

Ordinance 2015-14

SHORT TITLE:

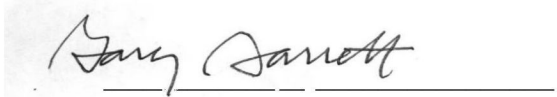
An ordinance amending Provo City Code Section 9.31.110 (Towing and Parking Enforcement Operations) to remove references to BYU from the notification which is required to be placed on the windshield of a booted or towed vehicle.

PASSAGE BY MUNICIPAL COUNCIL

ROLL CALL

DISTRICT	NAME	MOTION	SECOND	FOR	AGAINST	OTHER	
CW 1	DAVID SEWELL			✓			
CW 2	GARY GARRETT			✓			
CD 1	GARY WINTERTON			✓			
CD 2	KIM SANTIAGO		✓	✓			
CD 3	HAL MILLER	✓		✓			
CD 4	KAY VAN BUREN			✓			
CD 5	CALLIE HALES			✓			
				TOTALS	7	0	0

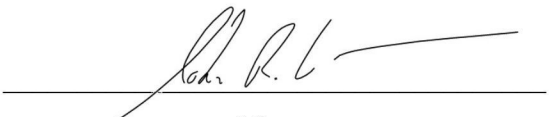
This ordinance was passed by the Municipal Council of Provo City, on the 17<sup>th</sup> day of March, 2015 on a roll call vote as described above. Signed this 21st day of May, 2015.

  
Chair

II

APPROVAL BY MAYOR

This ordinance is approved by me this 27th day of May 2015.

  
Mayor

ORDINANCE 2015-14

III

CITY RECORDER'S CERTIFICATE AND ATTEST

This ordinance was recorded in the office of the Provo City Recorder on the 27th day of May 2015, with a short summary being published on the 26<sup>th</sup> day of March 2015, in The Daily Herald, a newspaper circulated in Provo, Utah. I hereby certify and attest that the foregoing constitutes a true and accurate record of proceedings with respect to Ordinance Number 2015-14.



Signed this 27th day of May 2015.

Janeen Stinson  
City Recorder

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46

ORDINANCE NO 2015-14.

AN ORDINANCE AMENDING PROVO CITY CODE SECTION 9.31.110 (TOWING AND PARKING ENFORCEMENT OPERATIONS) TO REMOVE REFERENCES TO BYU FROM THE NOTIFICATION WHICH IS REQUIRED TO BE PLACED ON THE WINDSHIELD OF A BOOTED OR TOWED VEHICLE (15-020)

WHEREAS, it is proposed that amendments be made to Provo City Code Section 9.31.110 Towing and Parking Enforcement Operations to alter the notification required to be placed on a booted vehicle’s windshield by removing the sentence referring to the Brigham Young University Student Housing Office as a method of recourse for BYU students; and

WHEREAS, on March 17, 2015 the Municipal Council held duly noticed public meetings to ascertain the facts regarding this matter, which facts are found in the meeting records; and

WHEREAS, after considering the facts and comments presented to the Municipal Council, the Council finds (i) Provo City Code Section 9.31.110 should be amended and (ii) this amendment, as set forth below, reasonably furthers the health, safety and general welfare of the citizens of Provo City.

NOW, THEREFORE, be it ordained by the Municipal Council of Provo City, Utah, as follows:

PART I:

Section 9.31.110 of the Provo City Code is hereby amended as follows:

**9.31.110. Towing and Parking Enforcement Operations.**

...

---

(6)(c)(v) Upon booting a vehicle, places a notice on the driver’s door window which indicates:

- (A) In large letters, "This vehicle has been booted";
- (B) The name and telephone number of the towing or parking enforcement business and the name of the person that immobilized the vehicle;
- (C) A telephone number, staffed twenty-four (24) hours a day, which the vehicle owner may call to arrange for release of the vehicle;
- (D) Applicable fees; and
- (E) The following statement:

47 A person who tows or boots a vehicle unlawfully may be subject to criminal and civil penalties  
48 as provided in Section 9.31.110 of the Provo City Code. ~~A Brigham Young University (BYU)~~  
49 ~~student who believes an unlawful tow or boot occurred from a BYU approved housing facility~~  
50 ~~may contact the BYU Student Housing Office to request mediation of the matter.~~ A person  
51 whose vehicle is towed or booted shall be entitled, upon request, to the name and telephone  
52 number of the owner of the property or owner's agent where the tow or boot occurred.

53  
54 . . .

55  
56  
57 PART II:  
58

---

- 59 A. If a provision of this ordinance conflicts with a provision of a previously adopted  
60 ordinance, this ordinance shall prevail.  
61  
62 B. This ordinance and its various sections, clauses and paragraphs are hereby declared to be  
63 severable. If any part, sentence, clause or phrase is adjudged to be unconstitutional or  
64 invalid, the remainder of the ordinance shall not be affected thereby.  
65  
66 C. The Municipal Council hereby directs that the official copy of the Provo City Code be  
67 updated to reflect the provisions enacted by this ordinance.  
68  
69 D. This ordinance shall take effect immediately after being posted or published as required  
70 by law.

71  
72 END OF ORDINANCE.  
73