

**POLICY NO: 3.9.7**

**ABANDONED VEHICLES – REMOVAL AND DISPOSAL OF**

**OBJECTIVES**

To ensure that, when dealing with apparently abandoned vehicles, the Council is shown to be exercising a firm but fair application of the Legislation when removing vehicles from locations in public places.

**POLICY STATEMENT**

In accordance with the *Local Government Act 1995* the following procedure is for the guidance of Officers when dealing with apparently abandoned vehicles.

**(Refer to Guidelines and Procedures on next page)**

<b>Date Adopted:</b>	<b>8 July 1996</b>
<b>Date Amended:</b>	<b>-</b>
<b>Date Reviewed:</b>	<b>22 July 2003, 13 May 2008</b>
<b>Date of Next Review:</b>	<b>May 2013</b>

## **GUIDELINES AND PROCEDURES FOR ABANDONED VEHICLES – REMOVAL AND DISPOSAL OF – POLICY 3.9.7**

Abandoned or obstructing vehicle complaints are usually lodged with the Council by residents in the area or members of the public. Vehicles can only be removed from a public place if they are parked for a period exceeding twenty-four hours without the written permission of the Chief Executive Officer (Parking Facilities Local Law).

1. Rangers should respond quickly to the initial complaint as abandoned vehicles often cause major traffic problems in congested areas. A full visual inspection should be made by the reporting Ranger. The Apparently Abandoned Vehicle Form should be filled out fully with all relevant information relating to the abandonment.
2. Check with the Police to ascertain if vehicle is stolen. If stolen, do not tow, arrange for the Police to make contact with the owner.
3. If registration plates are missing from the vehicle, obtain engine number and chassis number. These details are to be given to the Police to enable them to try to trace the last known registered owner.
4. Ranger to call at houses/premises in the vicinity in an attempt to trace owner of vehicle. If the owner is found, request removal by a specific date – suggest 7 days is an appropriate time for owner to remove.
5. Vehicle chalk marks to be affixed to the tyres. Re-check after a minimum of twenty four (24) hours. Should the vehicle not have been moved after twenty four (24) hours, the Ranger should affix a Removal Notice in a prominent position (front windscreen). Enter details of vehicle, location, date to be removed by, date removal notice served, on the Notice. Ranger must sign the Notice.
6. Ranger to arrange for a letter to be sent by post or if urgent, by facsimile, to the Department of Transport, 22 Mount Street, Perth, requesting details of the registered owner of the vehicle which has been towed.
7. Follow up complaint after time period of not less than twenty-four (24) hours. If vehicle has not been removed, provided space is available to secure vehicle, contact Towing Company to arrange for its removal to the Council Depot Abandoned Vehicle Compound. Photograph to be taken of vehicle showing twenty four (24) hour sticker in place prior to removal.
8. Vehicle check prior to removal. Ranger to record all details of valuables (for example Radio/Cassette, C.D. Player etc) along with obvious damage to the vehicle on the Abandoned Vehicle Removal form.

9. Ranger should contact Leederville Police Station, requesting a Vehicle of Interest (VOI) record be entered against the vehicle. This can prove invaluable should the owner of the vehicle subsequently contact the Police to report it stolen.
10. Ranger to arrange for a letter to be sent to the last known registered owner of vehicle with notification of impounding details and including the following information:
  - (i) The clause or section of the legislation along with a brief explanation of the offence;
  - (ii) Where and during what times the vehicle may be collected;
  - (iii) A statement to the effect that the owner must pay costs associated with the impounding and keeping of the vehicle;
  - (iv) That the City is empowered to sell or otherwise dispose of uncollected vehicles after a period of 2 months; and
  - (v) That the City may, after taking into account the revenue obtained from the sale of the vehicle, recover any shortfall in the costs of impounding, keeping and disposing of the vehicle from the owner in a Court of competent jurisdiction
11. All details of vehicles impounded and taken to the City of Vincent Abandoned Vehicles Compound to be entered into the Impounding Register provided for that purpose.

These details must include:

  - the time and date impounded;
  - description of the vehicle; and
  - the location from which it was removed.
12. The Ranger must arrange to exhibit, on the Public Notice Board at the Administration and Civic Centre, a notification that a vehicle has been impounded. This notice must contain all relevant details and must be displayed for a period of not less than seven (7) days, unless the owner of the vehicle removes it from the Abandoned Vehicle Compound prior to the expiry of the seven (7) day period.
13. Prior to vehicle release, the Ranger should obtain from the collecting owner/agent the following:
  - Vehicle release form – this can be collected from the Administration and Civic Centre after payment of the outstanding costs. This should show the following details:
  - **Cost of Removal –**  
Costs associated with removal, impoundment and retention are included in the City's Annual Budget and should be charged in all cases.

- Proof of ownership (registration certificate) of the vehicle
- Driver's Licence details; and
- Where the person collecting the vehicle is not the owner, a letter of authority from the registered owner.

#### **NO MONEY TO BE ACCEPTED AT THE DEPOT**

14. Following the release of a vehicle from the Abandoned Vehicle Compound, the Ranger releasing it must enter all details of the release in the Impounding Register.
15. If an owner fails to respond to written notification of removal of a vehicle or responds that he is no longer the owner, the vehicle becomes available for sale by tender or auction after a period of 2 months.

#### **SALE OF UNCOLLECTED ABANDONED VEHICLES**

16. Where a vehicle has been kept in the Abandoned Vehicle Compound in accordance with the provisions of the Local Government Act 1995, and has not been recovered by the owner or persons entitled to it within two months from the day upon which notice was given to the owner of the vehicle as prescribed in paragraph 10 of this Policy, the Senior Ranger may:
  - Place a notice in a The West Australian newspaper, offering the vehicle for sale by public tender; and
  - After the closure date, accept any or none of the tenders made.
  - Recommend, in the form of a Council Agenda Report, how the vehicles should be disposed of. (The CEO has Delegated Authority of approve.)
17. Where no tender is made for the purchase of the vehicle, or where a tender has been rejected, the Chief Executive Officer/City Clerk may dispose of the vehicle in a manner acceptable to the Council (Delegated Authority). In practice, a scrap metal merchant will remove these vehicles at no charge, provided that there are more than four (4) vehicles to be removed.

**OBSTRUCTING VEHICLE PURSUANT TO  
PARKING FACILITIES LOCAL-LAW**

DATE: \_\_\_\_\_ YARD No.: \_\_\_\_\_

The following vehicle has been removed to the City of Vincent Depot and is currently located within the secured compound.

A NOTICE WAS AFFIXED TO THE VEHICLE ON \_\_\_\_\_

VEHICLE DETAILS	
MAKE/MODEL:	_____
REG No/VIN No:	_____
COLOUR:	_____ C/R EXPIRY DATE: _____
CURRENT LOCATION:	_____
COMPLAINANT:	_____
ADDRESS:	_____
PHONE No (H)	_____ (W) _____

OWNERSHIP DETAILS	
NAME:	_____
ADDRESS:	_____
SUBURB/CITY:	_____ POSTCODE: _____
PHONE No (H)	_____ (W) _____

DATE OF IMPOUNDING: \_\_\_\_\_

IMPOUNDING RANGER \_\_\_\_\_ DATE \_\_\_\_\_

**for JOHN GIORGI  
CHIEF EXECUTIVE OFFICER**

Police Stolen Check: \_\_\_\_\_ (Date) \_\_\_\_\_ Hrs (Time)

Vehicle Marked: \_\_\_\_\_ (Date) \_\_\_\_\_ Hrs (Time)

Vehicle Rechecked: \_\_\_\_\_ (Date) \_\_\_\_\_ Hrs (Time)

Listed as stolen by Police **YES/NO** Chalk Marks Clearly Visible **YES/NO**

Removal Notice Affixed: \_\_\_\_\_ (Date) \_\_\_\_\_ Hrs (Time)

Vehicle Removed by owner **YES/NO**

Vehicle Towed to: \_\_\_\_\_ (Location)

on \_\_\_\_\_ (Date) at \_\_\_\_\_ Hrs (Time)

Police VOI Request to: \_\_\_\_\_ (Station)

on \_\_\_\_\_ (Date) at \_\_\_\_\_ Hrs (Time)

Police VOI Cancelled at: \_\_\_\_\_ (Station)

on \_\_\_\_\_ (Date) at \_\_\_\_\_ Hrs (Time)

## Vehicle Check

1. Radio/Cassette
2. Radio
3. Cassette
4. CD Player


5. Wheels on Vehicles
6. Doors Secure
7. Boot Secure


Valuables or other items visible in vehicle: \_\_\_\_\_

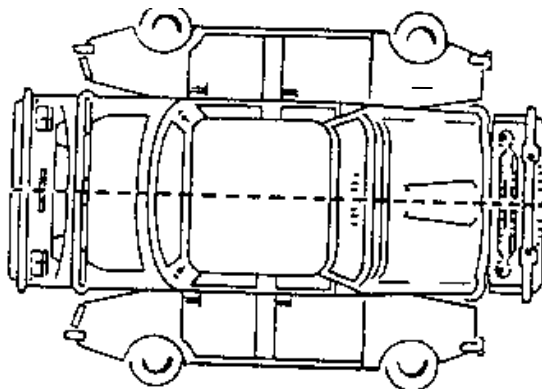
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Front

**External Damage to Vehicle**

Comments: \_\_\_\_\_

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