

ORDINANCE NO. 2104

AN ORDINANCE PROVIDING FOR THE IMMOBILIZATION OF VEHICLES WITHIN THE CITY OF GRAND JUNCTION, COLORADO, AND PENALTY FOR REMOVAL OF ANY IMMOBILIZING DEVICE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION:

That subsection 14 of Chapter 28 of the Code of Ordinances be amended by the addition of a Section 6, reading as follows:

14-6: IMMOBILIZATION OF VEHICLES

A. When a driver, owner or person in charge of a vehicle has failed to respond to the following three notices of illegal parking:

1. A notice placed on the vehicle pursuant to Section 22-12, Chapter 28 of the Code of Ordinances of the City of Grand Junction;

2. An additional notice mailed to the registered owner of the vehicle seven (7) days thereafter;

3. A notice that a warrant will be issued, sent to the registered owner of the vehicle thirty (30) days after issuance of the first notice,

a police officer or other authorized person of the City of Grand Junction, acting in his official capacity, may temporarily immobilize such vehicle by attaching to it a device designed to restrict the normal movement of the vehicle; provided, however, that prior to immobilization the Municipal Court shall review the procedure followed and enter an order directing the immobilization.

B. If a vehicle is immobilized, the officer shall affix a conspicuous notice to the vehicle informing the driver, owner or person in charge of the vehicle that:

1. The vehicle has been immobilized by the City of Grand Junction for a parking violation pursuant to the Code of Ordinances of the City of Grand Junction and an Order issued by the Judge of the Municipal Court.

2. The owner of the vehicle may request an immediate hearing in the Grand Junction Municipal Court to contest the citation or immobilization of the vehicle, or the owner of the vehicle shall have the right, upon request, to a post-deprivation hearing within 48 hours after the request for said hearing, excluding Saturdays, Sundays and holidays. In the alternative, the owner may obtain immediate release of the vehicle by posting bond in the amount of the delinquent parking fines plus \$50.00 booting costs with the Clerk of the Municipal Court. If the vehicle is so released, any

hearing requested will be set within the normal time limits of any other hearing in Municipal Court.

3. Release of the vehicle may be obtained without a hearing by payment of fines and \$50.00 costs to the Clerk of the Municipal Court.

4. Unless arrangements are made for the release of the vehicle within seventy-two (72) hours, the vehicle will be removed from the streets by a police officer pursuant to Section 22-20, Chapter 28 of the Code of Ordinances of the City of Grand Junction.

5. That removing or attempting to remove the device before a release is obtained is unlawful.

C. It shall be unlawful for any person to remove or attempt to remove an immobilized vehicle before a release is obtained or to move any such vehicle before it is released by the Police Department.

PASSED and ADOPTED this 2nd day of February, 1983.

Louis R. Brach

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President of the Council

Attest:

Neva B. Lockhart, CMC

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City Clerk

I HEREBY CERTIFY that the foregoing ordinance, being Ordinance No. 2104, was introduced, read, and ordered published by the City Council of the City of Grand Junction, Colorado, at a regular meeting of said body held on the 19th day of January, 1983, and that the same was published in The Daily Sentinel, a newspaper published and in general circulation in said City, at least ten days before its final passage.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said City this 3rd day of February, 1983.

Neva B. Lockhart

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Neva B. Lockhart, CMC  
City Clerk

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Effective: March 6, 1983