

Order 108A-17/18

Passage: 8-0 (Thibodeau absent) on 11/20/2017

Effective 12/20/2017

ETHAN K. STRIMLING (MAYOR)
BELINDA S. RAY (1)
SPENCER R. THIBODEAU (2)
BRIAN E. BATSON (3)
JUSTIN COSTA (4)

**CITY OF PORTLAND
IN THE CITY COUNCIL**

DAVID H. BRENERMAN (5)
JILL C. DUSON (A/L)
PIOUS ALI (A/L)
NICHOLAS M. MAVODONES, JR (A/L)

**AMENDMENT TO PORTLAND CITY CODE
CHAPTER 28. TRAFFIC AND MOTOR VEHICLES
RE: Disposition of Abandoned Vehicles**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PORTLAND,
MAINE IN CITY COUNCIL ASSEMBLED AS FOLLOWS:**

1. *That Chapter 28, Sections 28-126 is hereby amended to read:*

Sec. 28-126. Disposition of abandoned vehicles.

(a) The licensee shall comply with the procedures set forth in Title 29-A M.R.S.A., Chapter 15, Subchapter III.

(b) In the event of an unclaimed or abandoned vehicle, the licensee's sole remedy shall be as outlined in Title 29-A M.R.S.A., Chapter 15, Subchapter III regarding unclaimed and abandoned vehicles. A licensee may be reimbursed for administrative and legal costs incurred should the vehicle owner seek to re-claim the vehicle. Reimbursement shall be subject to review and approval by the Chief of Police or designee.

(c) A copy of Title 29-A M.R.S.A., Chapter 15, Subchapter III shall be issued to each licensee and shall be available to the public in the city clerk's office.

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Sec. 28-129. Removal of towed vehicle or parts thereof from wrecker's lot.

No vehicle or part or accessory thereof that has been towed by police request shall be removed from the possession or premises of the licensee or owner of the storage area, except in accordance with section 28-103. This shall apply to and include, without limitation, the owner of such vehicle. Nothing herein shall prohibit the licensee from acting in accordance with this article. Upon written application of the owner of a vehicle

being held by the licensee, the chief of police or authorized representative may make suitable arrangements for the retrieval of specified personal effects, property of the registered owner if satisfied that there are exigent circumstances requiring retrieval prior to the owner reclaiming the vehicle. For purposes of this section, "personal effects" includes keys, medications, medical equipment, clothing, mail, child safety seats, and similar items. Except for child safety seats, items attached to the vehicle and business equipment, machinery, and tools are not considered personal effects.