

ORDINANCE NO. 2023-124

AN ORDINANCE AMENDING CHAPTER 22, ARTICLE VII, SECTIONS 192 and 201(a) OF THE MADISON CITY CODE ENTITLED “ABANDONED, WRECKED, OR INOPERABLE VEHICLES”

WHEREAS, the City of Madison Police Chief has recommended that the City Council amend the maximum time period that abandoned vehicles can remain on City streets from seven days to 48 hours in order to conform with the time period provided in Alabama Code Section 32-13-2(a) of the Code of Alabama (1975);

BE IT ORDAINED by the City Council of the City of Madison, Alabama, that the Madison City Code is hereby amended as follows:

Section 1. Chapter 22, Article VII, Section 192 entitled “Notice” is hereby amended as follows:

- “(a) The code enforcement officer, or the property owner or his agent, shall post a dated notice in a conspicuous place on the abandoned or inoperable vehicle in question stating:*
- (1) That the vehicle has been determined to be abandoned or inoperable and will be removed at the direction of the property owner or his agent upon the expiration of 48 hours from the date of the notice.*
 - (2) The name and address of the last registered owner of the vehicle in question and the name and address of the property owner or his agent and a daytime phone number for the person giving the notice.*
- (b) A copy of the notice shall be mailed by regular mail to the last known address of the registered owner, if ascertainable, on the date of posting or not later than the next business day. Calculation of the 48 hours’ notice period shall commence on the date of posting of the notice on the vehicle.”*

Section 3. Chapter 22, Article VII, Section 193 entitled “Abandoned Junk” is hereby amended as follows:

“The code enforcement officer, the chief of police, or any member of the police department is hereby authorized after the 48 hours notice period to remove or have removed any inoperable motor vehicle or non-motorized vehicle junk which reasonably appears to be lost, stolen, or unclaimed. Any property so taken up and removed shall be stored in a suitable place provided by the city. A permanent record giving the date of the taking of the property, the place where found and taken, and a description of the property shall be kept by the code enforcement officer or the chief of police, as applicable.”

Section 4. Chapter 22, Article VII, Section 201(a) of the Madison City Code under the subsection entitled “Authority of police to remove” is hereby amended as follows:

“Any police officer of the city who finds a motor vehicle which has been left unattended on a public street, road or highway or other property for a period of at least 48 hours shall be authorized to cause such motor vehicle to be removed to the nearest garage or other place of safety.”

Section 3. If any provision of this ordinance, or the application thereof to any person, thing, or circumstances, is held invalid by a court of competent jurisdiction, such invalidity shall not affect the provisions or application of this ordinance that can be given effect without the invalid provisions or application, and to this end, the provisions of this code and such amendments and statutes are declared to be severable.

Section 4. No other provisions of the City Code are amended by this Ordinance, unless specifically stated and referenced herein.

Section 5. This ordinance shall become effective immediately upon its adoption and proper publication as required by law.

READ, PASSED AND ADOPTED this 10th day of April 2023.

Ranae Bartlett, Council President
City of Madison, Alabama

ATTEST:

Lisa D. Thomas, City Clerk-Treasurer
City of Madison, Alabama

APPROVED this ____ day of April 2023.

Paul Finley, Mayor
City of Madison, Alabama