

ORDINANCE NO. 4570

AN ORDINANCE to amend and reordain 5-8-24 (NOTICE THAT VEHICLE HAS BEEN IMPOUNDED) of Article C (DISPOSITION OF ABANDONED, UNATTENDED AND IMMOBILE MOTOR VEHICLES), Chapter 8 (PARKING AND TRAFFIC REGULATION), Title 5 (TRANSPORTATION AND ENVIRONMENTAL SERVICES), of the Code of the City of Alexandria, Virginia, 1981, as amended.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Section 5-8-24 of the Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby amended and reordained to read as follows:

Sec. 5-8-24 Notice that vehicle has been impounded.

(a) The authorized city official directing the removal of any vehicle under this article, a designee of the official or another city employee designated by the city manager, shall, within 15 days of the impoundment of the motor vehicle, by registered or certified mail, return receipt requested, provide notice to the owner of record of the impounded vehicle and to any person holding a security interest of record against the vehicle, as shown in records maintained by the department of motor vehicles; provided, that the vehicle has not already been released from the impoundment facility. The notice shall state the following: (i) the year, make, model and registration number of the motor vehicle; (ii) the address where the vehicle is being held; (iii) that the owner and any person having a security interest in the vehicle may reclaim the vehicle within 15 days from the date of the notice, after payment of all towing and storage charges resulting from the removal and storage of the vehicle; and (iv) that the failure of the owner and the persons having a security interest in the vehicle to reclaim the vehicle within the provided time period shall constitute both a waiver by the owner and such persons of all right, title and interest in the vehicle, and the consent by each of them to the sale of the vehicle at a public auction.

(b) If the records of the department of motor vehicles contain no address for the owner of an impounded vehicle or no address for any person shown by the department's records to have a security interest in the vehicle, and if such addresses cannot otherwise be determined with reasonable certainty, it shall be the responsibility of the authorized city official who directed the removal of the vehicle, a designee of the official or another city employee designated by the city manager to cause a notice to be published once in a newspaper of general circulation in the city. Such notice shall be published within the time limit set out in, and shall have the same contents required under, subsection (a) for a notice by mail. The failure of the owner and the person having a security interest in an impounded vehicle to reclaim the vehicle following notice by publication shall have the same consequences as those following a failure to reclaim after notice by mail. Any notice by publication may contain multiple listings of impounded motor vehicles.

Section 2. That this ordinance shall become effective upon the date and at the time of its final passage.

WILLIAM D. EUILLE
Mayor

Final Passage: December 13, 2008