

SPONSOR: Janet Venecz
Councilwoman at Large

ORDINANCE NO. 9414

AN ORDINANCE TO CREATE A NEW SECTION OF TITLE VII, CHAPTER 72 TO PROHIBIT BOOTING OF MOTOR VEHICLES

WHEREAS, within the borders of the City of Hammond there exist many commercial parking lots owned by private parties who choose to use “booting” to enforce parking regulations; and

WHEREAS, the City of Hammond, in the interest of public safety, health and welfare wishes to restrict the use of “booting” in the City of Hammond as vehicles “booted” cannot be moved quickly in cases of emergency, become a permanent barrier hindering public safety vehicles, a target for vandalism and theft, restrict the available parking in violation of zoning requirements for parking, and prohibit the removal of snow and debris from parking areas by becoming permanent impediments; and

WHEREAS, the Hammond Police Department is forced to frequently respond to calls for service concerning “booted” vehicles which serves as a drain on emergency services for citizens of the City of Hammond; and

WHEREAS, vehicles found to be parked illegally or parked without the consent of the property owner in commercial parking lots, may be removed from the location by means of towing, which does not create the hazard of permanently stationary vehicles in available parking area; and

THEREFORE BE IT ORDAINED by the Common Council of the City of Hammond, Indiana that Title VII, Chapter 72 of the Hammond Municipal Code is expanded as follows:

**AN ORDINANCE TO CREATE A NEW SECTION OF TITLE VII, CHAPTER 72
TO PROHIBIT BOOTING OF MOTOR VEHICLES**

72.08X BOOTING OF VEHICLES PROHIBITED

Definitions:

“Boot” or “Booting” means the act of placing on a parked motor vehicle any mechanical device that is designed to be attached to a wheel or tire or other part of such vehicle so as to prohibit the vehicle’s usual manner of movement. The term includes any installation, adjustment or removal of an Immobilization device.

“Motor vehicle” means every vehicle which is propelled by a motor.

“Commercial parking lots” means a tract of land which is used for the parking of motor vehicles or any other lot which contains parking spaces in conformity with all City zoning and building requirements for parking spaces. City of Hammond property and right of way shall not be considered Commercial parking lots.

In the interest of Public Safety, it is illegal to place a boot upon on any motor vehicle parked in any Commercial parking lot in the City of Hammond and a boot shall be removed immediately for no charge from any motor vehicle if the vehicle is previously booted. Any property found to be in violation of this Ordinance shall be in violation of this section and each separate occurrence is a separate offense. Penalty Section 72.999

THEREFORE, BE IT FURTHER ORDAINED that if any part of this ordinance shall be held invalid by a court of competent jurisdiction, the remainder thereof shall not be affected.

BE IT FURTHER ORDAINED by the Common Council that this Ordinance shall be in full force and effect from and after its passage by the Common Council, signing by the President thereof, and approval by the Mayor.

ADOPTED AND APPROVED BY the Common Council of the City of Hammond, Indiana, this 29th day of May, 2018.

Janet Venecz, President
Hammond Common Council

**AN ORDINANCE TO CREATE A NEW SECTION OF TITLE VII, CHAPTER 72
TO PROHIBIT BOOTING OF MOTOR VEHICLES**

ATTEST:

Robert J. Golec, City Clerk /s/
City of Hammond, Indiana

PRESENTED BY ME, the undersigned City Clerk of the City of Hammond, Indiana, to the Mayor, for approval and signature, this 30th day of May, 2018.

Robert J. Golec, City Clerk /s/
City of Hammond, Indiana

The foregoing Ordinance No. 9414 consisting of three (3) typewritten pages, including this page, was APPROVED AND SIGNED BY ME, the undersigned Mayor of the City of Hammond, Indiana, this 30th day of May, 2018.

Thomas M. McDermott, Jr., Mayor /s/
City of Hammond, Indiana

PASSED by the Common Council on the 29th day of May, 2018 and approved by the Mayor on the 30th day of May, 2018.

Robert J. Golec, City Clerk /s/
City of Hammond, Indiana