

COUNCIL ACTION FORM

SUBJECT: IMMEDIATE TOWING OF ILLEGALLY PARKED VEHICLES ON DATES DESIGNATED BY CITY COUNCIL

BACKGROUND:

For several years, the Police Department has observed an increase in alcohol consumption, illegal parking, nuisance parties, and other high-risk activities on the Saturday before Iowa State University classes begin. This phenomenon began many years ago when alcohol was prohibited in fraternities and sororities during the week leading up to the start of classes. The prohibition ended at 8:00 A.M. on the Saturday before classes began. At 8:01 A.M. (801 day) some students chose to begin drinking.

In the late 2010s, these behaviors on the Saturday before classes began to grow beyond a small segment of the ISU population. The date has increasingly become a destination for people from outside Ames and is no longer limited to ISU students. Complaints from residents in the area have also grown.

In 2021, City leadership, ISU leadership, and both the Ames and ISU Police Departments began to discuss ways to refocus the event in a way to reduce harm, reduce noise complaints, reduce parking complaints, etc. The unofficial event of 801-day is being transitioned to an official ISU event, **Cyclone Welcome Weekend**. The University has created several activities to take the focus off alcohol use and overuse and steer activities towards community events and safer alternatives.

An additional strategy resulting from these discussions is a focus on immediately removing vehicles that have been illegally parked on residential streets and have become a safety hazard. Illegal parking on residential streets has increased to the point that in some cases emergency vehicles are unable to travel down the street safely due to cars parked on both sides. The current penalty for this kind of illegal parking is \$10-\$15. This amount has not been a sufficient deterrent to the illegal parking that creates a safety hazard. In addition, a parking ticket does not relieve the safety issue until the violator decides to move the vehicle; except in rare instances, the Police Department is not authorized to order an illegally parked vehicle to be towed immediately.

To provide a deterrent to illegal parking and to address instances of it on certain days in a more timely manner, the City Council has directed staff to draft an ordinance authorizing immediate towing of specified types of illegally parked vehicles on certain days and in certain areas designated in advance by the City Council. Staff has prepared an ordinance, which has been attached to this report.

The ordinance provides that the City Council can, by Resolution, specify the dates and geographic area of the city where immediate towing will be authorized, and also specify the type of parking violations subject to immediate towing. The ordinance also makes clear that the passage of such a Resolution does not prevent the immediate towing of vehicles when they would otherwise normally be subject to immediate towing, such as blocking traffic or access, or presenting a public-safety risk.

The draft ordinance does not extend the immediate towing of illegally parked vehicles to other parking circumstances (e.g., Game Day Parking violations, overtime violations, etc.) If the City Council wishes to address those types of circumstances, staff can be directed to add them to this ordinance at a later time.

ALTERNATIVES:

1. Approve first reading of an ordinance authorizing immediate towing of illegally parked vehicles on designated dates/times as passed by resolution by City Council.

The City Council should note that Cyclone Welcome Weekend is August 19-21, 2022. Therefore, staff recommends that the City Council suspend the rules and approve the ordinance on second and third readings at this time. This will allow City staff to prepare an item for the meeting on July 26 that will authorize immediate towing for illegal parking on Cyclone Welcome Weekend in a specified area, and provide sufficient time to advertise and educate residents about the changes.

2. Do not pass the ordinance.

CITY MANAGER'S RECOMMENDED ACTION:

The increase of illegal parking puts the public at risk by making it difficult for emergency vehicles to respond to medical calls, fire calls, and law enforcement calls for service. The City and University have worked very hard over the past year to create an event to welcome students to Ames (Cyclone Welcome Weekend) and to deter others from attending who create this hazard.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1 as described above.

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF AMES, IOWA, BY ENACTING A NEW SECTION 18.34 IMMEDIATE TOWING BY RESOLUTION OF CITY COUNCIL THEREOF, FOR THE PURPOSE OF ALLOWING IMMEDIATE TOWING OF ILLEGALLY PARKED VEHICLES, REPEALING ANY AND ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT TO THE EXTENT OF SUCH CONFLICT; PROVIDING A PENALTY; AND ESTABLISHING AN EFFECTIVE DATE.

BE IT ENACTED, by the City Council for the City of Ames, Iowa, that:

Section One. The Municipal Code of the City of Ames, Iowa shall be and the same is hereby amended by enacting a new Section 18.34 Immediate Towing by Resolution of City Council as follows:

“18.34 IMMEDIATE TOWING BY RESOLUTION OF CITY COUNCIL

The City Council may establish by Resolution that vehicles parked unlawfully in violation of any parking ordinance are subject to immediate towing. The Resolution shall specify the types of parking violations for which immediate towing is authorized and list the dates and the geographic area of the city where immediate towing of unlawfully parked vehicles is authorized. The vehicle towing will be in addition to any other penalty. Such a Resolution being in effect does not prevent the immediate towing of a vehicle that is blocking traffic or access, or is presenting a public safety risk, or towing for any other reason for which an immediate tow might normally be necessary.”

Section Two. Violation of the provisions of this ordinance shall constitute a municipal infraction punishable as set out by law.

Section Three. All ordinances, or parts of ordinances, in conflict herewith are hereby repealed to the extent of such conflict, if any.

Section Four. This ordinance shall be in full force and effect from and after its passage and publication as required by law.

Passed this _____ day of _____, _____.

Diane R. Voss, City Clerk

John A. Haila, Mayor

