



Sheridan Police Department
Policies and Procedures
18.3 Replaces 404.1
Chapter 18 – Traffic

Section 3 – Parking Enforcement & Abandoned Vehicles

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Signature:

Parking violations shall be enforced impartially and with the best interest of the community in mind.

18.3.1 General Information

- A. It shall be the responsibility of all patrol officers to take enforcement action against parking violators observed during the normal course of their duties and to properly respond to complaints of illegally parked vehicles.
- B. Police officers shall enforce parking regulations in accordance with the state law and city ordinances.
- C. Consistency in enforcement will provide a better understanding by the general public as to the basis for and circumstances in which parking ordinance violations are enforced by the Sheridan Police Department.
- D. Impartiality in enforcement will provide a better acceptance by the general public of parking violation enforcement by the Sheridan Police Department.
- E. If an illegally parked vehicle is located, the officer may:
 - 1. Attempt to locate the owner and have the owner remove the vehicle;
 - 2. Issue a warning or parking citation;
 - 3. Cause the vehicle to be towed away when it presents a hazard or meets the criteria for an abandoned vehicle.
- F. It is understood that there may exist incidents or circumstances not covered under this policy and every violation presents a unique set of circumstances that will require officers to consider all facets of their training and experience when selecting the proper course of action to take.

18.3.2 Parking Violations

For the purposes of defining policy, parking violations can best be grouped into these areas:

- A. Violations which represent a hazardous condition, a public nuisance, or a prior moving violation. This area represents an area where citing a violator may be more appropriate than warnings.
 - 1. Hazardous Violations
 - a. Parking in an area restricted for emergency access:
 - i. Fire lanes;
 - ii. Too close to a fire hydrant.
 - b. Corner parking;
 - c. Parking to obstruct the view or flow of traffic; and
 - d. Other violations that may cause a serious incident to occur or that otherwise pose a potential threat to public safety.

2. Public Nuisance
 - a. Parking in residential areas that block access;
 - b. Alley parking in commercial areas that block access;
 - c. Parking on sidewalks where pedestrian traffic is blocked forcing the pedestrian to use the street.
3. Prior Moving Violations

Violations such as left wheels to the curb generally mean that the violator had to drive down the wrong side of the roadway. To regain access to the roadway, the driver must again drive down the wrong travel lane.
- B. Violations which do not represent a hazard, a prior moving violation, or a public nuisance
 1. The violations in this area do not represent violations in which public safety or convenience is threatened.
 2. Violations in this area require that sound and fair judgment be used.
 3. Included in this area are:
 - a. Parking on the curb but not obstructing pedestrian flow;
 - b. Parking too far from the curb but not causing a hazardous situation;
 - c. Parking in a yellow zone where no extraneous factors exist and none are likely to exist;
 4. In these areas, enforcement action, other than warnings, is not appropriate unless prior warnings have been given without success or it is necessary to cite to effectively control a situation.
- C. Unauthorized parking violations on private property.
 1. Parking in places that are posted “no unauthorized parking” by the property owner. Violations of this nature represents an area where citing the violator is more appropriate than warnings.
 2. Parking in areas that are not posted, but the owners or representative requests that violators be removed. In these incidents, enforcement action other than warnings is not appropriate, unless prior warnings have been issued, or it is necessary to cite to effectively control the situation.
- D. Handicapped parking
 1. Officers are to enforce violations of the handicapped parking ordinance.
 2. State law provides authority to enforce this violation in private parking lots. Wyoming Statute 31-5-501.
- E. Snow Removal Emergency

Upon declaration of a snow emergency by the mayor or his designee, department employees will assist in removing parked vehicles from designated snow emergency routes. Sheridan City Ordinance 16.25.1.

18.3.3 Towing Abandoned Vehicles

- A. Any officer who has reasonable grounds to believe that a vehicle has been abandoned may remove the vehicle (Wyoming Statute 31-13-104). A vehicle is presumed to be abandoned if it is left unattended on a highway for more than twenty-four (24) hours after a notice of intent to impound has been placed on it.
- B. During the summer months, from May 1st through September 30th, no vehicle shall be considered abandoned for purposes of Wyoming Statutes 31-13-101 through 31-13-114 unless

it has been left unattended for seventy-two (72) hours after a notice of intent to impound has been placed on it per city ordinance 11-13.

- C. Removal of abandoned vehicle from highway:
 - 1. When a vehicle is suspected of being abandoned, an officer shall place a notice of intent to impound abandoned vehicle label on the vehicle.
 - 2. If the abandoned vehicle sticker does not obtain the desired result, the officer will attempt to identify and contact the owner for resolution of the issue prior to towing the vehicle.
 - 3. After the time required in A or B above, the towing officer will complete the Sheridan Police Department impounded vehicle report as well as the enforcement agency section of the abandoned motor vehicle report FSAV-203.
 - 4. The vehicle shall be towed to and impounded at the responding tow company impound lot.
 - 5. The officer shall retain the goldenrod copy of the abandoned motor vehicle report (MVAV-203) for the records division. The rest of the copies go to the Sheridan County Sheriff.
- D. It shall be the policy of the Sheridan Police Department not to tow abandoned vehicles from private property. Private property owners have the right to have the vehicles removed at their own expense. Citizens do have an additional remedy pursuant to Wyoming State Statute 31-13-109.
- E. Towed vehicles may be claimed at the appropriate towing company.
- F. Unclaimed vehicles will be disposed of through the process outlined in State Statute 31-13-109.

18.3.4 Vehicle Towing

- A. Officers have been granted the authority to tow vehicles. Wyoming State Statute 31-5-508 provides that an officer may tow a vehicle if it is obstructing traffic or otherwise deemed to be a hazard, is believed to be stolen, or upon the custodial arrest of the driver.
- B. Officers may also tow a vehicle as part of a criminal investigation if the vehicle contains evidence or if the vehicle itself is a piece of evidence.
- C. During street closures for special events, it is the responsibility of the permit holder to remove any vehicles that they desire to be towed. Officers may provide reasonable assistance in an attempt to have the owner remove the vehicle.
- D. Officers should consider other options rather than towing when possible. Other options may include;
 - 1. Allowing the vehicle to remain legally parked;
 - 2. Allowing another individual to safely remove the vehicle upon the owner's request.
- E. Officers shall refrain from towing vehicles when the drivers have been issued a citation for a violation of law but not placed into custody, unless clearly articulable circumstances exist that necessitate the removal of the vehicle. Supervisor permission shall be required in such circumstances.

18.3.5 Vehicle Inventory

- A. The department recognizes that during the course of business it may be necessary to tow certain vehicles. In an attempt to protect personnel and the public against injury or damage due to hazardous substances contained in the vehicle, to protect personal property in the

vehicle, and to protect the department against false claims of vehicle damage or loss of property, all vehicles towed at the direction of the department shall be inventoried.

- B. Every vehicle towed by the Sheridan Police Department will be inventoried using the Sheridan Police Department Vehicle Inventory Report prior to removal by the wrecker service.
 - 1. All compartments and containers within the vehicle will be inventoried. The inventory shall include documenting contents by location (under driver's seat, in glove box, in trunk, etc.)
 - 2. Officers are to document the vehicle's condition on the impound sheet including apparent damage, accessories, and missing equipment or parts.
- C. Documentation of vehicle's contents:
 - 1. Officers shall never inventory a vehicle without their BWC recording.
 - 2. Items with an apparent value of \$100.00 or more, will be specifically noted and listed on the inventory report.
 - 3. Numerous bundled items (tools in a toolbox, clothing in luggage, garbage, groceries, etc....) may be listed as one item on the inventory form and may additionally be captured by photograph or body worn camera footage..
 - 4. When a vehicle's interior is in extreme disarray with garbage and clutter to the extent it prohibits a detailed inventory- the condition shall be noted on the inventory and recorded by either photograph or body worn camera footage.
 - 5. In rare occasions items of extreme value may be located in a vehicle which could cause an increased potential for theft to occur once outside the officer's custody. Officers may consider seizing these high valued items and holding them for safekeeping in the department's evidence. These items will be documented on the inventory report as "removed" and logged into the department's record system as safekeeping.
- D. If during the course of the inventory procedure contraband is observed, the contraband shall be seized, processed as evidence and case documentation presented for prosecution.