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**CITY OF TROY**

**ORDINANCE NO. 2016 - 33**

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**AN ORDINANCE AMENDING TITLE VII, TRAFFIC CODE, CHAPTER 70 -  
GENERAL REGULATIONS, OF THE CODE OF ORDINANCES, TO INCLUDE  
SECTION 70.65 - RIGHT TO POSSESSION OF VEHICLE**

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**ADOPTED BY THE  
CITY COUNCIL OF THE  
CITY OF TROY, ILLINOIS  
THIS 19<sup>th</sup> DAY OF DECEMBER, 2016**

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**Published in pamphlet form by the authority of the City Council of the City of Troy,  
Madison County, Illinois, this 19<sup>th</sup> day of December, 2016.**

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GENERAL REGULATIONS, OF THE CODE OF ORDINANCES, TO INCLUDE  
SECTION 70.65 – RIGHT TO POSSESSION OF VEHICLE**

**WHEREAS**, the Mayor and the City Council of the City of Troy, Illinois, have the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs and protect the public health, safety, and welfare of its citizens; and

**WHEREAS**, the City Council of the City of Troy, Illinois, has reviewed the provisions of the current text of Chapter 70 of the Code of Ordinances and determined that it requires an addition to conform with current legal standards and operational practices; and

**WHEREAS**, the City Council of the City of Troy, Illinois, believes it is beneficial and necessary to protect the safety, health and welfare of the citizens and the peace of the City of Troy, Illinois, to amend Chapter 70 of the Code of Ordinances to allow for lienholders and/or their agents (i.e. towing companies; repossession companies; etc.) to obtain possession of a vehicle that has been impounded by the City of Troy, on the condition that said lienholders and/or their agents execute a hold harmless/indemnification agreement in favor of the City of Troy; and

**WHEREAS**, the City Council of the City of Troy, Illinois, believes it is beneficial and necessary to protect the safety, health and welfare of the citizens and the peace of the City of Troy, Illinois, to amend Chapter 70 of the Code of Ordinances accordingly.

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF  
THE CITY OF TROY, MADISON COUNTY, ILLINOIS, AS FOLLOWS:**

- Section 1.** The recitals set forth above are hereby incorporated herein as if fully set forth.
- Section 2.** Section 70.65 – Right to Possession of Vehicle – is hereby added to Title VII, Traffic Code, Chapter 70 – General Regulations of the Code of Ordinances for the City of Troy, Illinois, as follows:

TITLE VII. Traffic Code

Chapter 70 – General Regulations

Vehicle Seizure and Impoundment.

Section 70-65. Right to Possession of Vehicle.

A lienholder asserting its right to possession of an impounded vehicle pursuant to a conditional sales or loan agreement may obtain immediate release of such vehicle by paying the applicable towing and storage charges and by submitting to the City a photocopy of the conditional sales or loan agreement and title certificate, an affidavit stating that the purchaser is in default of the agreement, and a hold harmless/indemnification agreement executed in favor of the City by an authorized agent of the lienholder.

Section 3: That all other provisions of Chapter 70 of the Code of Ordinances shall remain unchanged and in full force and effect except as specifically amended by this Ordinance.

Section 4: If any section or provision of this Ordinance is declared invalid for any reason, such invalidity shall not affect or impair any of the remaining sections or provisions of this Ordinance which can be given effect without the invalid section or provision, and to this end, the sections and provisions of this Ordinance are declared to be severable.

Section 5: This Ordinance shall be effective upon its passage, signing and publication as required by law.


PASSED by the City Council of the City of Troy, Madison County, Illinois, approved by the Mayor, and deposited in the office of the City Clerk this 19<sup>th</sup> day of December, 2016.

Those voting aye: DeCarli, Hendrickson, Ediamo  
Jackson, Partney and Turner

Those voting nay: \_\_\_\_\_

Those absent: Dyer and Greenfield

APPROVED:

By:   
ALLEN ADOMITE, Mayor  
City of Troy, Illinois

ATTEST:

BY: Jamie Myers  
JAMIE MYERS, Clerk  
City of Troy, Illinois

(SEAL)