

IMPOUND ORDINANCE
AMENDMENT
GERRISH TOWNSHIP, MICHIGAN
ORDINANCE No. XXX 01-13

An Ordinance to Establish User Fees for the Impounding
of Vehicles or other articles of Personal Property
taken into Possession by Order of the
Gerrish Township Police Department

WHEREAS, MCLA 257.252 et seq. authorizes a police or governmental agency under certain specific circumstances to remove a vehicle from public or private property to a place for safekeeping at the expense of the last-titled owner of the vehicle;

WHEREAS, MCLA 41.806 authorizes a township to adopt such ordinances to secure the public health, safety and general welfare;

WHEREAS, it is necessary to establish an Impound Ordinance governing the fees and charges imposed upon the owners of certain vehicles and other personal property secured by the Gerrish Township Police Department pursuant to statutory authority or township ordinance;

NOW THEREFORE, The Township Board of the Township of Gerrish Ordains:

SECTION I
DEFINITIONS

For the purposes of this Ordinance the following definitions apply:

- 1.1 "Vehicle" – As used in this ordinance, the term "vehicle" shall include but not be limited to mean any vehicle or device designed to be driven upon, or by which any person may ride in or on, or property is or may be transported in or on, upon a public highway or any other place, including a lake, pond or stream, and which is otherwise known as a motor vehicle, car, truck, trailer, trailer coach, travel trailer, motorhome, motorcycle, snowmobile, all-terrain or off-road vehicle, boat, motorboat, or watercraft of any kind, or which may be permitted to be removed pursuant to the Township's Junk Vehicle Ordinance.
- 1.2 "Police Department" – means the Police Department of Gerrish Township, Roscommon County, Michigan
- 1.3 "Registered Owner" – means the person who holds the legal title and/or registration to a vehicle
- 1.4 "Township" – means Gerrish Township, Roscommon County, Michigan

- 1.5 “Personal Property”- means any article of personal property which may be picked up or carried, and not otherwise defined under vehicle, or which may be permitted to be removed pursuant to the township’s Junk and Garbage Ordinance.

SECTION II
FEES

A. Payment of daily impound or storage fees and other applicable charges shall be established by resolution of the Township Board and shall be paid to the Township prior to the release of any vehicle or other articles of personal property taken into possession by order of the Gerrish Township Police Department. In addition and prior to a vehicle or other articles of personal property being released, the owner shall present to the releasing officer a receipt from the wrecker or other moving service, which towed or moved the vehicle or article of personal property, showing that all wrecker or moving charges have been paid.

B. All amounts collected as a result of this Ordinance shall be placed into a fund as established by the Chief of Police to be used exclusively for the administration, maintenance and upkeep of the Impound Lot and implementation of necessary procedures for the auction of abandoned vehicles or personal property as prescribed by statute.

SECTION III
WAIVER OF FEE

The fee in Section II may be waived by the Township in those instances where the vehicle or other articles of personal property was impounded by the order of the Police Department under circumstances where the registered owner did not violate any state, local, or federal law.

This amended Ordinance shall take effect thirty days after publication.

At its Regular Meeting on April 9, 2013, upon motion by Link and second by Homola the Amendments to the Impound Ordinance were approved as presented.

On roll call vote: Yes: Homola, Lippert, Link, Valentino
 No: None
 Absent: Tulgetske

Jodi Valentino, Gerrish Township Clerk