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**ORDINANCE NO.**

**AN ORDINANCE AMENDING CITY CODE CHAPTER 13-7 (VEHICLE IMMOBILIZATION SERVICES) TO PROHIBIT VEHICLE IMMOBILIZATION SERVICE AND OPERATORS FROM CHARGING A SECURITY DEPOSIT FOR A BOOT AND TO AUTHORIZE VEHICLE IMMOBILIZATION SERVICES AND OPERATORS TO USE BOOTS THAT MAY BE REMOVED BY THE VEHICLE OWNER OR OPERATOR AND DEPOSITED IN AN ON-SITE, WELL-LIT RECEPTACLE FOLLOWING PAYMENT OF THE IMMOBILIZATION FEE.**

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

**PART 1.** Subsection (B) of City Code Section 13-7-6 (*Receipt for Payment of Immobilization Fee, And Outstanding Parking Fees*) is amended as follows:

- (B) A licensee or permittee, either personally or through an employee or agent, is prohibited from charging or imposing any of the following:
- (1) more than the maximum fee allowed by this chapter for vehicle immobilization; [ø€]
  - (2) any fee in addition to the fees authorized in this chapter, including any fee to process a payment made by a vehicle owner or operator in the form of an electronic check, debit card, other electronic payment platform, or major credit card[-]; or
  - (3) a security deposit for a boot.

**PART 2.** City Code Section 13-7-42 (*Requirements for Installation and Removal of a Boot*) is amended as follows:

**§ 13-7-42 REQUIREMENTS FOR INSTALLATION AND REMOVAL OF A BOOT.**

- (A) A licensee or permittee, either personally or through an employee or agent, is required to:
- (1) install at least one boot on a tire located on the driver's side of the vehicle when immobilizing a vehicle;
  - (2) either:
    - (i) remove the boot, in exchange for the vehicle immobilization fee, not later than one hour after the time the owner or operator

35 of the vehicle contacts the licensee responsible for installation  
36 of the boot to request removal of the boot; or

37 (ii) immediately send a code, signal, communication, or other  
38 remote means of unlocking the boot to the vehicle owner or  
39 operator via smartphone or other similar device, in exchange for  
40 the vehicle immobilization fee, that will enable the vehicle  
41 owner or operator to self-remove the boot if the owner or  
42 operator of the vehicle wants to remove the boot themselves;  
43 however, the licensee or permittee must remove the boot within  
44 one hour in exchange for the vehicle immobilization fee, as  
45 required in subsection (A)(2)(i), if the vehicle owner or operator  
46 requests the licensee remove the boot;

47 (3) waive the amount of the fee for removal of a boot, excluding any  
48 associated parking fees, if the licensee fails to have the boot removed  
49 within the time prescribed by subsection (A)(2)(i);

50 (4) remove a boot without charge to the vehicle owner or operator, or to  
51 the parking lot owner, if the removal is requested before the boot is  
52 completely installed and a conspicuous notice has been adhered to the  
53 front windshield or driver's side window of the vehicle at the time of  
54 immobilization as required under Section 13-7-44 (*Notification of*  
55 *Vehicle Owner*);

56 (5) remove a boot upon the order of a peace officer or parking  
57 enforcement officer; and

58 (6) wear high-visibility retro-reflective safety apparel when installing or  
59 removing a boot.

60 (B) A licensee responsible for the installation of more than one boot on a vehicle  
61 may not charge a total amount for the removal of the boots that is greater  
62 than the amount of the fee for the removal of a single boot.

