

ORDINANCE NO. 18-11

In the interest of the public health, safety, and welfare, the Common Council of the City of Hudson hereby ordains that Hudson City Code Chapter 235-55 B shall be amended to read as follows:

Section I. Amendment to §235-55B.

B. Towing and/or Immobilizing Illegally Parked Vehicle with Three or More Uncontested and Unpaid Parking Violations.

In addition to the violations described in Section 235-54 above, an owner of an illegally parked vehicle, which has on the date in question, three or more unpaid and uncontested parking violations outstanding, shall be in violation of this Section 235-55 B and shall be subject to forfeitures plus costs for violating Section 235-55B in addition to being issued a parking ticket for the violation described in 235-54. Such vehicle may be ordered to be towed or immobilized by the police department.

Upon the issuance of the third violation, a notice shall be mailed to the owner's last known address, advising the owner that if he or she fails to pay the outstanding forfeitures within ten (10) days, in the event that another parking violation occurs, his or her vehicle shall be subject to being towed or immobilized using an immobilization device, if found illegally parked at any location in the City. In the event that a vehicle is towed or immobilized under this paragraph, the following procedure shall be applied:

1. If the vehicle is immobilized, in addition to the mailed notice of immobilization/towing required below, notice of the immobilization shall also be affixed to the vehicle with instructions that the vehicle owner or operator may go to the Hudson Police Department to arrange for removal of the immobilization device. The Notice shall contain the address of the Hudson Police Department and the information required in Section 235-55 B 2 below.
2. Within 24 hours of the tow or immobilization, notice of the fact of a towing or immobilizing shall be mailed to the vehicle owner's last known address, together with a copy of the citation for violation of this section. The notice shall inform the owner of the following rights: (a) The right to an immediate hearing, to be held within two business days of his or her receipt of the notice, to determine the validity of the tow or immobilization. If a hearing in front of the municipal court judge cannot be scheduled in two business days,

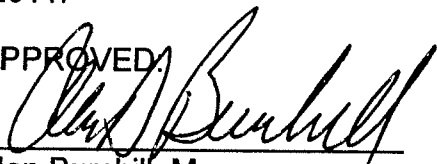
an informal hearing shall be held by the city prosecutor, with de novo review by the municipal court at the next regular session of the municipal court. The sole issue at the hearing shall be whether or not the owner has three outstanding parking violations which remain uncontested and unpaid. (b) The right to re-obtain possession of the vehicle, upon payment of security in the form of a bond, the amount of which shall be equivalent to the total amount of the unpaid forfeitures outstanding against the motor vehicle in question and the towing, storage, and related charges and/or immobilization removal fee listed in the citation, but not to exceed Five Hundred Dollars (\$500.00); (3) Pursuant to the citation, the right to defend the current citation in the manner prescribed by Wisconsin law and the municipal ordinances.

Section II. Severability. Each section, sentence, provision, of this ordinance, or portion thereof is an independent section, and the holding of any section or part thereof to be unconstitutional, void or ineffective for any reasons, shall not be deemed to affect the validity or constitutionality of any other sections or parts thereof.

Section III. Effective Date. This ordinance shall become effective upon adoption by the Council and publication as provided by law.

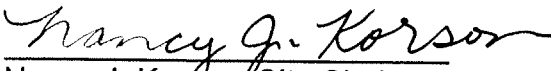
Dated this 3, day of October 2011.

APPROVED:



Alan Burchill, Mayor

ATTEST:



Nancy J. Korson, City Clerk

First reading: --

Date adopted: 10/3/11

Date published: 10/13/11