

Chapter 375

PROCEDURE ON ARREST

Section 375.010. Forms and Records of Traffic Citations and Arrests.

- A. The City shall provide books containing uniform complaint and summons as prescribed by Supreme Court Rule. Said books shall include serially numbered sets of citations in quadruplicate in the form prescribed by Supreme Court Rule.
- B. Such books shall be issued to the Chief of Police or his/her duly authorized agent, a record shall be maintained of every book so issued, and a written receipt shall be required for every book. The judge or judges hearing City ordinance violation cases may require that a copy of such record and receipts be filed with the court.
- C. The Chief of Police shall be responsible for the issuance of such books to individual members of the Police Department. The Chief of Police shall require a written receipt for every book so issued and shall maintain a record of every such book and each set of citations contained therein.

Section 375.020. Procedure of Police Officers.

Except when authorized or directed under State law to immediately take a person before the Municipal Judge for the violation of any traffic laws, a Police Officer who halts a person for such violation other than for the purpose of giving him/her a warning or warning notice and does not take such person into custody under arrest shall issue to him/her a uniform complaint and summons which shall be proceeded upon in accordance with Supreme Court Rule Number 37.

Section 375.030. Uniform Complaint and Summons To Be Issued When Vehicle Illegally Parked or Stopped.

Whenever any motor vehicle without driver is found parked or stopped in violation of any of the restrictions imposed by ordinance of the City or by State law, the officer finding such vehicle shall take its registration number and may take any other information displayed on the vehicle which may identify its user and shall conspicuously affix to such vehicle a uniform complaint and summons for the driver to answer to the charge against him/her within five (5) days during the hours and at a place specified in the uniform complaint and summons.

Section 375.040. Warning of Arrest Sent Upon Failure To Appear.

If a violator of the restrictions on stopping, standing or parking under the traffic laws or ordinances does not appear in response to a uniform complaint and summons affixed to

such motor vehicle within a period of five (5) days, the Violations Bureau shall send to the owner of the motor vehicle to which the uniform complaint and summons was affixed a letter informing him/her of the violation and warning him/her that in the event such letter is disregarded for a period of five (5) days, a warrant of arrest will be issued.

Section 375.050. Police May Remove Vehicle—When.

- A. Members of the Police Department are authorized to remove a vehicle from a street or highway to the nearest garage or other place of safety, or to a garage designated or maintained by the Police Department, or otherwise maintained by the City under the circumstances hereinafter enumerated:
 - 1. When any vehicle is left unattended upon any bridge, viaduct or causeway or in any tube or tunnel where such vehicle constitutes an obstruction to traffic;
 - 2. When a vehicle upon a highway is so disabled as to constitute an obstruction to traffic and the person in charge of the vehicle is by reason of physical injury incapacitated to such an extent as to be unable to provide its custody or removal; or
 - 3. When any vehicle is left unattended upon a street and is so parked illegally as to constitute a definite hazard or obstruction to the normal movement of traffic.
- B. Whenever an officer removes a vehicle from a street as authorized in this Section and the officer knows or is able to ascertain from the registration records in the vehicle the name and address of the owner thereof, such officer shall immediately give or cause to be given notice in writing to such owner of the fact of such removal and the reasons therefor and of the place to which such vehicle has been removed. In the event any such vehicle is stored in a public garage, a copy of such notice shall be given to the proprietor of such garage.
- C. Whenever an officer removes a vehicle from a street under this Section and does not know and is not able to ascertain the name of the owner, or for any other reason is unable to give the notice to the owner as hereinbefore provided, and in the event the vehicle is not returned to the owner within a period of three (3) days, then and in that event the officer shall immediately send or cause to be sent a written report of such removal by mail to the State department whose duty it is to register motor vehicles and shall file a copy of such notice with the proprietor of any public garage in which the vehicle may be stored. Such notice shall include a complete description of the vehicle, the date, time and place from which removed, the reasons for such removal, and the name of the garage or place where the vehicle is stored.