

**CITY OF EL PASO, TEXAS
AGENDA ITEM
DEPARTMENT HEAD'S SUMMARY FORM**

DEPARTMENT: Police

AGENDA DATE: April 3, 2018

CONTACT PERSON/PHONE: Assistant Chief Z. Silva 212-4306

DISTRICT(S) AFFECTED: All

STRATEGIC GOAL: NO. 2: Set the Standard for a Safe and Secure City

SUBJECT:

An ordinance to amend Title 12 (Vehicles & Traffic), Chapter 12.54 (Towing Regulations and Fees), Section 12.54.020, to amend the maximum fees that may be charged within the City for non-consent tows.

BACKGROUND / DISCUSSION:

On February 3, 2017, a tow fee study request, pursuant to City Code Chapter 12.54 Section 12.54.050 was received by the Chief of Police. As a result of the tow fee study in the City of El Paso, the police department presented the recommendation to City Council on April 4, 2017 to increase the maximum fee for light duty tows pursuant to Chapter 1254 Section 12.54.020 from \$81.00 to 85.46 as based on the Consumer Price Index.

SELECTION SUMMARY:

N/A

COMPENSATION ANALYSIS:

PROTEST

- ☐ Protest Received
- ☒ No Protest Received

COUNCIL REPRESENTATIVE BRIEFING:

Was a briefing provided? Yes X or No
If yes, select the applicable districts.

- ☐ District 1
- ☐ District 2
- ☐ District 3
- ☐ District 4
- ☐ District 5
- ☐ District 6
- ☐ District 7
- ☐ District 8
- ☒ All Districts

PRIOR COUNCIL ACTION:

Approved by Council on April 4th, 2017

AMOUNT AND SOURCE OF FUNDING:

CITY CLERK DEPT.
2018 MAR 28 PM1:52

BOARD / COMMISSION ACTION: N/A

*****REQUIRED AUTHORIZATION*****

DEPARTMENT HEAD:

A/C 3 Sih 1798

ORDINANCE NO. _____

AN ORDINANCE TO AMEND TITLE 12 (VEHICLES & TRAFFIC), CHAPTER 12.54 (TOWING REGULATIONS AND FEES), SECTION 12.54.020, TO AMEND THE MAXIMUM FEES THAT MAY BE CHARGED WITHIN THE CITY FOR NONCONSENT VEHICLE TOWS; AND TO AMEND SECTION 12.54.050 TO LIMIT REQUESTS FOR TOWING FEE STUDIES TO ONCE EVERY THREE YEARS, UNLESS THE TOWING FEE COMPANY ASSUMES THE COSTS ASSOCIATED WITH THE STUDY.

WHEREAS, pursuant to Section 2308.202 of the Texas Occupations Code, the City has the authority to regulate the fees that may be charged in connection with a nonconsent tow originating in the City of El Paso; and

WHEREAS, the City conducted a tow fee study in the City of El Paso and desires to amend the nonconsent tow fee for the towage of vehicles with a manufacturer's gross vehicle weight of not more than 10,000 pounds; and

WHEREAS, the City Council finds that the fee to be established by this ordinance is authorized by the Texas Occupations Code; and

WHEREAS, the towing fee studies take an average of six months to a year to develop surveys, request back-up documentation, conduct market research, develop costs analysis, and provide final recommendations;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

Section 2. That Section 12.54.020 (A) (1) of the El Paso City Code is amended as follows:

Section 12.54.020 Maximum fee Schedule

- A. The maximum fee that a tow company may charge for nonconsent tow service including the cost of the clean-up of debris left by the vehicle, regardless of the type of truck used is:
 - 1. Light Duty Tows- \$100.00 for towage of a vehicle with a manufacturer's gross vehicle weight rating of not more than 10,000 pounds and the clean-up of debris and cargos; or

Section 12.54.050 – Towing fee studies

E. Towing fee studies may not be requested more than once every three years, unless the towing fee company assumes all costs associated with the study.

Section 5. This ordinance shall take effect on _____.

Section 6. Except as herein amended, Title 12 of the El Paso City Code shall remain in full force and effect.

ADOPTED THIS ____ day of _____, 2018.


CITY OF EL PASO

Dee Margo, Mayor


ATTEST:

Laura D. Prine
City Clerk

APPROVED AS TO FORM:


Oscar G. Gabaldón, Jr.
Assistant City Attorney

APPROVED AS TO CONTENT:


Gregory K. Allen
Chief of Police