

ORDINANCE NO.

AN ORDINANCE AMENDING CITY CODE CHAPTER 9-1 (ABANDONED PROPERTY AND VEHICLES) TO AUTHORIZE THE CITY MANAGER TO AUTHORIZE DESIGNATED EMPLOYEES TO REQUEST FROM THE POLICE DEPARTMENT THE REMOVAL AND IMPOUNDMENT OF ABANDONED VEHICLES IN ACCORDANCE WITH STATE LAW.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. Subsection (B) of City Code Section 9-1-3 (*Adoption of State Law; Nuisance Abatement*) is amended to read:

§ 9-1-3 ADOPTION OF STATE LAW; NUISANCE ABATEMENT

(B) The City may abate a nuisance, take custody of a vehicle, and dispose of a vehicle as provided in Chapter 683 (*Abandoned Motor Vehicles*) of the Texas Transportation Code and Section 2308.354 (*Authority for Removal of Vehicle from Public Roadway*) of the Texas Occupations Code.

PART 2. City Code Section 9-1-8 (*Notice Before Impoundment of an Abandoned Motor Vehicle*) is amended to read:

(A) Not later than 48 hours before impounding an abandoned motor vehicle under this chapter, ~~an [police officer or a civilian]~~ employee designated by the chief of police ~~or the city manager~~ shall securely affix a visible, dated, brightly colored notice to the vehicle. The police chief ~~or the city manager designee, as applicable~~, shall maintain a record of the date and time each notice is affixed.

(B) Proof that the motor vehicle was not removed from the public or private property after the notice was attached to the vehicle is *prima facie* proof in any court that:

(1) the vehicle was left unattended and abandoned for the period of time between the affixing of the notice and the impounding of the motor vehicle; and

(2) the owner of the vehicle allowed the motor vehicle to remain at the place where the motor vehicle was impounded for the period of time between the affixing of the notice and the impounding of the motor vehicle.

(C) In areas where the City regulates on-street parking, and after providing notice under Subsection (A), an employee designated by the chief of police or the city manager is authorized to request from the police department the removal and impoundment of a vehicle that is parked legally and:

(1) has been unattended for more than 48 hours; and

(2) the employee has reasonable grounds to believe the vehicle is an abandoned motor vehicle.

PART 3. This ordinance takes effect on _____, 2025.

PASSED AND APPROVED

_____, 2025

888

Kirk Watson Mayor

APPROVED: _____

Deborah Thomas
City Attorney

ATTEST: _____

Erika Brady
City Clerk