CITY OF LOGAN, UTAH
ORDINANCE NO. 13-02

AN ORDINANCE AMENDING SECTIONS 10.52.040(A)(9) AND 10.52.290(B)(1)
OF LOGAN MUNICIPAL CODE REGARDING REGULATION OF VEHICLE
IMPOUNDING

WHEREAS, the state legislature has granted general welfare power to the City
Council, independent, apart from, and in addition to, its specific grants of legislative
authority, which enables the City of Logan to pass ordinances as are necessary and proper
to provide for the safety, promote the prosperity, improve the peace and good order,
comfort, and convenience of the City and its inhabitants, and for the protection of
property in the City; and

WHEREAS, the City Council has determined that the following ordinance is in
the City’s best interest;

NOW THEREFORE, BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF
THE CITY OF LOGAN, UTAH, AS FOLLOWS:

SECTION 1:

10.52.040: REGULATION OF VEHICLE IMPOUNDING:

A. Vehicle Impoundment Without Notice: A vehicle may be impounded with or without
citation and without giving prior notice to its owner only under the following
circumstances:

1. The vehicle is impeding or likely to impede the normal flow of vehicular or pedestrian
traffic;

2. The vehicle poses an immediate danger to the public safety;

3. The vehicle is illegally parked within fifteen feet (15') of a fire hydrant;

4. The vehicle, without a valid designated plate or placard issued under state law, is
parked in a stall or space clearly marked and designated for use by disabled persons;

5. A police officer reasonably believes that the vehicle is stolen;

6. A police officer reasonably believes that the vehicle or its contents constitute evidence
of an offense and such impoundment is reasonably necessary to obtain or preserve such
evidence; provided, however, that nothing in this section shall be construed to authorize
the seizure of a vehicle without a warrant where a warrant would otherwise be required;

7. The vehicle was in the possession of a person taken into custody by a law enforcement
officer and no other reasonable disposition of the vehicle is available, or the vehicle was
in the possession of a person arrested for a felony traffic violation;
8. A police officer reasonably believes that the vehicle's operator, in violation of state law, is driving while uninsured or without a valid driver's license and no other reasonable disposition of the vehicle is available; or

9. The vehicle is parked in the public rights of way or on other publicly owned or controlled property in violation of any law, ordinance, or regulation, and there are six (6) or more parking citations issued against the vehicle that have not been responded to, either by payment of the penalty or appearance at a hearing, for at least thirty ninety (930) days from the date of the filing of the sixth parking citation.

10.52.290: STOPPING, STANDING AND PARKING; VIOLATION; PENALTY:

B. Civil Penalties:

1. Civil penalties shall be imposed as follows:

<table>
<thead>
<tr>
<th>Section</th>
<th>Penalty</th>
</tr>
</thead>
<tbody>
<tr>
<td>10.52.010A1</td>
<td>$40.00</td>
</tr>
<tr>
<td>10.52.010A2</td>
<td>45.00</td>
</tr>
<tr>
<td>10.52.010A3</td>
<td>45.00</td>
</tr>
<tr>
<td>10.52.010A4</td>
<td>45.00</td>
</tr>
<tr>
<td>10.52.010A5</td>
<td>45.00</td>
</tr>
<tr>
<td>10.52.010A6</td>
<td>45.00</td>
</tr>
<tr>
<td>10.52.010A7</td>
<td>45.00</td>
</tr>
<tr>
<td>10.52.010A8</td>
<td>45.00</td>
</tr>
<tr>
<td>10.52.010A9</td>
<td>45.00</td>
</tr>
<tr>
<td>10.52.010A10</td>
<td>45.00</td>
</tr>
<tr>
<td>10.52.010A11</td>
<td>45.00</td>
</tr>
<tr>
<td>10.52.010A12</td>
<td>45.00</td>
</tr>
<tr>
<td>10.52.010A13</td>
<td>40.00</td>
</tr>
<tr>
<td>10.52.010A14</td>
<td>40.00</td>
</tr>
<tr>
<td>10.52.010A15</td>
<td>40.00</td>
</tr>
<tr>
<td>10.52.010A16</td>
<td>40.00</td>
</tr>
<tr>
<td>Section Reference</td>
<td>Amount</td>
</tr>
<tr>
<td>-------------------</td>
<td>--------</td>
</tr>
<tr>
<td>10.52.01A17</td>
<td>45.00</td>
</tr>
<tr>
<td>10.52.01A18</td>
<td>45.00</td>
</tr>
<tr>
<td>10.52.01A19</td>
<td>45.00</td>
</tr>
<tr>
<td>10.52.01A20</td>
<td>40.00</td>
</tr>
<tr>
<td>10.52.01A21</td>
<td>45.00</td>
</tr>
<tr>
<td>10.52.020</td>
<td>40.00</td>
</tr>
<tr>
<td>10.52.030</td>
<td>45.00</td>
</tr>
<tr>
<td>10.52.150</td>
<td>45.00</td>
</tr>
<tr>
<td>10.52.160</td>
<td>45.00</td>
</tr>
<tr>
<td>10.52.170</td>
<td>40.00</td>
</tr>
<tr>
<td>10.52.180</td>
<td>40.00</td>
</tr>
<tr>
<td>10.52.190</td>
<td>45.00</td>
</tr>
<tr>
<td>10.52.210</td>
<td>40.00</td>
</tr>
<tr>
<td>10.52.240</td>
<td>40.00</td>
</tr>
<tr>
<td>10.52.260</td>
<td>40.00</td>
</tr>
<tr>
<td>10.52.280</td>
<td>200.00</td>
</tr>
<tr>
<td>17.38.080</td>
<td>40.00</td>
</tr>
</tbody>
</table>

SECTION 2: Effective Date. This ordinance shall become effective upon publication.

PASSED BY THE LOGAN MUNICIPAL COUNCIL, STATE OF UTAH, THIS DAY OF January, 2013.

AYES: [Names]
NAYS: None
ABSENT: [Names]

/s/ Holly Daines, Chair

ATTEST:
/s/ Teresa Harris, City Recorder
PRESENTATION TO MAYOR

The foregoing ordinance was presented by the Logan Municipal Council to the Mayor for approval or disapproval this __ day of January, 2013.

/s/ Holly Daines, Chair

MAYOR'S APPROVAL OR DISAPPROVAL

The foregoing ordinance is hereby approved this __ day of January, 2013.

/s/ Randy Wafts, Mayor
STATE OF UTAH
COUNTY OF CACHE, ss

Civil

PROOF OF PUBLICATION

On this 11th day of December, A.D. 2012 personally appeared before me Monica Christensen who being first being duly sworn, deposes and says that she is the Assistant to the Finance Director of the Cache Valley Publishing Co., publishers of The Herald Journal a daily newspaper published in Logan City, Cache County Utah, and that the Legal Notice, a copy of which is hereto attached was published in said newspaper for 1 issue(s) and that said notice also published on utahlegals.com on the same days(s) as publication in said newspaper

Commencing on the following days:
12/11/2012

[Signature]
Assistant to the Finance Director

Subscribed and sworn to before me on this 11th day of December, A.D. 2012

[Signature]
Commissioned in the State of Utah

My Commission expires August 1, 2015

NOTARY PUBLIC
AMANDA MARIE NYE
600362
COMMISSION EXPIRES
AUGUST 18, 2014
STATE OF UTAH

NOTICE OF PUBLIC HEARING
Logan Municipal Council

The Municipal Council of the City of Logan, Utah will hold a public hearing to consider an amendment to Sections 10.52.040(A)(9) and 10.52.290 (B)(1) of the Logan Municipal Code regarding Regulation of Vehicle Impounding.

Said public hearing will be held Tuesday, January 8, 2013, not before 5:30 p.m. in the Logan Municipal Council Chambers, 290 North 100 West, Logan UT.

Full text of the ordinance is available for inspection at the City Recorder's Office during business hours.

Teresa Harris
City Recorder

Publication date: December 11, 2012
STATE OF UTAH
COUNTY OF CACHE, ss

On this 15th day of January, A.D. 2013 personally appeared
before me Monica Christensen who being first being duly sworn, deposes and says that
she is the Assistant to the Finance Director of the Cache Valley Publishing Co., publishers of The Herald Journal
a daily newspaper published in Logan City, Cache County Utah, and that the
Legal Notice, a copy of which is hereto attached was published in said
newspaper for 1 issue(s) and that said notice also published on utahlegals.com
on the same days(s) as publication in said newspaper.

Commencing on the following days:
01/15/2013

Monica Christensen, Assistant to the Finance Director

Subscribed and sworn to before me on this 15th day of January, A.D. 2013

Amanda Marie Nye, Notary Public
Commissioned in the State of Utah

My Commission expires August 1, 2015

LEGAL NOTICE
LOGAN MUNICIPAL COUNCIL
SUMMARY OF AN ORDINANCE passed by the Logan Municipal Council, Logan, Utah is as follows:

ORD.13-01: An ordinance was adopted and approved January 8, 2013 adopting the Impact Fee Facilities Plan and Written Analysis for Culinary Water, Wastewater, Transportation, Power, Parks and Fire/EMS Impact Fees; Enacting Impact Fees; and establishing a service area for purposes of equitable distribution of the Impact Fee.

ORD.13-02: An ordinance was adopted and approved January 8, 2013 amending Section 10.52.040 of the Logan Municipal Code regarding Regulation of Vehicle Impounding.

These ordinances are effective immediately upon publication. Full text of the ordinances may be reviewed at the Office of the Logan City Recorder, City Hall, 290 North 100 West, Logan, Utah during regular business hours.

Teresa Harris,
City Recorder
Publication Date: January 15, 2013