

PASSED

IN THE BOARD OF COUNTY COMMISSIONERS, LANE COUNTY, OREGON

ORDINANCE NO. 1-08

IN THE MATTER OF AMENDING CHAPTER 6 OF
LANE CODE TO REVISE IMPOUNDMENT OF
VEHICLES (LC 6.475)

The Board of County Commissioners of Lane County ordains as follows:

Chapter 6 of Lane Code is hereby amended by deleting, substituting, and adding new sections as follows:

DELETE THESE SECTION(S)

6.475
as located on page 6-6
(a total of 1 page)

INSERT THESE SECTION(S)

6.475
as located on pages 6-6 through 6-14
(a total of 9 pages)

Said section is attached hereto and incorporated herein by reference. The purpose of this substitution and addition is to revise impoundment of vehicles (LC 6.475).

ENACTED this 16th day of February 2008.

Chair, Lane County Board of Commissioners

Recording Secretary for this Meeting of the Board

APPROVED AS TO FORM

Date 1/10/08 Lane County

OFFICE OF LEGAL COUNSEL

6.445 Lights on Parked Vehicle.

No lights need be displayed on a vehicle that is parked in accordance with applicable law on a street where there is sufficient light to reveal a person or object at a distance of at least 500 feet from the vehicle. *(Revised by Ordinance No. 9-88, Effective 6.1.88; 1-00, 4.12.00)*

6.450 Exemptions.

The provisions of LC 6.425 through 6.440 that regulate the parking or standing of vehicles do not apply to:

(1) A city, County, state or public utility vehicle being used for public works maintenance, construction or repair work.

(2) A vehicle owned by the United States and being used for collection, transportation or delivery of mail.

(3) A vehicle of a disabled person who complies with the provisions of ORS 801.235 and 811.602 through 811.640. *(Revised by Ordinance No. 9-88, Effective 6.1.88; 1-00, 4.12.00)*

6.460 Owner Responsibility.

The owner of an unattended vehicle that is parked in violation of a parking restriction imposed by LC 6.425 through LC 6.440 shall be responsible for the offense unless the operator used the vehicle without the owner's consent. In all prosecutions of the owner of a vehicle found in violation of LC 6.425 through 6.440, it shall be sufficient to charge the defendant in the manner provided in ORS 810.425. *(Revised by Ordinance No. 9-88, Effective 6.1.88)*

6.465 Registered Owner Presumption.

In a proceeding charging violation of a parking restriction imposed by LC 6.425 through 6.440 against a vehicle owner, proof that the vehicle was registered to the defendant at the time of the violation constitutes a presumption that the defendant was the owner. *(Revised by Ordinance No. 9-88, Effective 6.1.88)*

6.475 Impoundment of Vehicles.

(1) Disposition of a vehicle towed and stored under provisions of state law for the removal of hazardous vehicles shall be in accordance with provisions of state law and County ordinance on impoundment and disposition of abandoned vehicles.

(2) Impoundment of a vehicle does not preclude issuance of a citation for violation of a provision of this ordinance.

(3) Stolen vehicles may be towed from public or private property and stored at the expense of the vehicle owner in accordance with state law governing custody and disposition of stolen vehicles.

(4) Vehicles left unattended on or near any public boat ramp in violation of Lane Code 6.430 (3) may be towed and stored at the expense of the vehicle owner in accordance with state law governing custody and removal of vehicles constituting a hazard.

(5) A peace officer who has probable cause to believe that a person at or just prior to the time the peace officer stops the person, has committed an offense described in this subsection may, without prior notice, order the vehicle impounded until a person with a right to possession of the vehicle complies with the conditions for release. This section applies to the following offenses:

(a) Speed racing on any roadway within Lane County, in violation of ORS 811.125; Vehicles subject to impoundment are any vehicles involved in a speed

competition or contest, an acceleration contest, a test of physical endurance, an exhibition of speed or acceleration, the making of a speed record, a race, or a drag race, as defined in ORS 811.125.

(b) Eluding or attempting to elude a police officer in violation of ORS 811.540.

(c) Failure to perform the duties of a driver when property is damaged or persons injured in violation of ORS 811.700 and 811.705.

(d) Exceeding a speed of 100 mph on any roadway within Lane County in violation of ORS 811.100 or 811.111.

(6) For vehicles impounded under section 6.475, notice shall be given to the same parties, in the same manner and within the same time limits as provided in ORS 809.725(1) and 819.180.

(7) A vehicle impounded under subsection (5) of this section shall be released to a person entitled to lawful possession upon compliance with the following:

(a) Submission of proof that a person with valid driving privileges will be operating the vehicle;

(b) Submission of proof of compliance with financial responsibility requirements for the vehicle; and

(c) Payment to the Sheriff's Office of an administrative fee sufficient to recover the actual administrative costs for the impoundment.

(8) Notwithstanding subsection (7) of this section, a person who holds a security interest in the impounded vehicle may obtain release of the vehicle by paying the administrative fee.

(9) When a person entitled to possession of the impounded vehicle has complied with the requirements of subsection (7) or (8) of this section, the Sheriff's Office shall authorize the person storing the vehicle to release it upon payment of any towing and storage costs. *(Revised by Ordinance No. 9-88, Effective 6.1.88; 7-06, 10.27.06)*

6.480 Non-Motorized Traffic Prohibitions.

(1) Except for those persons engaged in obtaining emergency services for a disabled motor vehicle, those persons performing duties in connection with repair and maintenance of the road or other lawful governmental function, or those persons that have received a permit from the Director, Lane County Department of Public Works, no person shall walk or go upon the following described area in non-motorized vehicles:

Any part of the right-of-way which is enclosed by fences or which is 80 feet from the centerline of that portion of Delta Highway commencing at the point at which Delta Highway intersects County Road No. 515, commonly known as Country Club Road, then continuing northerly to the point at which Delta Highway passes over Beltline Road.

(2) The Director, Lane County Department of Public Works, may issue permits to those persons that make application for the purpose of operating a bicycle or walking in the area described in LC 6.480(1) to persons 16 years of age or older.

(3) The application and permit shall be in a form as prescribed by the Director, Lane County Department of Public Works, and any permit issued shall be carried at all times by the permittee while utilizing the areas described in LC 6.480(1). In approving a permit, the Director herein may include such reasonable conditions such as prohibited

At right margin indicates changes
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~~Strikethrough~~ indicates material being deleted
6.445 Lane Code

**LEGISLATIVE
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6.475

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