

ORDINANCE NO. 2097

AN ORDINANCE to amend and reordain Sections 22-118 and 22-121 of Division 2 of Article IV of Chapter 22 of The Code of the City of Alexandria, Virginia, 1963, as amended; which Chapter 22 relates to MOTOR VEHICLES AND TRAFFIC, which Article IV relates to STOPPING, STANDING AND PARKING GENERALLY, which Division 2 relates to DISPOSITION OF ILLEGALLY PARKED VEHICLES, which Section 22-118 relates to NOTICE TO OWNER, ETC., THAT VEHICLE HAS BEEN IMPOUNDED, and which Section 22-121 relates to NOTICE TO DIVISION OF MOTOR VEHICLES AND HOLDER OF LIENS OF UNREPOSSESSED VEHICLES; SALE OF UNREPOSSESSED VEHICLES.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Section 22-118 of Division 2 of Article IV of Chapter 22 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is amended and reordained to read as follows:

Sec. 22-118. Notice to owner, etc., that vehicle has been impounded.

It shall be the duty of the superintendent of police to notify the owner, claimant or other person in charge of an impounded vehicle as soon as possible of the nature and circumstances of the traffic violation for which or as a result of which such vehicle was impounded and the procedure for the repossessing of same; provided, the vehicle has not already been released from the city vehicle impounding yard. In the event such person has not been contacted within twelve hours from the time of removal of any vehicle, then the superintendent of police shall notify the owner of record of such vehicle by certified mail at his last known address provided that person can be ascertained, and to the holder of any lien of record in the office of the Division of Motor Vehicles in Virginia against the vehicle, giving the same information as above stated.

Section 2. That Section 22-121 of Division 2 of Article IV of Chapter 22 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is amended and reordained to read as follows:

Sec. 22-121. Notice to division of motor vehicles and holder of any liens of unrepossessed vehicles; sale of unrepossessed vehicles.

When any vehicle impounded under this division shall not be claimed by and surrendered to the rightful owner thereof or the holder of a lien of record in the Division of Motor Vehicles in Virginia against the vehicle within forty-five days from the date of the impounding, the superintendent of police shall notify such owner and lien holders of all the information he has available about the vehicle and of the fact that the vehicle will be sold in the near future. The superintendent of police shall then publish or cause to be published, in a newspaper of general circulation within the city two notices at least fifteen days in advance giving the description of the vehicle, the date of impounding and the fact that the vehicle will be sold at a public sale at a time and place and in a manner designated in the notice; provided, that no vehicle shall be sold pursuant to this section that has been impounded under this division less than sixty days and provided further that if the value of such vehicle determined by three disinterested dealers or garage-men to be less than fifty dollars which would be received by such advertising and public sale, it may be disposed of by private sale or junked. The proceeds from the sale shall go to the city collector who shall pay from the proceeds the towing charge, storage charge, investigation charge and the costs of the sale. The balance of such funds shall be held by the collector for the owner and paid to

the owner upon satisfactory proof of ownership; provided, the owner makes application within three years from the date of sale. If the owner fails to make timely application the balance of such funds shall belong to the City and shall be deposited in the city general fund. Any personal property found in any unattended or abandoned motor vehicle, trailer or semitrailer may be sold incident to the sale of any such vehicle.

Section 3. That the title of and an informal memorandum explaining this ordinance shall be published in a newspaper of general circulation published in the City not later than five days following its introduction together with a notice containing the time and place for a public hearing. The city clerk shall have the full text of this ordinance printed in sufficient numbers to supply copies to meet request. The city clerk shall note the date of introduction and first reading, the date of publication, the date of the public hearing, and the date of the second reading and final passage in the minutes of the meeting. This ordinance shall become effective the date of its final passage.

CHARLES E. BEATLEY, JR.
Mayor

FINAL PASSAGE: MARCH 23, 1976