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3  
4 CITY OF CUYAHOGA FALLS, OHIO

5  
6 ORDINANCE NO. 72 - 2017

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8 AN ORDINANCE AMENDING SECTION 303.07 OF THE  
9 CODIFIED ORDINANCES, RELATING TO IMPOUNDING OF  
10 VEHICLES IN THE CITY OF CUYAHOGA FALLS, AND  
11 DECLARING AN EMERGENCY.  
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14 WHEREAS, the towing of vehicles from private property has become difficult and costly for  
15 towing companies due to changes in state law; and  
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17 WHEREAS, the City of Cuyahoga Falls has an interest in allowing private property owners to  
18 have unwanted vehicles removed from their property by a police authorized tow.  
19

20 NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga Falls, County  
21 of Summit, and State of Ohio, that:  
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23 Section 1. Section 303.07(a)(18) of the Codified Ordinances of the City of Cuyahoga Falls is  
24 hereby added to read in full as follows (new text double underlined; deleted text in ~~strike~~):  
25

26 SECTION 303.07

27  
28 303.07 IMPOUNDING OF VEHICLES; NOTICE TO OWNER.

29 (a) Police officers are authorized to provide for the removal and impounding of vehicles  
30 under the following circumstances:

31 (1) When any vehicle is left unattended upon any street right of way or upon any  
32 public or private property and there is an immediate emergency, hazard or threat to property or  
33 public safety.

34 (2) When any vehicle is left upon any public or private property in a lawfully  
35 designated and marked fire lane.

36 (3) When any vehicle is left unattended upon any street right of way or bridge or in  
37 any tunnel when such vehicle constitutes a hazard or obstruction to the normal movement of  
38 traffic, or unreasonably interferes with street cleaning, street maintenance, repair, or snow  
39 removal operations.

40 (4) When any vehicle is left unattended upon any street right of way in excess of  
41 twenty-four consecutive hours, or upon any other public property, whether owned or controlled  
42 by the City or Board of Education, County, State or Federal government, in excess of forty-eight  
43 consecutive hours.

44 (5) When any vehicle is left unattended on any street or other public property and  
45 is not parked entirely within the marked individual parking space.

46 (6) When any vehicle is left unattended in excess of ten minutes in the City Hall  
47 parking lot spaces which are designated as limited to ten minutes for payment of utility bills.

48 (7) When any vehicle is left unattended in the Natatorium parking area and the  
49 operator thereof is not a patron or staff member of the Natatorium.

50 (8) When any vehicle is left unattended and blocks the ingress or egress to any  
51 private street or any public or private driveway or other property including the high school  
52 circular drive, without obtaining permission of the owner or other person lawfully authorized to  
53 give such permission.

54 (9) When any vehicle does not bear current lawful license plates and is operated or  
55 unattended on any street or right of way or other public property or any private property open to  
56 the public for purposes of vehicular travel or parking.

57 (10) When any vehicle has been damaged or wrecked so as to be inoperable or  
58 violates equipment provisions of this Traffic Code whereby its continued operation would  
59 constitute a condition hazardous to life, limb or property.

60 (11) When any vehicle is left unattended due to the removal of an ill, injured or  
61 arrested operator.

62 (12) When any vehicle has been operated by any person who is driving without a  
63 lawful license or while his license has been suspended or revoked.

64 (13) When any vehicle has been operated by any person who has failed to stop in  
65 case of an accident or collision.

66 (14) When any vehicle has been stolen or operated without the consent of the  
67 owner.

68 (15) When any vehicle has been used in or connected with the commission of a  
69 felony.

70 (16) When any vehicle is found for which three or more citation tags for violations of  
71 this Traffic Code have been issued and the owner or operator thereof has failed to respond to  
72 such citation tags as lawfully required.

73 (17) When any vehicle is left unattended within the Front and Center Urban  
74 Renewal Project, on public or private property, and blocks ingress or egress for delivery,  
75 sanitation pickup, utility vehicles, maintenance purposes or emergency services.

76 (18) Upon complaint of a person in lawful control of a premises, an officer may  
77 order the impounding of any motor vehicle that has been left on private property without the  
78 permission of the property owner for at least 48 hours. The person in control of the premises  
79 shall sign an affidavit, attesting that they are in lawful control of the property, that the motor  
80 vehicle has been there for at least 48 hours without the property owner's permission, and that  
81 they authorize the removal of the motor vehicle.

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83 (b) The Police Department shall forthwith take reasonable steps to notify the registered  
84 vehicle owner of the fact of such removal and impounding, reasons therefor and the place of  
85 storage.

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87 (c) Whoever violates any provision of this section is guilty of a minor misdemeanor on a  
88 first offense; on a second offense within one year after the first offense, the person is guilty of a  
89 misdemeanor of the fourth degree; on each subsequent offense within one year after the first  
90 offense, the person is guilty of a misdemeanor of the third degree.

91  
92 Section 2. Any other ordinances and resolutions or portions of ordinances and resolutions  
93 inconsistent herewith are hereby repealed but any ordinances and resolutions or portions of  
94 ordinances and resolutions not inconsistent herewith and which have not previously been  
95 repealed are hereby ratified and confirmed.


96  
97 Section 3. It is found and determined that all formal actions of this Council concerning and  
98 relating to the adoption of this ordinance were adopted in an open meeting of this Council and all  
99 deliberations of this Council and any of its committees that resulted in such formal action were in  
100 meetings open to the public, in compliance with all legal requirements including Chapter 107 of  
101 the Codified Ordinances.

102  
103 Section 4. This ordinance is hereby declared to be an emergency measure necessary for the  
104 preservation of the public peace, health, safety, convenience and welfare of the City of Cuyahoga  
105 Falls and the inhabitants thereof and provided it receives the affirmative vote of two-thirds of the  
106 members elected or appointed to Council, it shall take effect and be in force immediately upon its  
107 passage and approval by the Mayor; otherwise it shall take effect and be in force at the earliest  
108 period allowed by law.

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110 Passed: 10-9-17

  
\_\_\_\_\_  
President of Council

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Clerk of Council

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118 Approved: 10-10-2017

  
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Mayor

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121 9/25/17

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