

Legislation Text

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Amending Title 12 of The Philadelphia Code, entitled “Traffic Code,” by permitting the record owner of an impounded vehicle to transfer ownership of the vehicle to the City, in lieu of incurring additional fees and charges for continued storage, revising penalty provisions and making technical changes, all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Title 12 of The Philadelphia Code is hereby amended as follows:

TITLE 12. TRAFFIC CODE

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CHAPTER 12-2400. TOWING AND IMMOBILIZING OF PARKED OR ABANDONED VEHICLES

* * *

§ 12-2405. Removal or Immobilization of Parked Vehicles; Notice.

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(2) When a vehicle is towed pursuant to this Section or other provision of [law] *law*, notice of removal shall be sent within [thirty (30)] *five (5)* days by the Department, or its designated agent, to the owner of record of such vehicle, indicating: (i) the place to which such vehicle has been [removed,] *removed*; (ii) the reason for its removal and [impounding,] *impounding*; (iii) the applicable [fees,] *fees*; (iv) *that within fifteen (15) days of being towed, the owner of record of the vehicle may transfer ownership of the vehicle to the City, and of the date of transfer of said vehicle no additional storage fees will be assessed to the individual*; and (v) the possibility that the vehicle will be sold at public auction if not reclaimed within fifteen (15) days of issuance of notice, except that when a vehicle has been towed as an abandoned vehicle appropriate notice shall be sent to the registered owner by regular mail within seventy-two (72) hours whenever possible. When the Department intends to retain possession of the vehicle pending an investigation, the notice shall so state, and the Department shall issue a subsequent notice of the appropriate time informing the owner that the vehicle may be reclaimed. No notice shall be required of removal by the Department where the owner of the vehicle has

contacted the Department within seventy-two hours of such removal.

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§ 12-2406.1. Fees and Charges.

* * *

(4) *At any point during the first fifteen (15) days of impoundment of a vehicle, under the provisions of this Chapter, the owner of record of such vehicle shall have the option of transferring ownership of the vehicle to the City instead of incurring additional storage fees provided that:*

(a) *Delivery to the Parking Authority (or to such other agency as may be designated by the Department) by first class mail, return receipt requested, by no later than fifteen (15) days after the vehicle was towed, of written notice of intent to relinquish ownership of said vehicle, accompanied by proof of ownership.*

(b) *Payment of all costs, fines and penalties due and owing with respect to the vehicle, including but not limited to title transfer fee, towing costs, and all storage fees that have been incurred during the first fifteen (15) days of impoundment; or a down payment of at least twenty percent (20%) of such moneys and entry into a payment agreement requiring monthly payments not in excess of fifteen percent (15%) of the payee's monthly income.*

[(4)] (5) * * *

[(5)] (6) * * *

[(6)] (7) * * *

[(7)] (8) * * *

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§ 12-2809. Civil Penalties and Costs.

(1) The civil penalties prescribed for parking violations under the Philadelphia Traffic Code, and payable by a person to whom a parking ticket or notice of violation has been issued, are as set forth in subsection 12-2809(2) or 2809(4). Except as provided in subsection 12-2804(8), [the total sum of costs and additional fees payable by] *in the event* a person [who] (i) fails to answer a notice of violation within ten (10) days after the date such notice was issued or within ninety (90) days after issuance of a parking ticket, if ownership information cannot be obtained from a Department of Motor Vehicles, or (ii) *fails to make payment within 10 days of the issuance of an order entered against him* [by a person who,] after a hearing pursuant to

Section 12-2807, [has an order entered against him sustaining the charges is twenty-five (\$25) dollars] *an additional fee of twenty-five (\$25.00) shall be added to the amount due.* In the event that payment is not made within thirty (30) days after entry of a final order determining liability for a parking violation or in the event that a person fails to answer a notice of violation within twenty (20) days after the date of issuance of such notice or fails to appear at a hearing when required to so, an additional fee of thirty (\$30) dollars shall be added to the amount due and a fee shall be charged equal to the cost charged by any state for driver or vehicle information necessary to advance collection of outstanding penalties, costs, fines, and fees.

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SECTION 2. This Ordinance shall become effective within 60 days of becoming law.

Explanation:

[Brackets] indicate matter deleted.

Italics indicate new matter added.