

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

DEPARTMENT: Police

AGENDA DATE: December 13, 2011

CONTACT PERSON/PHONE: John R. Batoon, Assistant City Attorney, 541-4550

DISTRICT(S) AFFECTED: All

SUBJECT: An Ordinance to amend Title 12 (Vehicles and Traffic), Chapter 12.54 (Towing Regulations and Fees) to amend Section 12.54.060 (Fees for Police Ordered Towing Services – Impoundment) to add a section providing for an impoundment fee as allowed by state law; the penalty being as provided in Section 12.84.010B of the El Paso City Code

BACKGROUND / DISCUSSION: Fee schedule for the city-owned towing facility.

PRIOR COUNCIL ACTION:

Has the Council previously considered this item or a closely related one?

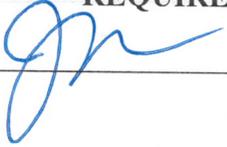
N/A

AMOUNT AND SOURCE OF FUNDING: N/A

BOARD / COMMISSION ACTION:

Enter appropriate comments or N/A N/A

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

LEGAL: (if required)  **FINANCE:** (if required) _____

DEPARTMENT HEAD: _____

(Example: if RCA is initiated by Purchasing, client department should sign also)
Information copy to appropriate Deputy City Manager

AN ORDINANCE TO AMEND TITLE 12 (VEHICLES AND TRAFFIC), CHAPTER 12.54 (TOWING REGULATIONS AND FEES) TO AMEND SECTION 12.54.060 (FEES FOR POLICE ORDERED TOWING SERVICES – IMPOUNDMENT) TO ADD A SECTION PROVIDING FOR AN IMPOUNDMENT FEE AS ALLOWED BY STATE LAW; THE PENALTY BEING AS PROVIDED IN SECTIONS 12:54.040 AND 12.84.010 OF THE EL PASO MUNICIPAL CODE.

WHEREAS, the City is operating a city-owned vehicle storage facility; and

WHEREAS, the City desires to set a reasonable impoundment fee as allowed by state law in order to recover the cost for the provision of impoundment services provided by the City; and

WHEREAS, the City Council finds that the fee to be imposed by this ordinance is reasonable and as allowed by state law.

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

Section 1. That Section 12.54.060 of the El Paso Municipal Code is amended as follows:

Section 12.54.060 Fees for police ordered towing services - impoundment.

The following definitions shall apply in this section.

- A. In any case where a vehicle other than a vehicle owned by the City of El Paso is released from a licensed vehicle storage facility or a vehicle storage facility owned by the City after being towed to the facility pursuant to a police ordered tow, and fees are collected from the vehicle owner, an additional twenty-dollar fee shall be collected and remitted to the police department on behalf of the city to defray the costs associated with the police ordered towing of the vehicle.

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- B. In any case where a vehicle other than a vehicle owned by the City of El Paso is towed to a vehicle storage facility owned by the City, an impoundment fee of twenty dollars shall be collected from the vehicle owner prior to release.
- C. The fees collected by a licensed vehicle storage facility shall be remitted on a quarterly basis, on or before the fifteenth day of months of January, April, July and September of each year and provide the vehicle identification number (VIN) of each vehicle for which the fee required under this section is being remitted.
- D. Each licensed vehicle storage facility shall include the documentation required under this section for the collection and remittance of the city's fee with the documentation required to be made available to a police officer in the city under Title 43, Chapter 18 of the Texas Administrative Code.

ADOPTED THIS _____ day of _____ 2011.

CITY OF EL PASO

John F. Cook, Mayor

ATTEST:

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:



John R. Batoon
Assistant City Attorney

APPROVED AS TO CONTENT:

Gregory K. Allen
Chief of Police

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