

Introduced By: Council Member Cleworth
Date: October 26, 2009

ORDINANCE NO. 5792, As Amended

AN ORDINANCE TO AMEND F.G.C. CHAPTER 78, TRAFFIC AND VEHICLES, ARTICLE XI, STOPPING, STANDING AND PARKING, SECTION 78-399, AUTHORITY TO IMPOUND VEHICLES BY BOOT DEVICE, AND SETTING AN EFFECTIVE DATE.

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF

FAIRBANKS, as follows:

Section 1. That F.G.C. Chapter 78, Traffic and Vehicles, Article XI, Stopping, Standing and Parking, Section 78-399, be amended as follows (new text in **underlined bold** font, deleted text in ~~strikeout~~ font):

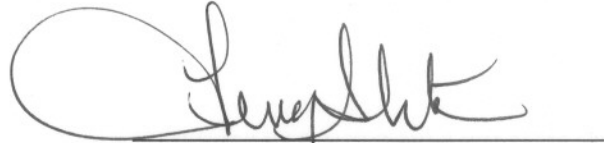
: **Sec. 78-399. Authority to impound vehicles by boot device.**

* * *

(c) No vehicle shall be impounded by use of the boot unless the vehicle is ~~actually in violation of an existing parking ordinance and two~~ **has four** or more uncontested parking citations which have been issued to the vehicle on a prior occasion which continue to remain outstanding and unpaid.

(f) The registered owner of a vehicle impounded under this section shall be provided with a post-impoundment hearing to determine whether sufficient and probable cause existed to sustain the impoundment. The hearing must be requested by the owner no later than seven days after the impoundment and shall be heard by ~~a member of the parking authority appointed for that purpose no later than 48 business hours~~ **within one (1) month** after the demand for hearing. The hearing may be informal but shall provide the owner the opportunity to present evidence including but not limited to the presentation of relevant witnesses.

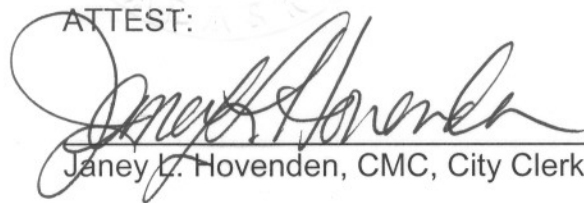
Section 1. That the effective date of this ordinance shall be the 7th day of November, 2009.



Terry M. Strle

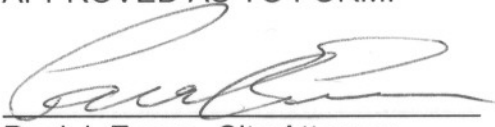
AYES: Eberhart, Bratcher, Roberts, Stiver, Gatewood, Cleworth
NAYS: None
ABSTAIN: None
ABSENT: None
ADOPTED: November 02, 2009

ATTEST:



Janey L. Hovenden, CMC, City Clerk

APPROVED AS TO FORM:



Paul J. Ewers, City Attorney