

ORDINANCE NO. 22-_____

AN ORDINANCE AMENDING SECTION 106 (SALE OF UNCLAIMED VEHICLES; PROCEEDS) OF ARTICLE 25 (REMOVAL AND IMPOUNDMENT OF VEHICLES) OF CHAPTER 10 (MOTOR VEHICLES AND TRAFFIC) OF THE CODE OF THE CITY OF COLORADO SPRINGS 2001, AS AMENDED, PERTAINING TO SALE OF UNCLAIMED IMPOUNDED VEHICLES

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLORADO SPRINGS:

Section 1. Section 106 (Sale of Unclaimed Vehicles; Proceeds) of Article 25 (Removal and Impoundment of Vehicles) of Chapter 10 (Motor Vehicles and Traffic) of the Code of the City of Colorado Springs 2001, as amended, is amended to read as follows:

10.25.106 SALE OF UNCLAIMED VEHICLES; PROCEEDS:

* * *

A. In accord with the terms of a notice given as provided in section 10.25.104 of this article, or without giving notice if no person claiming an interest in the vehicle is known to the Mayor, a sale of the vehicle by auction may be had to satisfy any valid claims of the City for the storage, removal and sale of the vehicle, and to discharge the City from further responsibility in connection with the vehicle, and from any duty to further retain or store the same. The sale shall be held in the place where the vehicle is stored and impounded, ~~or if the place is manifestly unsuitable for the purpose,~~ at the nearest suitable place, **or through an online service approved by the Mayor.**

B. At any time after thirty (30) days from the date of impoundment, the Mayor shall cause to be published an advertisement of sale describing the vehicle to be sold, and stating the names of **the registered or legal owner, lienholder, or authorized agents** ~~all persons known by the Mayor to claim an interest in the vehicle,~~ if there are any **such** persons, and the time and place of the sale. The advertisement shall be published at least once ~~in the official newspaper of the City~~ **on the official website of the City of Colorado Springs, on a page designated**

for the impound vehicle auction posting. The sale shall be had not less than ten (10) days from the date of the ~~first publication~~ **auction posting.**

C. From the proceeds of the sales, the Mayor shall satisfy the claim of the City for reasonable charges of removal, storage, advertisement and sale. The balance, if any, of the proceeds shall be paid into the ~~police pension~~**general** fund. Within thirty (30) days from the date of any sale resulting in the payment of any balance of proceeds into the police pension fund, any person claiming to be entitled to any portion of the proceeds may request the Mayor to initiate the refund to the person, upon which the Mayor shall make, or cause to be made, a thorough examination into the merits of the refund, determine whether it is justified, and approve or disapprove the same.

D. When any vehicle is offered for sale or auction pursuant to the terms of this section, and there is no bid or offered bid for the same **after two attempts, the vehicle may be sold as scrap pursuant to** Colorado law, **or with the approval of the Chief of Police, put to City use. The Chief of Police shall keep a permanent record of all vehicles put to City use and its final disposition. Vehicles no longer needed for City use will either be sold pursuant to** Colorado law, **with the approval of the Chief of Police, or they will be sold as scrap.**~~the Mayor shall declare the same to be sold to the City for the amount of the charges for the removal and storage of the vehicle, and the charges or expense of notice, advertisement and sale, and shall place the same in custody of the Mayor for the sole benefit and use of the City.~~

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Section 2. This ordinance shall be in full force and effect from and after its final adoption and publication as provided by Charter.

Section 3. Council deems it appropriate that this ordinance be published by title and summary prepared by the City Clerk and that this ordinance be available for inspection and acquisition in the office of the City Clerk.

Introduced, read, passed on first reading and ordered published this ____ day of _____, 2022.

Finally passed: _____

Council President

Mayor's Action:

- Approved on _____.
- Disapproved on _____, based on the following objections:

Mayor

Council Action After Disapproval:

- Council did not act to override the Mayor's veto.
- Finally adopted on a vote of _____, on _____.
- Council action on _____ failed to override the Mayor's veto.

Council President

ATTEST:

Sarah B. Johnson, City Clerk