



Office of the City Clerk

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Legislation Details (With Text)

File #: O2019-1426

Type: Ordinance **Status:** Failed to Pass

File created: 3/13/2019 **In control:** City Council

Final action:

Title: Amendment of Municipal Code Section 9-92-100 regarding disposal of impounded unclaimed motor vehicles

Sponsors: Dowell, Pat

Indexes: Ch. 92 Impounding & Relocation of Vehicles

Attachments: 1. O2019-1426.pdf

Date	Ver.	Action By	Action	Result
5/29/2019	1	City Council	Failed to Pass	
3/13/2019	1	City Council	Referred	

ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

SECTION 1. Section 9-92-100 of the Municipal Code of Chicago is hereby amended by adding the language underscored, and by deleting the language struck through, as follows:

9-92-100 Disposal of unclaimed vehicles.

a) Whenever an impounded motor vehicle ~~an abandoned, lost, stolen, or other impounded motor vehicle, or a vehicle determined to be a hazardous dilapidated motor vehicle pursuant to Section 11-40-3.1 of the Illinois Municipal Code,~~ remains unclaimed by the registered owner, lienholder[^] or other person legally entitled to possession for a period of 18 days after notice has been given pursuant to Section 9-92-070(a) or (b), if, during that 18-day period, the ~~department~~ Department of ~~police~~ Police or ~~department~~ Department of streets Streets and sanitation Sanitation has sent an additional notice by first class mail to the registered owner, lienholder, or other legally entitled person, the ~~superintendent~~ Superintendent of ~~police~~ Police or ~~commissioner~~ Commissioner of streets Streets and sanitation Sanitation shall authorize the disposal or other disposition of such unclaimed vehicles as provided in this section; provided, however, that the registered owner may request from the ~~department~~ Department of streets Streets and sanitation Sanitation one extension of 15 days before a vehicle is sold or otherwise disposed of. The ~~department~~ Department of streets Streets and sanitation Sanitation shall honor such request and shall not sell or otherwise dispose of a vehicle during the 15-day extension period.

b) Impounded motor vehicles which remain unclaimed after notice has been provided pursuant to Section 9-92-070 shall be disposed, pursuant to the ~~provisions of the~~ -Municipal Purchasing Act for cities of 500,000 or more population", as referenced in Section 2-92-010, to a person licensed as an automotive parts recycler, rebuild^e or scrap processor under Chapter 5 of the Illinois Vehicle Code; provided, however, that such vehicles having a value that substantially exceeds its scrap value may be disposed of in accordance with subsections (c) or (d) of this section.

c) Where the ~~superintendent~~ Superintendent of ~~police~~ Police or ~~commissioner~~ Commissioner of

streets Streets and sanitation Sanitation determines that an unclaimed impounded vehicle has a value substantially in excess of the scrap value of such vehicle, he may cause it to be sold at a public auction to a person licensed as an automotive parts recycler, rebuilder, or scrap processor. Notice of the time and place of the sale shall be posted in a conspicuous place for at least ten days prior to the sale on the premises where the vehicle has been impounded and also published at the City website. At least ten days prior to the sale the superintendent Superintendent or commissioner Commissioner shall cause a notice of the time and place of the sale to be sent in the same manner as the notice sent pursuant to Section 9-92-070 to the registered owner, lienholder or other person entitled to possession of the vehicle. Such notice shall contain a complete description of the vehicle to be sold and the steps that must be taken by any legally entitled person to reclaim such vehicle.

In those instances where the notification specified in Section 9-92-070 has been returned by postal authorities due to the addressee having moved, or being unknown at the address obtained from the registration records of the state, the sending of a second notice shall not be required.

d) The superintendent Superintendent of police Police is authorized to reserve for the city's City's use such unclaimed impounded vehicles for which a notice has been sent pursuant to Section 9-92-070, as the various departments of the city City may require. Any vehicle reserved for such purpose shall be added to the list of the respective department's fleet of vehicles.

e) Disposal of a vehicle pursuant to this section shall not relieve the violator registered owner of liability for all costs, fines, and penalties incurred in conjunction with such motor vehicle: provided, however, that with respect to disposal of an abandoned impounded motor vehicle, the amount of liability for towing and storage costs shall be reduced by any amounts realized in the disposal of the motor vehicle in accordance with Article II of Chapter 4 of the Illinois Vehicle Code shall be applied to any costs, fees, fines, or other penalties associated with the impoundment owed by the motor vehicle's registered owner.

f) An impounded motor vehicle's registered owner(s) may relinquish ownership of the motor vehicle to the City by executing an assignment and warranty of title in the space provided on the certificate of title and delivering these to the City. The City shall dispose of the vehicle pursuant to the Municipal Purchasing Act and apply any amounts realized to any costs, fees, fines, or other penalties associated with the impoundment. If such disposal results in funds in excess of the impoundment costs owed, the excess shall be applied to any other debts due and owing to the City by the registered owner(s). Any amount remaining shall be paid to the registered owner(s) who relinquished the title to the City.

Pat Dowell Alderman, 3rd Ward

SECTION 2. This ordinance shall be in full force and effect upon passage and publication.