

Ordinance 2022-53

SHORT TITLE:

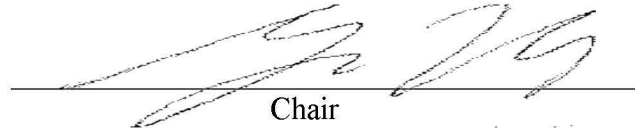
AN ORDINANCE AMENDING PROVO CITY CODE REGARDING TOWING OPERATIONS TO ADD A GRACE PERIOD FOR PATROL TOWS. (22-076)

I
PASSAGE BY MUNICIPAL COUNCIL

ROLL CALL

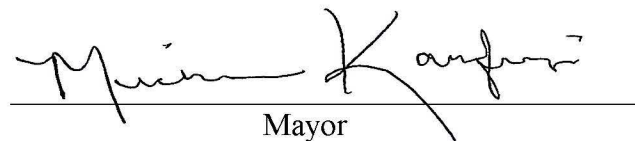
DISTRICT	NAME	FOR	AGAINST	OTHER
CW 1	KATRICE MACKAY	✓		
CW 2	DAVID SHIPLEY	✓		
CD 1	BILL FILLMORE	✓		
CD 2	GEORGE HANDLEY	✓		
CD 3	SHANNON ELLSWORTH	✓		
CD 4	TRAVIS HOBAN	✓		
CD 5	RACHEL WHIPPLE	✓		
TOTALS		7	0	

This ordinance was passed by the Municipal Council of Provo City, on the 13th day of December 2022, on a roll call vote as described above. Signed this 21st day of December 2022.


Chair

II
APPROVAL BY MAYOR

This ordinance is approved by me this 21st day of December 2022.


Mayor

Ordinance 2022-53

III

CITY RECORDER'S CERTIFICATE AND ATTEST

This ordinance was signed and recorded in the office of the Provo City Recorder on the 3rd day of January 2023 and was published on the Utah Public Notice Website on the 15th day of December 2022. I hereby certify and attest that the foregoing constitutes a true and accurate record of proceedings with respect to Ordinance Number 2022-53.



Heidi Allman

City Recorder

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ORDINANCE 2022-53

AN ORDINANCE AMENDING PROVO CITY CODE REGARDING TOWING
OPERATIONS TO ADD A GRACE PERIOD FOR PATROL TOWS. (22-076)

WHEREAS, after review by the Provo City Municipal Council, it has been proposed that Provo City Code Section 9.31.110 (Towing and Parking Enforcement Operations) be amended to add a grace period for patrol tows; and

WHEREAS, on December 13, 2022, the Municipal Council met to ascertain the facts regarding this matter and receive public comment, which facts and comments are found in the public record of the Council’s consideration; and

WHEREAS, after considering the facts presented to the Municipal Council, the Council finds that (i) Provo City Code should be amended as proposed and (ii) such action 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:

Provo City Code Section 9.31.110 (Towing and Parking Enforcement Operations) is hereby amended as shown in Exhibit A.

PART II:

- A. If a provision of this ordinance conflicts with a provision of a previously adopted ordinance, this ordinance shall prevail.
- B. This ordinance and its various sections, clauses and paragraphs are hereby declared to be severable. If any part, sentence, clause or phrase is adjudged to be unconstitutional or invalid, the remainder of the ordinance shall not be affected thereby.
- C. The Municipal Council hereby directs that the official copy of the Provo City Code be updated to reflect the provisions enacted by this ordinance.
- D. This ordinance shall take effect immediately after it has been posted or published in accordance with Utah Code Section 10-3-711, presented to the Mayor in accordance with Utah Code Section 10-3b-204, and recorded in accordance with Utah Code Section 10-3-713.

END OF ORDINANCE.

Exhibit A

9.31.110 Towing and Parking Enforcement Operations.

...

(6) No person may conduct a towing or parking enforcement operation regarding a vehicle located on private property unless:

...

(c) The towing or parking enforcement business employee who conducts, or attempts to conduct, a towing or parking enforcement operation:

...

(iv) Prior to mechanically connecting a vehicle to a tow truck or booting a vehicle, documents, through the use of date- and time-stamped digital photography or digital video, the precise nature of the violation of the private property parking regulations;

(v) If the parking enforcement operation is being conducted pursuant to Subsection (7), waits ten minutes after obtaining the evidence required by Subsection (6)(c)(iv) before booting or mechanically connecting to a tow truck any vehicle that is parked in a marked parking space that is generally available to anyone who has the right to park in that parking lot; (parking spaces that are specifically reserved and clearly labeled for the exclusive use of disabled persons, emergency vehicles, maintenance vehicles, a resident of a particular dwelling unit, or other similar uses are not subject to this requirement); and

(vi) Upon booting a vehicle, places a notice on the driver's door window which indicates:

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