

ORDINANCE NO. 872

AN ORDINANCE AMENDING THE TROUTDALE MUNICIPAL CODE SECTION 10.38.010: IMPOUND.

THE TROUTDALE CITY COUNCIL FINDS AS FOLLOWS:

1. On May 28th, 2019, the Council revised the Troutdale Municipal Code (TMC) Title 10, Vehicles and Traffic, in several respects.
2. That the Council further finds that one section, 10.38.010 (A), which establishes when a vehicle may be towed without prior notice can be impounded, had minor modifications.
3. That it has been requested to add additional situations when a peace officer is permitted to impound a vehicle when he has probable cause to believe a traffic offense was committed.
4. That pursuant to the Oregon Revised Statutes Speed Racing and Reckless Driving are offenses that put persons and property at substantial risk of harm but are not listed in the Impound code as situations where a peace officer, who has probable cause to believe the operator of a vehicle committed one of these offenses, can authorize an immediate impound.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TROUTDALE:

Section 1. In accordance with the findings set forth above, the Troutdale City Council, hereby amends Troutdale Municipal Code, Section 10.38.010 (A) 7, by adding the **bold and underlined** text following d), such that the Section shall read as follows:

“10.38.010 - Impound. In addition to any remedy imposed for violation of this code or state law, a vehicle in violation of this chapter may be impounded as follows:

A. Without Prior Notice. A vehicle may be towed immediately and without prior notice when:

. . .

7. The vehicle was in the possession of a person who a peace officer has probable cause to believe, at or just prior to the time the peace officer stops the person, has committed any of the following offenses:

- a. Driving while suspended or revoked (ORS 811.175 or 811.182);
- b. Driving while under the influence of intoxicants (ORS 813.010);
- c. Operating without driving privileges or in violation of license restrictions (ORS 807.010);
- d. Driving an uninsured vehicle (ORS 806.010).
- e. Speed Racing on a Highway (ORS 811.125)**

f. Reckless Driving (ORS 811.140)

Section 2. This Ordinance shall be effective on the thirtieth day after its adoption.

**YEAS: 7
NAYS: 0
ABSTAINED: 0**



**Randy Lauer, Mayor
Date: October 27, 2021**



**Sarah Skroch, City Recorder
Adopted: October 26, 2021**