



# City of Austin

## Recommendation for Action

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**File #:** 25-2598, **Agenda Item #:** 68.

12/11/2025

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### **Posting Language**

Approve an ordinance amending Exhibit A to the Fiscal Year 2025-2026 City Fees, Fines and other Charges Ordinance (Ordinance no. 20250813-004) to come into compliance with Occupation Code 2308.002 for non-consent private property towing fees for vehicles less than 10,000 lbs. in the Austin Police section of the fee schedule. Funding: no fiscal impact.

### **Lead Department**

Austin Police.

### **Fiscal Note**

No fiscal impact.

### **For More Information:**

Robin Henderson, Chief of Staff, Austin Police (512) 974-5030.

### **Additional Backup Information:**

Amending the non-consent private property towing fee for vehicles less than 10,000 lbs. from \$275 to \$272 will ensure compliance with the maximum allowable rate per Occupation Code 2308.002. Under Occupations Code 2308.25(d), there must be a contract between the property owner and the tow company for the tow company to enforce parking restrictions on the property. Austin Police does not receive any portion of fees collected for non-consent private property tows; therefore, the City does not account for these fees during budget development and there is no fiscal impact.

State law permits cities to regulate non-consent tow fees so long as the fee set by the city does not exceed the maximum amount set by the state. The City has historically included a non-consent private property tow fee in its fee schedule because the City set a lower fee than the state maximum. This change brings the City's maximum allowed fee in line with the state maximum for non-consent private property tows: \$272.