

TOW LOTS

§ 72.060 METRO GOVERNMENT TOW LOTS.

The Metro Government tow lot, known as the Vehicle Impoundment Division, shall be under the direction of the Director of Public Works. The Metro Government tow lot shall be maintained and operated on a 24-hour basis and shall have storage facilities to take care of all vehicles towed by Metro Government wreckers and contract wreckers employed by the Director of Public Works or PARC on behalf of Metro Government. The tow lot shall be secured as to preclude tampering with vehicles stored at the tow lot. Tow lot personnel shall exercise reasonable care to prevent damage accruing to any vehicle in their custody.

(1999 Lou. Code, § 75.23) (Lou. Ord. No. 108-1968, approved 5-29-1968; Lou. Am. Ord. No. 207-1988, approved 7-29-1988; Lou. Am. Ord. No. 163-1998, approved 8-4-1998; Lou. Am. Ord. No. 0126-2001, approved 10-12-2001; Lou. Metro Am. Ord. No. 197-2003, approved 10-28-2003; Lou. Metro Am. Ord. No. 64-2005, approved 5-17-2005)

§ 72.061 REMOVAL OF VEHICLE BY OWNER-OPERATOR.

(A) (1) An abandoned or illegally parked vehicle may be removed by the owner or operator of the vehicle at any time prior to being impounded or the vehicle becoming physically attached to a Metro Government wrecker or contract wrecker employed by the Louisville Metro Police Department on behalf of Metro Government.

(2) After a vehicle has been physically attached to a Metro Government wrecker or contract wrecker employed by the Louisville Metro Police Department on behalf of Metro Government, but before the wrecker has left the scene, the owner or operator of the vehicle may take possession of the vehicle unless the vehicle has already been impounded by placement of an immobilization device. The wrecker driver shall issue a release to the owner or operator. Such release shall be in the form of a receipt furnished by the Vehicle Impoundment Division and signed by the driver of the wrecker acknowledging the release of the vehicle from the tow truck before actual towing.

(B) Neither the removal of a vehicle by an owner or operator as referred to in subsection (A)(1) nor the issuance of the release referred to in subsection (A)(2) shall be construed as relieving the owner or operator of any such vehicle from responsibility for any violation of the traffic code with which the owner or operator may be charged.

(1999 Lou. Code, § 75.25) (Lou. Ord. No. 108-1968, approved 5-29-1968; Lou. Am. Ord. No. 70-1978, approved 8-1-1978; Lou. Am. Ord. No. 155-1978, passed 2-13-1979; Lou. Am. Ord. No. 207-1988, approved 7-29-1988; Lou. Am. Ord. No. 235-1988, approved 8-17-1988; Lou. Am. Ord. No. 162-1990, approved 7-16-1990; Lou. Am. Ord. No. 163-1998, approved 8-4-1998; Lou. Am. Ord. No. 0126-2001, approved 10-12-2001; Lou. Metro Am. Ord. No. 197-2003, approved 10-28-2003; Lou. Metro Am. Ord. No. 64-2005, approved 5-17-2005; Lou. Metro Am. Ord. No. 40-2012, approved 3-19-12, effective 5-3-2012)

§ 72.062 TOWING AND CUSTODIAN CARE CHARGES.

(A) A towing charge of \$85 for each hour or fraction of an hour required for towing shall be made for each motor vehicle. Where it is necessary to use more than one wrecker in moving or

recovering a vehicle, an additional charge of \$85 per hour or fraction of an hour shall be assessed for each additional wrecker used. Where it is necessary to use additional equipment in moving or recovering a vehicle, such as a dolly, an additional charge of \$25 shall be assessed for each additional piece of equipment used. However, if the additional wrecker or equipment is furnished by contract wrecker employed by Metro Government for Metro Government or for a private person the charge made shall be the actual cost of the equipment to Metro Government but not less than \$85 per hour or fraction thereof for a wrecker and not less than \$25 per hour or fraction thereof for additional equipment.

(B) The Metro Government tow lot shall charge \$10 as a handling charge on all passenger cars, pick-up trucks, vans and motorcycles plus a storage charge of \$10 for each of the first seven days or fraction thereof the vehicle is retained in storage and a charge of \$5.00 per day for each additional day the vehicle remains in storage.

(C) For all other vehicles, the Metro Government tow lot shall charge \$20 as a handling charge, plus a storage charge of \$15 for each of the first seven days the vehicle is retained in storage and a charge of \$7.50 per day for each additional day the vehicle remains in storage.

(D) The Cabinet Secretary for Public Works and Services shall set all towing charges in writing. The fees set forth in this section are the initial fees and hereinafter the Cabinet Secretary for Public Works and Services may raise the fees no more than 10% each year.

(E) The owner of the vehicle shall pay all charges, including any parking citations that have become final, before the vehicle is released. The Cabinet Secretary, or a named designee, shall collect all towing and storage charges, and citation fees from the owner of any such vehicle. Upon payment of all charges and presentation of proper identification and proof of ownership, the Cabinet Secretary, or a named designee, shall authorize release to the owner, or the owner's authorized designee, of any such vehicle.

(F) The Vehicle Impoundment Division shall account for and remit all charges so collected to the Metro Government Finance Cabinet at least every 72 hours.

(1999 Lou. Code, § 75.26) (Lou. Ord. No. 70-1978, approved 8-1-1978; Lou. Am. Ord. No. 120-1979, approved 9-6-1979; Lou. Am. Ord. No. 71-1980, approved 5-20-1980; Lou. Am. Res. 233, approved 11-14-1980; Lou. Am. Ord. No. 199-1986, approved 6-26-1986; Lou. Am. Ord. No. 207-1988, approved 7-29-1988; Lou. Am. Ord. No. 231-1988, approved 8-17-1988; Lou. Am. Ord. No. 210-1989, approved 8-1-1989; Lou. Am. Ord. No. 160-1990, approved 7-16-1990; Lou. Am. Ord. No. 162-1990, approved 7-16-1990; Lou. Am. Ord. No. 163-1998, approved 8-4-1998, effective 12-1-1998; Lou. Am. Ord. No. 0126-2001, approved 10-12-2001; Lou. Metro Am. Ord. No. 197-2003, approved 10-28-2003; Lou. Metro Am. Ord. No. 64-2005, approved 5-17-2005)

§ 72.063 SUPPLEMENTAL EMERGENCY WRECKER SERVICE.

(A) The Director of Public Works and PARC may contract with independent wreckers and award contracts for independent wreckers to furnish supplementary emergency wrecker services to Metro Government. These services shall be performed on a 24-hour basis in addition to Metro Government wreckers. The Director of Public Works shall determine the necessary qualifications for any independent contract wrecker. The wreckers shall be equipped to perform

the services with efficiency and to conform with the towing charges set forth in writing by the Director of Public Works. The wrecker is to protect Metro Government by furnishing to the Director of Public Works evidence of insurance fully covered as to public liability, property damage, cargo, workman's compensation, and any other insurance necessary in the performance of its duties, in a form and with limits of liability satisfactory to the Director of Works.

(B) Metro Government-owned wreckers shall in all respects be given priority over contract wreckers in responding to PARC enforcement requirements. The Director of Public Works and PARC may utilize contract wreckers only if, at the time wreckers are required by PARC, Metro Government-owned wreckers are in use or otherwise not available to PARC.

(1999 Lou. Code, § 75.27) (Lou. Ord. No. 108-1968, approved 5-29-1968; Lou. Am. Ord. No. 207-1988, approved 7-29-1988; Lou. Am. Ord. No. 163-1998, approved 8-4-1998, effective 12-1-1998; Lou. Am. Ord. No. 0126-2001, approved 10-12-2001; Lou. Metro Am. Ord. No. 197-2003, approved 10-28-2003; Lou. Metro Am. Ord. No. 64-2005, approved 5-17-2005)

§ 72.064 RELEASE OF VEHICLE FROM VEHICLE IMPOUNDMENT DIVISION.

No motor vehicle shall be released by the Vehicle Impoundment Division except on written order from the Cabinet Secretary for Public Works and Services, or a named designee.

(1999 Lou. Code, § 75.30) (Lou. Ord. No. 108-1968, approved 5-29-1968; Lou. Am. Ord. No. 207-1988, approved 7-29-1988; Lou. Am. Ord. No. 232-1988, approved 8-17-1988; Lou. Am. Ord. No. 163-1998, approved 8-4-1998, effective 12-1-1998; Lou. Am. Ord. No. 0126-2001, approved 10-12-2001; Lou. Metro Am. Ord. No. 197-2003, approved 10-28-2003; Lou. Metro Am. Ord. No. 64-2005, approved 5-17-2005)

§ 72.065 REMOVAL OF IMMOBILIZING DEVICE UNLAWFUL.

It is unlawful for any person to attempt or to remove, damage, destroy, or tamper with an immobilizing device affixed to a vehicle by Metro Government or an entity contracted by Metro Government for enforcement of parking regulations on behalf of Metro Government. Vehicles impounded by use of an immobilizing device shall be released in the same manner provided in [§ 72.064](#). To the extent that any conduct declared unlawful under this section also constitutes a violation of any valid and applicable state law, then such unlawful conduct shall be punishable as provided by state law.

(Lou. Metro Ord. No. 40-2012, approved 3-19-12 and effective 5-3-2012) [Penalty, see § 72.999](#)

PARKING CITATION ENFORCEMENT

§ 72.120 PARKING CITATION ENFORCEMENT.

This subchapter may be cited as the "Parking Citation Enforcement Ordinance."

(1999 Lou. Code, § 75.100) (Lou. Ord. No. 244-1997, approved 12-2-1997; Lou. Am. Ord. No. 30-1998, approved 3-2-1998, effective 6-1-1998; Lou. Am. Ord. No. 108-1998, approved 5-29-1998, effective 12-1-1998; Lou. Am. Ord. No. 0126-2001, approved 10-12-2001; Lou. Metro Am. Ord. No. 64-2005, approved 5-17-2005)

§ 72.121 CIVIL ENFORCEMENT.

(A) Metro Government hereby elects to enforce its parking ordinances as civil violations, pursuant to the provisions of KRS 82.605.

(B) Metro Government's parking ordinances shall be enforced pursuant to the procedures set forth in KRS 82.600 through 82.640.

(1999 Lou. Code, § 75.101) (Lou. Ord. No. 244-1997, approved 12-2-1997; Lou. Am. Ord. No. 30-1998, approved 3-2-1998, effective 6-1-1998; Lou. Am. Ord. No. 108-1998, approved 5-29-1998, effective 12-1-1998; Lou. Am. Ord. No. 0126-2001, approved 10-12-2001; Lou. Metro Am. Ord. No. 64-2005, approved 5-17-2005)

§ 72.122 HEARING BOARD ESTABLISHED.

(A) There is established the Parking Citation Enforcement Hearing Board; said Board shall be composed of one or more persons who shall serve a term of one year and shall be appointed by PARC Board President.

(B) Every hearing officer presiding over hearings must meet the following minimal educational and/or experience requirements: Possess the knowledge, skill, and mental development equivalent to the completion of four years of college, preferably with courses in public administration, business administration, communications, counseling.

(C) Every hearing officer presiding over hearings must possess the following knowledge, skills and abilities:

- (1) Working knowledge of the English language, including composition and grammar;
- (2) Working knowledge of the Metro Government ordinances related to parking;
- (3) Working knowledge of standard office practices and procedures;
- (4) Ability to effectively communicate technical information both orally and in writing;
- (5) Ability to deal tactfully with the general public, attorneys, and service providers;
- (6) Ability to prepare concise and factual reports on hearing findings;
- (7) Ability to conduct hearings, obtains, and analyzes necessary information;
- (8) Possession of a valid Kentucky driver's license.

(1999 Lou. Code, § 75.102) (Lou. Ord. No. 244-1997, approved 12-2-1997; Lou. Am. Ord. No. 30-1998, approved 3-2-1998, effective 6-1-1998; Lou. Am. Ord. No. 108-1998, approved 5-29-1998, effective 12-1-1998; Lou. Am. Ord. No. 254-1998, approved 11-17-1998; Lou. Am. Ord. No. 0126-2001, approved 10-12-2001; Lou. Metro Am. Ord. No. 21-2003, approved 2-28-2003; Lou. Metro Am. Ord. No. 64-2005, approved 5-17-2005)

§ 72.123 CITATION OF IMPROPERLY PARKED VEHICLE.

If any motor vehicle is found parked, standing or stopped in violation of parking ordinance enacted by Metro Government, the vehicle may be cited for the appropriate parking violation. The citing officer shall note the vehicle's registration number and any other information concerning the vehicle that will identify it and, if the driver is not present, shall conspicuously affix to the vehicle a notice of the parking violation.

(1999 Lou. Code, § 75.103) (Lou. Ord. No. 244-1997, approved 12-2-1997; Lou. Am. Ord. No. 30-1998, approved 3-2-1998, effective 6-1-1998; Lou. Am. Ord. No. 108-1998, approved 5-29-1998, effective 12-1-1998; Lou. Am. Ord. No. 0126-2001, approved 10-12-2001; Lou. Metro Am. Ord. No. 64-2005, approved 5-17-2005)

§ 72.124 PARKING VIOLATION NOTICE.

(A) The form of the notice of the parking violation shall be designated by Metro Government, but shall contain in substance the following information:

(1) A statement that the notice represents a determination that a parking violation has been committed by the owner of the vehicle and that the determination shall be final unless contested as provided herein;

(2) A statement that a parking violation may result in impoundment of the vehicle for which the owner may be liable for a fine and towing, handling and storage charges or fees;

(3) A statement of the specific parking violation for which the citation was issued;

(4) A statement of the monetary penalty established for the parking violation; and

(5) A statement of the options provided herein for responding to the notice and the procedures necessary to exercise these options.

(B) The notice of parking violation represents a determination that a parking violation has been committed, and such determination shall be final unless contested as provided herein.

(C) "Parking ordinance" means an ordinance regulating parking, standing, or stopping upon the public streets or ways within Metro Government, except for § [72.004](#), which shall be enforced in accordance with state law.

(1999 Lou. Code, § 75.104) (Lou. Ord. No. 244-1997, approved 12-2-1997; Lou. Am. Ord. No. 30-1998, approved 3-2-1998, effective 6-1-1998; Lou. Am. Ord. No. 108-1998, approved 5-29-1998, effective 12-1-1998; Lou. Am. Ord. No. 0126-2001, approved 10-12-2001; Lou. Metro Am. Ord. No. 64-2005, approved 5-17-2005)

§ 72.125 RESPONSE TO NOTICE REQUIRED.

(A) Any person who receives notice of a parking violation shall respond to such notice as provided in this section within seven days of the date of the notice, by either paying the fine set forth in the notice or requesting a hearing pursuant to these procedures.

(B) If the owner of a vehicle cited for a parking violation has not responded to the notice within seven days as provided in subsection (A) of this section, Metro Government shall send a second notice by U.S. mail to the last known address of the registered owner of the vehicle as listed on the certificate of title. Such notice shall state that if the owner of the vehicle does not respond to the notice by either paying the fine or by requesting in writing a hearing pursuant to these procedures within 15 days of the date of the notice, the owner shall be deemed to have waived his or her right to a hearing and the determination that a violation was committed shall be considered final. Any person who fails to request a hearing or pay the fine within the seven days shall be deemed to have refused to pay the fine levied by the citation.

(C) The registered owner of a vehicle at the time the violation occurred shall be liable for all fines, fees and penalties which he or she has refused to pay.

(1999 Lou. Code, § 75.105) (Lou. Ord. No. 244-1997, approved 12-2-1997; Lou. Am. Ord. No. 30-1998, approved 3-2-1998, effective 6-1-1998; Lou. Am. Ord. No. 108-1998, approved 5-29-1998, effective 12-1-1998; Lou. Am. Ord. No. 0126-2001, approved 10-12-2001; Lou. Metro Am. Ord. No. 64-2005, approved 5-17-2005)

§ 72.126 APPEAL FROM NOTICE OF VIOLATION TO PARKING CITATION ENFORCEMENT HEARING BOARD.

(A) Any person cited for a parking violation may contest the determination that a violation occurred by requesting in writing a hearing before the Parking Citation Enforcement Hearing Board. The appellant shall post a bond or make similar payment equal to the amount of the citation along with the written appeal. No less than seven days prior to the date set for the hearing, the Parking Citation Enforcement Hearing Board shall notify the registered owner of the vehicle of the date, time, and place of the hearing. Any person requesting a hearing who fails to appear at the time and place set for the hearing shall be deemed to have refused to pay the fine levied by the citation.

(B) The Parking Citation Enforcement Hearing Board may consider the parking citation and any other written report made under oath by the officer who issued the citation in lieu of the officer's personal appearance at the hearing.

(C) At the hearing, after consideration of the evidence, the Parking Citation Enforcement Hearing Board shall determine whether a violation was committed. Where it has not been established that the violation was committed, an order dismissing the citation shall be entered. Where it has been established that a violation was committed, the Parking Citation Enforcement Hearing Board shall uphold the citation and order the owner to pay the citation within seven days. A copy of such order shall be furnished the owner. Any person ordered to pay the fine who fails to do so within seven days shall be deemed to have refused to pay the fine levied by the citation.

(1999 Lou. Code, § 75.106) (Lou. Ord. No. 244-1997, approved 12-2-1997; Lou. Am. Ord. No. 30-1998, approved 3-2-1998, effective 6-1-1998; Lou. Am. Ord. No. 108-1998, approved 5-29-

1998, effective 12-1-1998; Lou. Am. Ord. No. 0126-2001, approved 10-12-2001; Lou. Metro Am. Ord. No. 64-2005, approved 5-17-2005)

§ 72.127 VIOLATION; APPEAL FROM HEARING BOARD TO DISTRICT COURT.

(A) An appeal from the Parking Citation Enforcement Hearing Board's determination may be made to the Civil Division of Jefferson District Court within seven days of the Board's determination. The appeal shall be initiated by the filing of a complaint and a copy of the Board's order in the same manner as any civil action under the Rules of Civil Procedure. The action shall be tried de novo and the burden shall be upon Metro Government to establish that a violation occurred. If the Court finds that a violation occurred, the owner shall be ordered to pay to Metro Government all fines, fees and penalties occurring as of the date of the judgment. If the court finds that a violation did not occur, Metro Government shall be ordered to dismiss the citation and the plaintiff shall be authorized to recover his costs.

(B) The judgment of the Jefferson District Court may be appealed to the Jefferson Circuit Court, in accordance with the Rules of Civil Procedure.

(1999 Lou. Code, § 75.107) (Lou. Ord. No. 244-1997, approved 12-2-1997; Lou. Am. Ord. No. 30-1998, approved 3-2-1998, effective 6-1-1998; Lou. Am. Ord. No. 108-1998, approved 5-29-1998, effective 12-1-1998; Lou. Am. Ord. No. 0126-2001, approved 10-12-2001; Lou. Metro Am. Ord. No. 64-2005, approved 5-17-2005)

§ 72.128 IMPOUNDMENT OF VEHICLES IMPROPERLY PARKED.

(A) Metro Government may impound a motor vehicle parked, stopped or standing upon a street or public way within its jurisdiction in violation of an ordinance or statute prohibiting parking, stopping or standing in the location, manner or at the time the vehicle is cited or for any other lawful reason.

(B) No vehicle shall be parked on any public way within Jefferson County which vehicle has accumulated three unpaid parking citations which are not under appeal and as to which notice has been issued pursuant to KRS 82.615(2).

(C) Metro Government, in addition to the fines levied for the parking or traffic offense, may by ordinance impose reasonable towing, handling and storage charges upon an impounded vehicle.

(D) Metro Government may condition the release of an impounded vehicle upon the payment of the any outstanding unpaid citations that have become final, towing, handling, and storage charges imposed thereon, unless the owner or other person entitled to possession challenges the validity of the impoundment pursuant to § [72.129](#). A vehicle may be released to the owner or other person entitled to possession only upon proof of ownership or right to possession. Metro Government may require reasonable security, bond, or other assurances of indemnification from a person who is not the registered owner of the vehicle prior to releasing the vehicle to such person.

(1999 Lou. Code, § 75.108) (Lou. Ord. No. 244-1997, approved 12-2-1997; Lou. Am. Ord. No. 30-1998, approved 3-2-1998, effective 6-1-1998; Lou. Am. Ord. No. 108-1998, approved 5-29-1998, effective 12-1-1998; Lou. Am. Ord. No. 0126-2001, approved 10-12-2001; Lou. Metro

Am. Ord. No. 64-2005, approved 5-17-2005; Lou. Metro Am. Ord. No. 40-2012, approved 3-19-12 and effective 5-3-2012)

§ 72.129 APPEAL OF VEHICLE IMPOUNDMENT TO PARKING CITATION ENFORCEMENT HEARING BOARD.

(A) The owner of a motor vehicle that has been impounded pursuant to this section, or other person entitled to possession, may challenge the validity of such impoundment and request in writing a hearing before the Parking Citation Enforcement Hearing Board. The hearing shall be conducted within ten business days of the date of the request, unless the owner or other person entitled to possession waives the limitation or Metro Government shows good cause for such delay. Metro Government shall retain possession of the vehicle pending the hearing, unless the owner or other person claiming right of possession posts a bond in an amount equal to the fines and fees accrued as of the date of the hearing request, or \$150, whichever is less. If the owner or person claiming possession of the vehicle is unable to pay the amount of the bond, the hearing shall be held within 72 hours of the date the request for hearing is received, unless such person requests or agrees to a continuance.

(B) No less than five days prior to the date set for the hearing, Metro Government shall notify the person requesting the hearing of the date, time, and place of the hearing. In the case of a hearing required to be held within 72 hours of the date of the request as provided in § [72.129](#), the person requesting the hearing shall be informed at the time of his or her request, or as soon thereafter as a practicable, of the date and time of the hearing.

(C) Any person who refuses or, except for good cause, fails to appear at the time and place set for the hearing shall be deemed to have conceded on his or her and the owner's behalf the validity of the impoundment.

(D) At the hearing, after consideration of the evidence, the Parking Citation Enforcement Hearing Board shall determine whether the impoundment was valid and reasonable. Where it has not been established that the impoundment was justified, an order releasing the vehicle shall be entered. All fines and fees paid or amounts posted, with the exception of final outstanding citations paid, as bond because of the impoundment of the vehicle shall be returned. Where it has been established that the impoundment was justified, the Board shall uphold the impoundment and condition the release of the vehicle upon payment of all fines and fees accruing thereto. If bond has been posted as security for release of the vehicle, said bond shall be forfeited to Metro Government. Any fines or fees in excess of the amount of the bond posted shall be ordered to be paid by the owner of the vehicle to Metro Government. The Parking Citation Enforcement Hearing Board shall furnish the owner or person appearing on the owner's behalf with a copy of its order.

(E) The Parking Citation Enforcement Hearing Board may consider a parking citation and any other written report made under oath by the issuing officer in lieu of the officer's personal appearance at the hearing.

(1999 Lou. Code, § 75.109) (Lou. Ord. No. 244-1997, approved 12-2-1997; Lou. Am. Ord. No. 30-1998, approved 3-2-1998, effective 6-1-1998; Lou. Ord. No. 108-1998, approved 5-29-1998, effective 12-1-1998; Lou. Am. Ord. No. 0126-2001, approved 10-12-2001; Lou. Metro

Am. Ord. No. 64-2005, approved 5-17-2005; Lou. Metro Am. Ord. No. 40-2012, approved 3-19-12 and effective 5-3-2012)

§ 72.130 IMPOUNDMENT; APPEAL FROM HEARING BOARD TO DISTRICT COURT.

(A) An appeal from the Parking Citation Enforcement Hearing Board's determination may be made to the Civil Division of Jefferson District Court within seven days of the Board's determination. The appeal shall be initiated by the filing of a complaint and a copy of the Board's order in the same manner as any civil action. The action shall be tried de novo and the burden shall be on Metro Government to establish that impoundment was justified. If the Court finds that the impoundment was justified, the owner shall be ordered to pay all fees and fines accruing as of the date of judgment. If the Court finds that the impoundment was not justified, Metro Government shall be ordered to release the vehicle, if applicable, and to return all fines and fees paid as a result of the impoundment and the plaintiff shall be authorized to recover his or her costs.

(B) The judgment of the Jefferson District Court may be appealed to the Jefferson Circuit Court, in accordance with the Rules of Civil Procedure.

(1999 Lou. Code, § 75.110) (Lou. Ord. No. 244-1997, approved 12-2-1997; Lou. Am. Ord. No. 30-1998, approved 3-2-1998, effective 6-1-1998; Lou. Am. Ord. No. 108-1998, approved 5-29-1998, effective 12-1-1998; Lou. Am. Ord. No. 0126-2001, approved 10-12-2001; Lou. Metro Am. Ord. No. 64-2005, approved 5-17-2005)

§ 72.131 IMPOUNDMENT; RESPONSE TO NOTICE REQUIRED.

If within ten business days of impoundment a motor vehicle impounded by Metro Government has not been claimed, or a hearing has not been requested pursuant to these procedures, notice shall be mailed by certified mail to the registered owner, if known and lien holders of record, if any, affording the parties the right within ten days from the date of notice to claim the vehicle or request a hearing pursuant to KRS 82.625. The notice shall state that, if no hearing is requested, the vehicle shall be deemed abandoned unless the charges thereon are paid within 45 days of receipt of notice.

(1999 Lou. Code, § 75.111) (Lou. Ord. No. 244-1997, approved 12-2-1997; Lou. Am. Ord. No. 30-1998, approved 3-2-1998, effective 6-1-1998; Lou. Am. Ord. No. 108-1998, approved 5-29-1998, effective 12-1-1998; Lou. Am. Ord. No. 0126-2001, approved 10-12-2001; Lou. Metro Am. Ord. No. 64-2005, approved 5-17-2005)

§ 72.132 IMPOUNDMENT; ESCHEAT TO METRO GOVERNMENT IF NO RESPONSE TO NOTICE.

(A) After 45 days from the date of notice required by § [72.131](#) an impounded motor vehicle shall be deemed abandoned and the vehicle shall escheat to Metro Government.

(B) If the vehicle is judged suitable for use, Metro Government may obtain a certificate of registration and ownership from the Jefferson County Clerk, pursuant to KRS 186.020 and either use the vehicle for governmental purposes or sell the vehicle at public auction to the highest bidder. If the vehicle is not suitable for use it may be sold for its scrap or junk value.

(1999 Lou. Code, § 75.112) (Lou. Ord. No. 244-1997, approved 12-2-1997; Lou. Am. Ord. No. 30-1998, approved 3-2-1998, effective 6-1-1998; Lou. Am. Ord. No. 108-1998, approved 5-29-1998, effective 12-1-1998; Lou. Am. Ord. No. 0126-2001, approved 10-12-2001; Lou. Metro Am. Ord. No. 64-2005, approved 5-17-2005)

§ 72.133 METRO GOVERNMENT LIEN ON VEHICLES IMPOUNDED.

Metro Government shall possess a lien on a motor vehicle impounded, pursuant to KRS 82.625 for all fines, penalties, and towing, handling, and storage charges and fees imposed thereupon. Such lien shall be superior to and have priority over all other liens thereupon.

(1999 Lou. Code, § 75.113) (Lou. Ord. No. 244-1997, approved 12-2-1997; Lou. Am. Ord. No. 30-1998, approved 3-2-1998, effective 6-1-1998; Lou. Am. Ord. No. 108-1998, approved 5-29-1998, effective 12-1-1998; Lou. Am. Ord. No. 0126-2001, approved 10-12-2001; Lou. Metro Am. Ord. No. 64-2005, approved 5-17-2005)

§ 72.134 NO EFFECT ON SECURITY INTEREST IN VEHICLE.

Nothing in these provisions shall otherwise affect the rights or obligations between the owner of the motor vehicle and those persons who claim a security interest therein.

(1999 Lou. Code, § 75.114) (Lou. Ord. No. 244-1997, approved 12-2-1997; Lou. Am. Ord. No. 30-1998, approved 3-2-1998, effective 6-1-1998; Lou. Am. Ord. No. 108-1998, approved 5-29-1998, effective 12-1-1998; Lou. Am. Ord. No. 0126-2001, approved 10-12-2001; Lou. Metro Am. Ord. No. 64-2005, approved 5-17-2005)