

## ORDINANCE NO. 2014-5

### AN ORDINANCE AMENDING CITY CODE APPENDIX A: FEE SCHEDULE; ARTICLE A4.10 VEHICLE TOWING, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Bastrop ("City"), in conjunction with the City of Bastrop Police Department, has determined that the maximum fees for nonconsent tows should be adjusted in accord with industry standards, and that such fee, as adjusted, are necessary and appropriate at this time.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS:

PART 1: That Article A4.10 "Vehicle Towing" in Appendix A: Fees of the City Code shall be, and it is hereby, amended as follows:

#### Sec. A4.10.011 Fees for nonconsent tows

(a) Maximum towing fees:

(1) Regular towing charge (for vehicles not requiring the use of heavy-duty wrecker) for vehicles 10,000 pounds or less: \$150.00.

(2) If medium duty or heavy-duty wrecker is used to tow vehicles in excess of 10,000 pounds: \$300.00.

(b) The following additional fees may be charged if verified by the peace officer in charge of the accident scene:

(1) Exceptional labor such as clearing debris: \$75.00 per hour. Exceptional labor does not include normal hook-up procedure or routine cleanup not to exceed 30 minutes, and does not include the disposal of classified hazardous waste or vehicle cargo.

(2) Winching, one-hour minimum, only if normal hook-up is not possible because of conditions or location of vehicle: \$75.00 per hour.

(3) Wait time: \$ 35.00 per hour, if it exceeds 30 minutes from time of arrival at the accident scene.

(4) Flat fee of \$100.00 per hour for use of medium duty or heavy-duty wrecker, if it exceeds 30 minutes from time of arrival.

(5) If an additional operator is required to complete a tow, the second operator may charge a fee of \$35 an hour. When possible, a single tow operator shall be utilized by towing companies.

(c) These fees shall be all-inclusive, and there will be no additional charge to a vehicle owner. If there is a dispute regarding the appropriate fees, the chief of police shall make a determination of the correct charges for the services provided. These maximum fees apply only to nonconsent towing services. Consensual towing service fees are not regulated by the city.

(d) Towing fee Study: towing company(ies) requesting a towing fee study from the City shall deposit with the City Manager \$500.00 prior to the City beginning the study.

PART 2: This amendment to Appendix A: Fee Schedule supersedes any contrary provisions previously adopted by the Council. Any provisions of Appendix A of the Code of the City of Bastrop that are not amended hereby shall remain in full force and effect.

PART 3: This Ordinance shall take effect upon the date of final passage noted below, or when all applicable hearing and publication requirements, if any, are satisfied in accordance with the City's Charter, Code of Ordinances, and the laws of State of Texas.

READ AND ACKNOWLEDGED on **FIRST READING** the 8<sup>th</sup> day of April, 2014.

PASSED AND ADOPTED on **SECOND READING** this 22<sup>nd</sup> day of April, 2014.



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Terry Orr, Mayor

ATTEST:



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Elizabeth Lopez, City Secretary