.
- 4. If the vehicle is being impounded as evidence and pending a search warrant, the officer may conduct an inventory search by listing only those items visible through the windows.

IV. Impound or tow circumstances

- A. Special circumstances
 - 1. Vehicles parked on public property in violation of permanent, clearly conveyed signage should generally be ticketed and impounded when their continued presence creates an obstruction or poses a hazard to the public.
 - a. Relocation at department expense should not be used as a substitute for enforcement in these situations.

2. In limited circumstances, employees may utilize the city tow contractor at department expense, to relocate, rather than impound a vehicle. Officers may consider relocation over impoundment when:
 - a. A high volume of vehicles must be removed from a restricted area with an operational urgency to clear the area quickly (e.g, primary snow routes, large-scale public events, or other emergencies).
 - (1) When relocation is necessary due to a parking violation in these situations, officers should issue a citation if time permits.
 - b. A vehicle was legally parked but some exigent circumstance requires the removal of the vehicle from the area and an owner cannot be located (i.e. public emergency, utility work, etc.).
 - c. Temporary signage has been placed and there is reasonable doubt as to whether it was posted in a timeframe and manner where the person in control of the vehicle would have been reasonably aware of the restriction.
 3. Supervisor approval is required for any vehicle moved at department expense rather than being impounded. This approval must be documented in the CAD system along with justification for the relocation.
 4. The Communications Section shall be notified of the details of any vehicles moved, including the location moved to and the reason for relocation.
- B. Private property – illegal parking and abandoned vehicles
1. Persons requesting removal of abandoned vehicles from private property which are legally or illegally parked but otherwise not causing an issue should be referred to the City Zoning Department which provides that service.
 - a. Employees may handle such a request if time and circumstances warrant.
- C. Public property – illegal parking, traffic hazard and abandoned vehicles
1. Vehicles impounded solely for illegal parking, as a traffic hazard or an abandoned vehicle shall be released to the owner at their request and at no cost any time prior to the tow operator leaving the impound location.
 - a. Exceptions:
 - (1) Vehicles being impounded for illegal parking because they are on the habitual violator list, may be released on scene if the owner shows proof that overdue citations have been paid.
 - (2) When a vehicle being operated on the street is an immediate safety hazard to others due to its overall condition and the vehicle cannot safely be left where found or the owner cannot offer a reasonable alternative for its removal.
 2. Employees should attempt to contact the owner of an abandoned vehicle on public property in violation of city ordinances or state code such as [114.361.13](#) (over 24 hours) or [321.89](#), to determine if it can be removed.
 - a. If no contact can be made with the owner, the employee may either “red tag” the vehicle to give the owner a chance to move the vehicle within 24 hours, or if the vehicle has clearly been abandoned or already “red tagged” more than 24 hours prior to, the employee may have the vehicle impounded immediately.
 3. After reasonable attempts to contact the owner, vehicles may be towed or impounded:
 - a. When a vehicle is left unattended on a street which constitutes a definite hazard or obstruction to normal traffic.
 - b. When the vehicle is disabled and the person responsible for the vehicle is unable to provide for the appropriate removal.
 - c. When the vehicle is on public property and is blocking an entry or exit to a public or private driveway.

4. If a vehicle has been involved in a traffic accident and must be removed from the scene, the officer shall have the driver select a towing company, if possible, and shall relay the request to the Communications Section.
 - a. If there is no preference or if the company is unavailable or will take an unreasonable amount of time to respond and the driver has no alternative, the officer will have the Communications Section contact the city tow contractor.
 - b. If the owner is incapacitated, or for any reason it is necessary for the department to assume responsibility for a vehicle involved in an accident, it will be impounded for safekeeping.
- D. Recovered larceny motor vehicles
 1. Officers shall make a reasonable attempt to contact the owner for recovery on scene, unless Crime Scene Investigations Section processing makes it impracticable.
 - a. Employees shall note in the report who the vehicle was released to and explain they are responsible for the vehicle should they choose, for example, to leave it at the current location.
 - b. If no contact or if the owner cannot respond within a reasonable amount of time to the scene, the vehicle will be impounded.
 2. Crime Scene Investigations Section processing
 - a. If there is no identifiable suspect, the vehicle will not be processed for evidence unless:
 - (1) It will more than likely lead to the identification of a known suspect
 - (2) There are exceptional circumstances or ordered by a supervisor
 - b. Crime Scene Investigations Section personnel will determine the location for processing.
 3. Outside agency cases
 - a. The Communications Section will contact the outside agency for guidance on their procedure.
 - (1) Employees will stand by for a reasonable amount of time for the outside agency to respond to the location, to wait for the owner to take possession, or to wait for a tow service.
 - (2) If requested by the agency or owner, employees may impound the vehicle.
- E. Vehicles subject to forfeiture
 1. Only under the direction of Vice and Narcotics Control Section personnel, may officers impound vehicles that are subject to forfeiture. Vehicles impounded for forfeiture shall be assigned to and managed by the Vice and Narcotics Control Section.
- F. Persons arrested / safekeeping
 1. When a person is arrested while in control of a vehicle, it may be impounded for safekeeping if:
 - a. Alternatives to impoundment have been considered and are not practical, or
 - b. The vehicle falls into another category in which impoundment is authorized, or
 - c. Other articulable circumstances arise
 2. Officers will not operate or move vehicles to a legal parking location unless there is an extraordinary public safety interest to do so.

V. Impound storage and evidence

- A. Storage
 1. When vehicles containing large amounts of property are encountered and inventory would be impractical, appropriate arrangements will be made with the towing contractor to adequately secure the vehicle.
 - a. An attempt will be made to lock the property in a secured area of the vehicle such as a trunk.
- B. Vehicles held as evidence
 1. Officers should use their discretion in determining the evidentiary value of having the vehicle processed and may consult with the Crime Scene Investigations Section.

2. A vehicle used in the commission of a crime and is of evidentiary value but does not require processing, such as a hit and run vehicle, may be impounded.
3. A vehicle involved in the commission of a crime, or is part of a crime scene and requires processing will be impounded and at the direction of the Crime Scene Investigations Section, taken to the appropriate location for processing.
 - a. In order to preserve the integrity of any evidence that may be on or in the vehicle, it will not be inventoried prior to processing.
 - b. The impounding officer will ensure that the tow driver takes all possible precautions to avoid disturbing any evidence. In certain cases, the officer may be required to follow the tow truck to the processing destination.
 - c. After processing, the officer in charge of the case will inventory the vehicle and be responsible for additional movement, storage, and eventual release of the vehicle.
4. Vehicles impounded and assigned for further investigation shall be attended to promptly.
 - a. When the vehicle is determined to have no further evidentiary value, the officer in charge of the case should promptly notify the registered owner that it is ready for release.
 - b. If the officer is unable to make contact with the owner, the Property and Evidence Section shall be notified and will assume the responsibility for notifying the owner.

VI. Release of impounded vehicles

A. Procedure

1. Impounded vehicles will be released through the department's contracted towing company.
2. If the vehicle is being held for evidentiary purposes, the officer directing the hold or in charge of the case investigation, or a designee will be responsible for approving the release of the vehicle.
 - a. The officer will notify the Property and Evidence Section during normal business hours or the records desk after business hours when the hold is released and provide written documentation of the release approval.
 - b. The Property and Evidence Section will ensure that any vehicle release is communicated to the contracted towing company so the hold can be removed and the vehicle released.
3. If it is believed the release of an impounded vehicle may cause the commission of a public offense, employees may decline to release the vehicle until the circumstances that may cause the offense are mitigated.

B. Release of personal property

1. When the owner of an impounded vehicle that is on hold pending further investigation wishes to obtain or authorize release of personal property from the vehicle, they will be instructed to contact the officer in charge of the case who will determine if the requested personal property can be released and either:
 - a. Obtain the item(s) from the vehicle and deliver them to the requestor.
 - b. Accompany the requestor to the impounded vehicle and monitor the retrieval of the item(s).
2. In either case, the officer will fill out a supplemental report, detailing what was released, to whom, and the date and time.