



TO: Mayor and Council

FROM: Steven D. Powers, City Administrator

DATE: September 4, 2012

SUBJECT: Towing Information and Update

Safety Services Area Administrator Seto prepared the following information in response to questions related to a specific incident referenced in a recent Ann Arbor.Com article. The information is our general procedure for handling abandoned vehicles.

In regards to the incident where a resident's two vehicles were impounded while on vacation, I was able to retrieve some information. The incident was initiated as a result of a complaint to dispatch. Almost all abandoned vehicle calls for service are complaint driven. I say almost because there are rare occasions when a Community Standards (C.S.) Officer observes a vehicle that has obviously been abandoned on a public street for a period of time. In these rare instances, a C. S. Officer will tag the vehicle and impound it not removed or relocated. This particular complaint was received on Friday, August 10, 2012. The two vehicles specifically described and complained about were tagged that morning. In addition to tagging the vehicles, the C.S. Officer ran the license plate and discovered that the registered owner's address was not in Ann Arbor. If the vehicles had returned with a local address near the location, the C.S. Officer would have taken the additional step of putting a notice at the residence as well as on the vehicle. This is our routine procedure for tagging vehicles. Although the ordinance allows for impoundment of a tagged vehicle after 48 hours, our internal guideline has been to wait until after 72 hours after tagging. In this particular case, the vehicles were impounded on Monday, August 13, 2012.

To recap, here is an outline of our procedures for dealing with abandoned vehicle incidents:

- Almost all are complaint driven (there are rare occasions when a C.S. Officer observes a vehicle that has obviously been abandoned on a public street for a period of time and they are tagged)
- If the registered owner's address is near where the vehicle has been abandoned, the C.S. Officer will place a notice at the residence as well as on the vehicle.
- Although the ordinance allows for impoundment of a tagged vehicle after 48 hours, our internal guideline has been to wait until after 72 hours.

I have also gathered some data to give a perspective on the perception that we may be too aggressive in our abandoned vehicle enforcement:

- For the calendar year 2012, C.S. has tagged 312 vehicles, of which approximately 35 have been impounded for abandonment. This is 35 out of approximately 1,299 total public property impounds so far this year.
- For the calendar year 2011, there was a total of 2,198 public property tows and only 57 were for abandoned vehicles.
- Abandoned vehicle tows account for a very small percentage of the total number of public property impounds. 2.7% for 2012 thus far. 2.6% for 2011.
- The provision of requiring a vehicle to be tagged for 48 hours (72 hours by our internal procedure) prior to impoundment and our extra efforts to notify vehicle owners if they live near the abandoned vehicle results in a small amount of tagged vehicles that actually get impounded. For the 2012 data shown above, it is about 11%.

Thoughts on some other questions/suggestions raised:

- When someone complains about an abandoned vehicle, do they provide contact information? *Generally yes, it is provided to the Dispatch Operator or to our C.S. Unit. However, if it is refused, we would still respond to the complaint as an anonymous complainant. In the particular case above, contact information was provided.*
- Obligation to mail towing notices to the owner of record. *Since we have an internal guideline of posting an additional notice to the residence of the vehicle owner if they are near the abandoned vehicle, this extra step will create the need for additional staff time and delay in impounding vehicles that need to be removed.*
- Exclusion for parking "near" address of owner of record. *Posting of notices on the residence if they are near the vehicle may serve the same purpose. However, if the resident is out of town, the vehicle may still get impounded. This exclusion may prevent these isolated incidents. However, some of our complaints are specifically directed toward neighbors that take up parking space in front of a neighbor's house and make no consideration to free up the space for the actual home owner. We would have to be very specific on how "near" is defined.*
- Longer grace period. *We can consider a longer internal guideline before we impound a tagged vehicle, but I believe it should be balanced with the complainant's desire to resolve their complaint, which by ordinance and state law is specific to 48 hours.*
- Requirement that owner of property adjacent/across to which auto is parked initiate any complaint. *I believe this is what generally occurs now. I am not aware of any other interested parties that would initiate a complaint unless it involved a vehicle in front of or very near their property. I have not researched and do not have specific data to support this, I am only assuming this from some complainants I speak with about frustrations with neighbor disputes or people coming into their neighborhood to store vehicles.*

Financial Services Area Administrator Crawford continues to be our point person for the transition of towing administration to the County Sheriff. The County intends to issue an RFP in the next couple of days with the goal of implementing contracts with tow companies effective 1/1/13. Between now and 1/1/13, the City's existing public tow pricing and processes, including requiring people to visit the police front desk to pay an administration fee, will remain in place. The process and pricing improvements will take effect on 1/1/13 when the County has new contracts with tow companies in place.

If you have additional questions regarding the City's towing policies and practices or the transition, please contact Seto, Crawford, or me.