

**Jean Birmingham Council
Chambers, City Hall**
401 South Alamo
Marshall, TX 75670
903-935-4421



Members
Amy Ware, District 4 - Mayor
Risa Jordan-Anderson, District 1
Leo Morris, District 2
Dathaniel Campbell, District 3
Reba Godfrey, District 5
Amanda Abraham, District 6
Micah Fenton, District 7

PLEASE SILENCE ALL DEVICES REGULAR CITY COUNCIL MEETING

**July 9, 2026
6:00 PM**

1. Call to Order and Roll Call

2. Invocation and Pledges

3. Presentations & Proclamations

A. Presentation of the Employee of the Month - July. (Employee Engagement Committee)

4. Citizen Comments

Texas Government Code, Sec. 551.007 requires that a governmental body must allow each member of the public who desires to address the body regarding an item on the agenda the opportunity to do so before or during the body's consideration of the item. The "Citizens Comments" portion of the meeting meets the requirements of this law and is the public's opportunity to speak on any item on the agenda. Those who wish to speak are requested to fill out a public comment form and will have three (3) minutes to speak unless additional time has been requested.

5. Items to be Withdrawn From Consent Agenda

6. Consent Agenda

The items on the Consent Agenda require little or no deliberation by the Council. Approval of the Consent Agenda authorizes the City Manager or his designee to proceed with conclusion of each in accordance with staff recommendations, a copy of which is filed with the minutes of the meeting. A Councilmember may remove items from the Consent Agenda by making such request prior to a motion and vote on the Consent Agenda.

A. Consider approval of the minutes from the June 25, 2026, Regular City Council Meeting. (City Secretary)

7. Consideration of Items Withdrawn From the Consent Agenda

8. Ordinance

A. **O-26-15** Consider approval of amendments to the Wrecker Ordinance. (Police)

B. **O-26-16** Consider approval of an ordinance amending ordinance O-25-15 Comprehensive Fee Schedule. (City Secretary)

9. Resolution

A. **R-26-12** Consider approval of a resolution updating and amending Resolution R-12-14. (Councilmember Godfrey, City Manager, City Secretary)

- B. **R-26-13** Consider approval of a resolution of the City Council of the City of Marshall, Texas, establishing the maximum fees that may be charged by holders of an emergency wrecker license for police-authorized or non-consent towing, recovery, and storage services; providing for enforcement; and providing an effective date.

10. Executive Session

- A. An Executive Session pursuant to the Open Meetings Act, Chapter 551 of the Texas Government Code under Section 551.074 Personnel Matters: Review candidates for the position of Municipal Judge.

11. Action Item Following Executive Session

- A. Consider action regarding discussion from the executive session.

12. Adjournment

Posted: July 2, 2026
5:00 PM
N. Smith

This meeting will be conducted in accordance with the Americans with Disabilities Act. Requests for sign interpretive services will be available with at least 72-hour notice prior to the meeting. To make arrangements for these services, please call the City Secretary's Office at 903-935-4446.



TO: City Council
DATE: July 9, 2026
ITEM #: 3.A
SUBJECT: Presentation of the Employee of the Month - July.
(Employee Engagement Committee)

Recommendation for Action:

Executive Summary:

Focus Area(s):

Budget Cost:

Staff Contact:

Attachments: None



TO: City Council
DATE: July 9, 2026
ITEM #: 6.A
SUBJECT: Consider approval of the minutes from the June 25, 2026, Regular City Council Meeting. (City Secretary)

Recommendation for Action: Motion to approve the minutes from the June 25, 2026, Regular City Council Meeting.

Executive Summary: Minutes from the June 25, 2026, Regular City Council Meeting.

Focus Area(s): Improving Communication

Budget Cost: N/A

Staff Contact: Nikki Smith, City Secretary

Attachments: 1. 6.25.26 City Council Regular Meeting Minutes

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Members
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Micah Fenton, District 7

MINUTES
PLEASE SILENCE ALL DEVICES
REGULAR CITY COUNCIL MEETING
June 25, 2026
6:00 PM

1. Call to Order and Roll Call

Mayor Amy Ware called the Regular meeting to order in the Council Chambers, City Hall at 6:00 PM.

PRESENT:

Mayor and Council Members:

Mayor Amy Ware
Councilmember Reba Godfrey
Councilmember Amanda Abraham
Councilmember Dathaniel Campbell
Councilmember Risa Jordan-Anderson

ABSENT: Councilmember Leo Morris **Motion to Excuse: Ware Second: Godfrey Vote: 4:0**

Councilmember Micah Fenton **Motion to Excuse: Ware Second: Godfrey Vote: 4:0**

ADMINISTRATIVE STAFF PRESENT:

Greg Smith, City Manager	Cliff Carruth, Police Chief
Scott Rectenwald, City Attorney	Nikki Smith, City Secretary
Lisa Pepi, Finance Director	
Doug Box, Interim Public Works Director	
Randy Pritchard, Support Services Director	
Cheryl Carpenter, Community Engagement	
Reggie Cooper, Neighborhood Code Enforcement Director	
Alex Agnor, Asst. City Manager/Econ. Dev. & Strat. Init. Director	
Tom Forrest, Interim Planning and Development Services Director	

Councilmember Campbell arrived at this point in the meeting.

2. Invocation and Pledges

Mayor Ware

3. Presentations & Proclamations

A. Recognition of the June Yard of the Month winners.

Reggie Cooper, Neighborhood Code Enforcement Director, recognized the June 2026 Yard of the Month recipients; residential property Allen & Aunie Lewis, 1105 Calloway, and the commercial property Julie Simmons CPA, located at 314 S. Lafayette.

4. Citizen Comments

Texas Government Code, Sec. 551.007 requires that a governmental body must allow each member of the public who desires to address the body regarding an item on the agenda the opportunity to do so before or during the body's consideration of the item. The "Citizens Comments" portion of the meeting meets the requirements of this law and is the public's opportunity to speak on any item on the agenda. Those who wish to speak are requested to fill out a public comment form and will have three (3) minutes to speak unless additional time has been requested.

There were no citizen comments.

5. Items to be Withdrawn From Consent Agenda

There were no items withdrawn from the Consent Agenda.

6. Consent Agenda

The items on the Consent Agenda require little or no deliberation by the Council. Approval of the Consent Agenda authorizes the City Manager or his designee to proceed with conclusion of each in accordance with staff recommendations, a copy of which is filed with the minutes of the meeting. A Councilmember may remove items from the Consent Agenda by making such request prior to a motion and vote on the Consent Agenda.

Councilmember Jordan-Anderson made a motion to approve the Consent Agenda.

Councilmember Abraham seconded the motion, which passed by a vote of 5:0.

- A. Consider approval of the minutes from the May 28, 2026, Regular City Council Meeting. (City Secretary)
- B. Consider approval of the minutes from the June 11, 2026, Regular City Council Meeting. (City Secretary)
- C. Consider approval of the reappointment of Richie Arnold and Brooke LaBouve to the Planning and Zoning Commission.

7. Consideration of Items Withdrawn From the Consent Agenda

There were no items withdrawn from the Consent Agenda.

8. Public Hearing & Ordinance

9. Ordinance

- A. Consider an ordinance authorizing the issuance and sale of Combination Tax and Revenue Certificates of Obligation, Series 2026, for water and wastewater system improvements; levying an annual ad valorem tax and providing for the security and

payment of said certificates; approving an official statement; providing an effective date; and enacting other provisions relating to the subject.

Lisa Pepi, Finance Director, provided a recap of what the funding is planned to be used for, that the plan is to issue \$35 million to be received around July 21st. The funding will be from the water/wastewater revenue and a property tax levy. Lisa Pepi discussed the reason for moving forward with the issuance now is for projects to move forward. The WSIG funds will still be applied for, and if received will be applied to projects.

Lisa Pepi introduced John Martin, Hilltop Securities, who provided a booklet of information and highlighted various areas including the rating report from S&P Global of AA—, the financing results and market conditions, the Bond Buyer Index, and sources and uses of funds. The Fiscal Year information was reviewed, and John Martin noted Lisa Pepi asked for look into changing the time frame to have an eight (8) year call on the bonds, which would save the city money. The breakdown for the \$35 million was stated to be \$20 million from I&S and \$15 million from water and sewer revenue.

Mayor Ware made a motion to adopt the ordinance authorizing the issuance and sale of City of Marshall Combination Tax and Revenue Certificates of Obligation, Series 2026 and approving all matters incident thereto. Councilmember Jordan-Anderson seconded the motion, which passed by a vote of 5:0.

10. Resolution

11. Action Items for City Council Consideration

- A. Consider and accept the Independent Auditor's Report for the fiscal year ended December 31, 2025.

Lisa Pepi stated the deadline for filing the audit is within 180 days of the fiscal year-end, which would be June 29, 2026, for the City of Marshall. Lisa Pepi stated we are meeting that deadline with this item and thanked her staff for their handwork in getting the audit ready.

Lisa Pepi introduced John Manning, Pattilo, Brown & Hill, LLP, who provided key financial highlights and the audit performance and results. John Manning stated his firm provided an unmodified opinion of the 2025 fiscal year audit, with no findings or issue noted.

Councilmembers asked about the finding from previous years, which was the timely reconciliation of cash. The reconciliation is better and staff is working on processes and working with the bank for additional services that can be provided.

Mayor Ware noted the legislative session change requiring the audit to be filed within 180 days of the fiscal year-end and stated that it was a big deal that we are in compliance to avoid any penalties.

Mayor Ware made a motion to accept the Independent Auditor's Report for the fiscal year ended December 31, 2025. Councilmember Abraham seconded the motion, which passed by a vote of 5:0.

12. Discussion and Reports for City Council Consideration and Direction

13. Executive Session

Councilmember Abraham made a motion to convene into Executive Session. Councilmember Jordan-Anderson seconded the motion, which passed by a vote of 5:0. The time was 6:41 PM.

- A. An executive session under Section 551.071, which authorizes a governmental body to consult with its attorney in an executive session to seek his or her advice on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter; to wit advice on contracts and proposal relating to Big Cypress Bayou
- Councilmember Abraham made a motion to reconvene from Executive Session. Councilmember Jordan-Anderson seconded the motion, which passed by a vote of 5:0. The time was 7:27 PM.**

14. Action Item Following Executive Session

15. Adjournment

Councilmember Godfrey made a motion to adjourn. Councilmember Abraham seconded the motion, which passed by a vote of 5:0.

APPROVED:

Mayor of the City Council
of the City of Marshall, Texas

ATTEST:

City Secretary



TO: City Council
DATE: July 9, 2026
ITEM #: 8.A
SUBJECT: **O-26-15** Consider approval of amendments to the Wrecker Ordinance. (Police)

Recommendation for Action: Consider approval of an ordinance: Proposed Wrecker Ordinance Revisions

Executive Summary: The proposed ordinance amends and modernizes Chapter 30, Article III of the City of Marshall Code of Ordinances relating to wrecker services and non-consensual towing operations within the City. The current ordinance was originally adopted in 2022 and, following operational review and evaluation of current industry standards, staff has identified the need to update and clarify several provisions to better address public safety concerns, towing operations, enforcement procedures, and rotation requirements.

The updated ordinance establishes clearer definitions related to towing classifications, non-consensual towing, incident management towing, emergency wrecker services, storage facilities, and operational requirements for towing companies participating in the City's rotation system. The proposed revisions also strengthen oversight and accountability measures by outlining permitting standards, insurance requirements, inspection requirements, response time expectations, suspension and revocation procedures, and appeal processes.

Additionally, the ordinance modernizes operational procedures associated with the wrecker rotation list, establishes standardized response requirements, clarifies emergency dispatch authority, and reinforces roadway clearance and debris removal expectations following crashes and incidents. The ordinance further incorporates requirements for training through the Texas Department of Transportation Traffic Incident Management System (TIMS) program to improve scene safety, roadway clearance efficiency, and coordination between towing operators and emergency responders.

The proposed ordinance also establishes updated maximum towing and storage fee schedules for light-duty, medium-duty, and heavy-duty non-consensual tows within the City set by resolution of the City Council. The fee structure is intended to provide transparency, consistency, and fairness while ensuring that towing providers maintain the equipment, staffing, insurance, and operational readiness necessary to safely respond to incidents throughout the City of Marshall.

Overall, the proposed amendments are intended to modernize the City's wrecker regulations, improve operational efficiency, enhance public safety, ensure compliance with applicable state regulations and Texas Department of Licensing and Regulation (TDLR) requirements, and establish clear expectations for towing providers participating in police-authorized towing operations within the City of Marshall.

Focus Area(s): This item aligns with the following council adopted focus area(s): Improved customer service and improved communication

Budget Cost: There is no budget cost associated with the approval of this ordinance.

Staff Contact: Chief of Police Cliff Carruth

Attachments: 1. Wrecker Rotation Application - Final

2. Wrecker Ordinance redline - AA edits
3. O-26-15 Wrecker Ordinance
4. Recommended Fees



Marshall Police Department

2101 East End Blvd N. • Marshall, Texas 75670 • (903) 935-4520 • Fax (903) 935-4558

Cliff Carruth
Chief of Police

NON-CONSENT TOWING ROTATION LIST APPLICATION

Light-Duty, Medium-Duty, and Heavy-Duty Wrecker Rotation Lists

1. APPLICATION INSTRUCTIONS

Complete all applicable sections. Attach all required documents listed in the Documentation Checklist. Incomplete applications may delay review or prevent placement on the City of Marshall non-consent towing rotation list.

2. WRECKER COMPANY

Company Name:	
Entity Status:	
Officers / Partners / Owners:	
Street Address:	
Mailing Address:	
Email Address:	
Working Hours Phone #:	
After Hours Phone #:	
Owner's Name:	
Owner's Address:	
Owner's Cellular Phone #:	

3. INSURANCE INFORMATION

Insurance Company:	
Phone #:	
Agent's Name:	
Policy #:	
Address:	

4. RENEWAL COST

Annual Licensing Fee: \$750.00

Additional Inspection Fee: \$20.00 per wrecker inspection

Payment is required as part of the application/renewal process unless otherwise directed by the City of Marshall.

5. HEAVY DUTY WRECKER

- ☐ **Yes**, the company is renewing as a heavy-duty emergency tow vehicle provider.
- ☐ **No**, the company is not renewing as a heavy-duty emergency tow vehicle provider.

6. EQUIPMENT

List each tow truck or wrecker requested for use on the rotation list. Attach additional sheets if necessary.

Year	Make / Model	Vehicle Identification Number	Heavy Duty Yes / No	Wheel Lift Yes / No	Rollback Yes / No

7. DRIVERS & ATTENDANTS

List all drivers and attendants operating for the wrecker company. Attach additional sheets if necessary.

Name	Address	License Number

8. LICENSED STORAGE LOCATION (ONLY ONE)

1. Address of Storage Facility:	
2. Dimensions of Storage Facility:	
3. Phone # of Storage Facility:	
4. 24-Hour Phone #:	

9. DOCUMENTATION CHECKLIST

- ☐ DBA Certificate.
- ☐ Proof of Insurance.
- ☐ Current Registration (cab card) for each truck used for rotation towing.
- ☐ Proof of passage of vehicle inspection.
- ☐ Relevant permitting and licensing documentation from the Texas Department of Licensing and Regulation (TDLR).
- ☐ Relevant documentation and proof of Vehicle Storage Facility License and insurance for each lot used for storage.

- ## 10. COMPLIANCE NOTICE

Tow trucks and other motor vehicles that tow vehicles are required to comply with the statutes contained in the Texas Transportation Code. This includes, but is not limited to, the use of tail lamps, stop lamps, and turn signal lamps. These lamps must be displayed at the rear of the towed vehicle in combination.

11. APPLICANT CERTIFICATION

Company:	
Signature:	
Date:	
Printed Name:	
Title:	

12. ACKNOWLEDGEMENT

Notary Public, State of Texas

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FOR CITY USE ONLY

- ☐ Application received.
- ☐ Application reviewed for completeness.
- ☐ All required documents attached.
- ☐ Fees received.
- ☐ Vehicle inspection completed.
- ☐ Approved for rotation list.
- ☐ Denied/returned for correction.

Date Received:	
Received By:	
Amount Received:	
Receipt Number:	
Reviewed By:	
Approved By:	
Notes:	

City of Marshall, Texas

Ordinance No. _____

AN ORDINANCE AMMENDING CHAPTER 30, ARTICLE III OF THE CITY OF MARSHALL CODE OF ORDINANCES, ENTITLED “WRECKER SERVICES” PROVIDING DEFINITIONS; ~~ESTABLISHING RULES FOR WRECKER OPERATIONS; PROVIDING FOR PERMITTING OF WRECKERS; PROVIDING FOR PROCEDURES FOR CALL ROTATAION FOR WRECKERS; PROVIDING FOR -PUBLIC SAFETY REQUIREMENTS; ENFORCEMENT PROVISIONS; PENALTIES; AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.~~

WHEREAS, the City Council previously adopted regulations governing Police-Authorized and Non-Consent Towing within the City of Marshall by Ordinance -O-22-06 and established Article III of Chapter 30 of the Code of Ordinances on February 24th 2022; the City Council approved Ordinance O-22-06 regarding the Governing of Wrecker Services that perform police authorized tows or non-consensual tows and established Article III of Chapter 30 of the Code of Ordinances; and

WHEREAS, the City Council finds that the continued regulation of Police-Authorized Towing services is necessary to protect the public health, safety, and welfare, ensure prompt clearance of roadways, promote fair and uniform towing practices, and protect the motoring public; and

WHEREAS, the City Council further finds ~~and determines~~ that ~~it is desired to revise revisions to and amend~~ Article III of Chapter 30 of the Code of Ordinances are necessary to clarify licensing requirements, improve administration of the City's wrecker rotation towing system, ensure consistency with applicable provisions of the Texas Occupations Code, Texas Transportation Code, and regulations of the Texas Department of Licensing and Regulation ("TDLR"), and promote efficient law enforcement operations of the City's Code of Ordinances and to update certain provisions of said Chapter;

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARSHALL, TEXAS:

SECTION 1. FINDINGS

~~That~~ The findings set out contained in the preamble are hereby adopted as findings of the City Council and of this ordinance are hereby in all things approved.

SECTION 2. -AMENDMENT

~~Chapter 30, Article III of Chapter 30,~~ of the City of Marshall Code of Ordinances, ~~entitled~~ “Wrecker Service” shall be amended as follows:

Sec. 30-100. Purpose; Applicability.

(a) Purpose.

The purpose of this Article III, Chapter 30 (hereinafter referred to as “this Article”) is to regulate Police-Authorized and other Non-Consent Towing services operating within the City of Marshall in order to:

1. promote public safety;
2. facilitate the prompt removal of disabled or wrecked vehicles from public roadways;
3. establish uniform standards for participation in the City's wrecker rotation towing system;
4. protect the public from unsafe or unfair towing practices;
5. provide objective licensing and operational requirements; and
6. ensure compliance with applicable state law.

This Article applies solely to:

1. Police-Authorized Tows;
2. Non-Consent Tows authorized by law;
3. towing services participating in the Marshall Police Department Rotation List;
4. vehicle storage facilities receiving vehicles towed pursuant to this Article.

This Article does not apply to:

1. Consent Tows requested by the owner or operator of a vehicle;
2. private property Consent Tows;
3. repossessions;
4. any towing activity expressly preempted by state law.

~~This article applies to wrecker services that perform police authorized or non-consensual tows, towing activities at police scenes, and storage facilities to which vehicles towed as police-authorized or non-consensual tows are taken. This ordinance aims to regulate non-consent tows initiated by law enforcement or other city authorized agents. This ordinance does not apply to consent tows requested by vehicle owners or persons controlling the vehicle.~~

Nothing contained herein shall be interpreted to conflict with or supersede Chapters 2303 or 2308 of the Texas Occupations Code, the Texas Transportation Code, or regulations adopted by the Texas Department of Licensing and Regulation. To the extent any provision conflicts with state law, state law shall control.

Participation in the City's wrecker rotation system is a privilege granted by the City and not a property right. Nothing in this Article creates any contractual or vested right to receive police dispatches.

Nothing in this Article limits the authority of any peace officer at the scene of an emergency to take actions reasonably necessary to protect public safety.

~~The City of Marshall, pursuant to authority granted by state law, seeks to regulate non-consent towing services to protect the public interest, establish clear procedures, promote fair business~~

practices, and ensure safety and accountability in the removal and storage of motor vehicles within the city's incorporated areas.

The Marshall Police Department (MPD) shall be the authority responsible for implementing and enforcing this ordinance.

No person or business may operate a wrecker for non-consent tows within the city unless properly registered and permitted by MPD. All storage facilities used for such tows must also be registered with the state and meet the requirements of the Texas Department of Licensing and Regulation (TDLR). Further, any person or business desiring to operate in accordance with this ordinance must adhere to all requirements contained in this chapter. In addition, rotation wrecker licensees must have an office and storage lot inside the city limits within one (1) year from the passage of this ordinance. The storage lot shall be fenced and lighted. Each licensee wrecker service shall provide 24 hour service 365 days a year. All wrecker services on police rotation shall have a minimum of two or more wreckers of at least 10,000 pounds gross vehicle weight, as defined by the manufacturer. When the city is served by fewer than two wrecker companies on rotation, the police chief may suspend this requirement to a minimum of one wrecker per licensee until the police chief determines the city is adequately protected again. Each wrecker used for police rotation must have its dispatch point, both day and night, located within the city limits or within one mile driving distance from the city limits, and shall have a maximum response time of 20 minutes from the time of dispatch by the police department.

Sec. 30-101. Definitions.

In this ~~article~~Article, unless the context clearly indicates otherwise, the following words shall have the meanings assigned::

~~1. Accident~~ means ~~any an~~ occurrence involving one or more vehicles resulting in injury, death, property damage, or a ~~that renders a vehicle wrecked or disabled~~ vehicle requiring removal.

~~2. Appeals board~~Board means ~~a the~~ five-member board established under this Article to hear appeals from licensing or rotation decisions.~~panel to rule on disputes or license issues, which consists of two~~ The Appeals Board will consist of two (2) Marshall City Councilmembers, the ~~city~~City managerManager or his designee, the ~~director~~Director of ~~public~~Public worksWorks or his designee, and the ~~chief~~Fire Chief of police or his designee. No official who made the original decision may participate in the appeal of that decision.

Chief of Police means the Chief of Police of the City of Marshall or the Chief's authorized designee.

City means the City of Marshall, Texas.

~~3. Consent Tow~~ means ~~the~~ means a tow requested by the owner, operator, or person lawfully entitled to possession of the vehicle. tow of a vehicle initiated by the owner, operator, or person in control of the vehicle.

4. ~~Director means the chief of police for the City of Marshall, who is charged by the city council to enforce and administer this article, or the chief's authorized representative.~~

5. ~~Disabled vehicle~~ Vehicle means a vehicle that cannot safely operate on a public roadway because of mechanical failure, damage, fire, vandalism, or other condition requiring towing~~means a vehicle that:~~

(1) ~~Has been rendered unsafe to drive as the result of some occurrence other than a wreck, including, but not limited to, mechanical failure or breakdown, fire, or vandalism; or~~

(2) ~~Is in a safe driving condition, but the owner is not present, able, or permitted to drive; so as to reasonably necessitate that the vehicle be removed by a wrecker.~~

Emergency Wrecker License means a license issued by the City of Marshall to a towing company that has satisfied the requirements of this Article to perform Police-Authorized Tows and other Non-Consent Tows. An Emergency Wrecker License is a prerequisite to eligibility for participation in the City's Rotation List but does not create a right or entitlement to receive police dispatches or remain on the Rotation List. ~~Drop Fee means a fee charged if a vehicle is hooked up but released at the scene at the owner's request before being towed.~~

1. ~~Emergency wrecker company means a person who owns, controls, or has a financial interest in an emergency wrecker service.~~

2. ~~Emergency wrecker service means the business of towing or removing wrecked or disabled vehicles from the streets upon request of the applicable law enforcement agency.~~

3. ~~Heavy-Duty Towing means towing a vehicle having a gross vehicle weight rating (GVWR) of 25,000 pounds or greater.~~means the towing of vehicles with a GVW of 25,000 pounds or greater.

4. ~~Heavy-duty Duty wrecker Tow Truck means a motor vehicle equipped with~~means a truck with a chassis rated at five tons or greater, equipped with a power-operated winch, winch line, and boom, with a factory-rated lifting capacity of not less than 32,000 pounds, single or double line capacity.

5. ~~Incident Management Tow means the removal of a vehicle from the scene of a traffic Accident or roadway incident under the direction of law enforcement~~means a tow involving removing a vehicle from the scene of a traffic accident, collision, or other incident impacting public roadways, as directed by law enforcement.

6. ~~Licensee means~~ a towing company holding an Emergency Wrecker License issued by the City of Marshall~~a person licensed to engage in emergency wrecker service in the City of Marshall.~~

7. ~~Light-Duty Towing means the towing of a vehicle_s with a gross vehicle weight (GVW)~~GVWR of 10,000 pounds or less.

8. ~~Medium-Duty Towing means the towing of a vehicles with having a GVWR exceeding over~~ 10,000 pounds but less than 25,000 pounds.

9. ~~“MPD” means~~ the Marshall Police Department.

10. ~~No Show means when a wrecker fails to arrive at a dispatch call within 20 minutes.~~

Non-Consent Tow means the towing or removal of a vehicle without the prior consent of the Vehicle Owner or operator, including Police-Authorized Tows and any other tow authorized by applicable law. the tow of a vehicle that is not a consent tow, including tows initiated by law enforcement or city officials.

11. Police-Authorized Tow means the removal of a vehicle by a towing company at the direction or request of the Marshall Police Department, another law enforcement agency having jurisdiction, or another governmental official authorized by law to order the removal of a vehicle. The term includes, but is not limited to, the removal of wrecked, disabled, abandoned, illegally parked, impounded, or otherwise unlawfully situated vehicles when authorized by applicable law

12. Owner means a person who:

(1) Holds legal title to a vehicle;

(2) Has legal right of possession of a vehicle, care, custody, or control;

(3) Has legal right of control of a vehicle.

1. Person means an individual, partnership, joint venture, association, corporation, or other legal entity, whether in that individual's or entity's actual name or an assumed name.

2. Rotation means an occasion when the applicable law enforcement agency calls an emergency wrecker from the rotation list to remove a wrecked, disabled or abandoned vehicle.

Rotation List means the official list maintained by Marshall Police Department identifying licensed towing companies eligible to receive Police-Authorized Towing assignments.

Rotation Participant means a licensed towing company approved by the Chief of Police to participate in the City's Rotation List.

Storage Day means the period beginning at 12:00 a.m. (midnight) and ending at 11:59 p.m. on the same calendar day. a 24-hour period beginning and ending at midnight.

Street means the entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel. Any street, alley, avenue, lane, square, highway, freeway, expressway, or high occupancy vehicle lane within the corporate limits of the city.

~~3. Storage Day means a 24-hour period beginning and ending at midnight.~~

4. Tow Operator means a person an individual licensed by TDLR to operate a tow truck. operating a wrecker, regardless of ownership.

5. Towing Company means a person or legal entity engaged in the business of towing vehicles. means a person or entity that controls, operates, or directs tow truck services/wreckers on public roadways.

Vehicle means every device in, upon, or by which any person or property is or may be transported or drawn upon a street, except a device moved by human power or used exclusively upon stationary rails or tracks.

6. Vehicle Owner means a person having legal title to, lawful possession of, or the legal right to control a vehicle.

~~7. Vehicle Storage Facility is a location licensed by the state to store vehicles towed without consent.~~

~~8. Wrecked vehicle means a vehicle that has been damaged as a result of overturning or colliding with another vehicle or object so as to reasonably necessitate that a wrecker remove the vehicle.~~

~~Wrecker means any motor vehicle used for the purpose of towing or removing vehicles as defined by Texas law, a commercial motor vehicle equipped or used to tow, winch, or move a wrecked, disabled, or abandoned vehicle, including heavy-duty wreckers, unless specified otherwise.~~

~~Wrecker rotation list means a list of licensed wrecker companies maintained by the law enforcement agency needing assistance as provided for in this article.~~

Sec. 30-101.01. ~~Wrecker drivers to obey the o~~Orders of a police ~~Police officer~~Officers.

~~(a) A Tow Operator responding to a Police-Authorized Tow shall comply with all lawful instructions issued by the incident commander or other peace officer directing traffic or managing the incident scene.~~

~~— Failure to comply constitutes grounds for disciplinary action under this Article. It shall be unlawful for the driver of any wrecker arriving at the place where any accident has occurred or an abandoned vehicle is located to disobey any lawful order given to them by any police officer of the city investigating such accident or to interfere in any manner with such officer in the performance of his/her duty.~~

~~(b)~~

Sec. 30-102. ~~Soliciting by advertising~~Solicitation Prohibited.

~~(a) A Towing Company, Tow Operator, or person acting on behalf of either may not solicit business at or near the scene of an Accident unless specifically requested by the Vehicle Owner or directed by law enforcement.~~

~~(b) The unauthorized presence of a tow vehicle at an Accident scene may constitute evidence of solicitation but shall not create an irrebuttable presumption of a violation.~~

~~(c) Nothing herein prohibits lawful advertising not directed toward a specific Accident scene. No person may solicit any business at or near the scene of an accident which deals directly or indirectly with the towing, removing, repairing, wrecking, storing, trading or purchase of a wrecked or disabled motor vehicle, vehicle, trailer or semi-trailer on the streets or sidewalks of the city, nor may a person solicit the business of towing, removing, repairing, wrecking, storing, trading, buying or offering to buy a wrecked or disabled motor vehicle, vehicle, trailer, or semi-trailer on the streets, sidewalks or any public place in the city, by distributing an advertisement, advertising a repair shop, garage, or place of business where the wrecked or~~

~~disabled motor vehicle, vehicle, trailer or semi-trailer may be repaired, stored, wrecked, traded, or purchased. Proof of the unauthorized presence of a person engaged in the business of towing, repairing, wrecking, storing, or offering to purchase or trade for a wrecked or disabled motor vehicle, vehicle, trailer or semi-trailer at or near the scene of an accident is prima facie evidence of solicitation in violation of this section.~~

Sec. 30-103. Violations and Penalties.

- (a) A person who violates this Article commits a misdemeanor offense punishable by a fine not to exceed an amount of Five Hundred Dollars (\$500.00).
- (b) Each day a violation continues constitutes a separate offense.
- (c) The City may pursue any other remedy authorized by law, including suspension or revocation of licenses or removal from the City's Rotation List. Any person who violates, disobeys, omits, neglects or refuses to comply with, or who resists the enforcement of any of the provisions of this article shall be fined not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00).

Sec. 30-104. ~~Driving wrecker to scene of accident prohibited; exception~~Unauthorized Response to Accident Scenes.

- (a) ~~(a)~~ Except when requested by the Vehicle Owner, the vehicle operator, law enforcement, or another governmental agency authorized by law, no Tow Operator shall respond to an Accident scene for the purpose of obtaining towing business.

~~— Violation of this section constitutes grounds for disciplinary action, suspension, revocation, or removal from the City's Rotation List. — No person may drive a wrecker, licensed or unlicensed, to the scene of an accident on the streets of the city unless the person has been called to the scene by the law enforcement agency in command of the incident or the owner of a vehicle at the scene.~~

(b)

(b) — Soliciting wrecker business at the scene of an accident is prohibited; No person may solicit in any manner, directly or indirectly, on the streets of the city, the business of towing a vehicle which is wrecked or disabled on a street, regardless of whether the solicitation is for the purpose of soliciting the business of towing, removing, repairing, wrecking, storing, trading, or purchasing the vehicle. Proof of the presence of a person engaged in the wrecker business or the presence of a wrecker or motor vehicle owned or operated by a person engaged in the wrecker business, either as owner, operator, employee or agent, on a street in the city, at or near the scene or site of an accident, which has not been called to the scene by the law enforcement agency in command of the incident or the owner of a vehicle at the scene, within one (1) hour after the happening of an accident, is prima facie evidence of a solicitation in violation of this section.

Sec. 30-105. City License Required; Rotation Participation~~Penalty; license required; nontransferable; expiration date; trade name registration; location.~~

- (a) No person may perform Police-Authorized or other Non-Consent Towing services under this Article unless the Towing Company:
 - 1. holds a valid City of Marshall Emergency Wrecker License;

2. maintains all licenses and registrations required by the State of Texas;
3. maintains all insurance required by this Article; and
4. complies with all applicable federal, state, and local laws.

(b) Issuance of an Emergency Wrecker License authorizes the Licensee to provide Police-Authorized Towing services subject to this Article.

Issuance of an Emergency Wrecker License does not automatically entitle a Licensee to participate in the City's Rotation List.

Participation on the Rotation List shall be governed separately under Section 30-117. (a)——

(a) Only one Emergency Wrecker License may be issued for each Towing Company operating under a single ownership and business location. No person, agency, or towing business will be placed in the wrecker rotation with the City of Marshall Police Department without first obtaining an emergency wrecker service license from the City of Marshall. Only one (1) license may be issued to each emergency wrecker company. A license is not assignable or transferable. An emergency wrecker company license expires on the thirtieth day of June of each year. The license issued to an emergency wrecker company authorizes the licensee and his bona fide employees to engage in emergency wrecker service.

(c)

(d) An Emergency Wrecker License issued under this Article is non-transferable, is non-assignable, and expires annually on June 30 unless renewed. The sole exception to this provision shall be that a Licensee may transfer a license to a wholly own entity of the Licensee upon application (without fee) and approval by the Chief of Police.

(e) (b) Each Licensee must maintain a permanent business office within the City limits or within one (1) driving mile of the City limits and shall keep the business location open from 9:00 a.m. to 5:00 p.m. on weekdays, except for recognized holidays.

(f) Each Licensee must maintain a vehicle storage facility within the City limits or within three (3) driving mile of the City limits, unless otherwise approved by the Chief of Police upon written finding that the alternate location will not adversely affect response times or public safety. Any vehicle storage facility must be lighted and fenced.

(b) Each Licensee must maintain twenty-four-hour dispatch capability, adequate personnel, equipment meeting this Article and a vehicle storage facility licensed by TDLR. The owner of an emergency wrecker company shall register with the director the trade name of his wrecker company and shall affix the name to the outside of both doors of each wrecker, which is in compliance with the applicable laws of the State of Texas.

(g)

(h) Each Licensee must maintain a minimum of one (1) Wrecker equipped with a wheel lift or roll back bed.

(i) Each Licensee engaged in Heavy-Duty Tow must maintain a minimum of (1) Heavy-Duty Tow Truck.

(j) Each Licensee is required to maintain its own towing equipment. And Licensees may not share vehicle storage facilities or permanent business addresses.

~~(c) — A licensee shall maintain a permanent and established place of business within the City or within one mile of the city limits where the general zoning ordinance of the city does not prohibit an emergency wrecker service.~~

Sec. 30-106. ~~License application; renewal~~Application for License.

~~(a) (a) Applications shall be submitted on forms prescribed by the Chief of Police.~~

~~(a) A person desiring to engage in emergency wrecker service in the city shall file with the director a written application upon a form provided for that purpose, which must be signed by the applicant or an authorized agent. The following information is required in the application~~Each Application shall include:

~~(b)~~

1. legal name of applicant;
2. assumed business name;
3. business address;
4. mailing address;
5. telephone number;
6. electronic mail address;
7. names of all owners, partners, members, officers, or managers;
8. proof of ownership or lawful possession of all tow vehicles;
9. description of each tow vehicle;
10. TDLR license information;
11. proof of insurance;
12. identification of vehicle storage facility;
13. emergency contact information;
14. agreement to participate in the Rotation List; and
15. certification that applicant will comply with this Article.

~~1. — (1) — Trade name, address, and telephone number of the emergency wrecker company.~~

~~(c) The applicant shall immediately notify the City of any material change in the information contained in the application.~~

~~(d) An application shall not be considered complete until all required documents have been submitted.~~

~~(e) The Chief of Police may require additional documentation reasonably necessary to determine compliance with this Article.~~

~~Sec. 30-106.01. Investigation. (2) — Number and types of wreckers to be operated. Applicants owning heavy-duty wreckers to be used for emergency towing must state on the application that they are equipped for heavy vehicle recovery.~~

~~(3) — Name, address, and telephone number of the owner of the emergency wrecker company.~~

~~(4) — An agreement that the applicant will participate in the wrecker rotation.~~

~~a. —~~

Upon receipt of a completed application, the Chief of Police shall investigate whether the applicant satisfies the requirements of this Article.

The investigation may include:

1. inspection of equipment;
2. inspection of storage facilities;
3. verification of insurance;
4. verification of state licenses;
5. review of prior compliance history;
6. review of safety violations;
7. review of response capabilities.

Sec. 30-106.02. Inspection.~~Upon filing of an initial application for an emergency wrecker company license, the director shall designate a time for city inspection of the applicant's place of business. A fee of twenty-five dollars~~

Before issuance or renewal of an Emergency Wrecker License, every tow vehicle shall successfully pass inspection by the City.

The inspection shall include:

1. required equipment;
2. warning lights;
3. winches;
4. wheel lifts;
5. jack stands;
6. dollies;
7. safety chains;
8. flares;
9. communications equipment;
10. fire extinguisher;
11. compliance with state law.

Failure to pass inspection shall result in denial until corrected.

Sec. 30-106.03. Standards for Approval.

The Chief of Police shall issue an Emergency Wrecker License when the applicant demonstrates compliance with this Article.

Approval shall be based upon objective findings including:

1. compliance with state licensing;
2. compliance with insurance requirements;
3. satisfactory inspection;
4. adequate equipment;
5. qualified personnel;
6. lawful storage facilities;
7. ability to provide continuous service
8. prior compliance with Article III, Chapter 30.

An Emergency Wrecker License shall not be denied for arbitrary or discriminatory reasons.

~~(\$25.00) for processing and inspection of an initial application must accompany the application.~~

~~b. — Should the license be denied, the denied applicant may file an appeal within thirty (30) days with the director in writing, requesting a hearing before the appeals board. The appeals board decision is final.~~

~~c. — In addition to the requirements in subsection (a) of this section, an initial applicant shall:~~

~~1. — Show proof of insurability.~~

~~2. — Provide an adequate number of emergency wreckers, as determined by the applicable law enforcement agency, that meet the requirements of this article and any rules and regulations promulgated by the applicable law enforcement agency pursuant to this article.~~

~~3. — The fitness of the applicant to perform an emergency wrecker service as may be indicated by the experience in wrecker operation, the safety record of the applicant, and the applicant's compliance with local, state, and federal laws.~~

~~i. — After reviewing the application, the director shall, within forty-five (45) days, approve or deny the application based upon findings concerning the applicant's compliance with this article and the public convenience and necessity of the proposed service. The director shall send to the applicant a written statement setting forth the reasons for the approval or denial of the application and the date of the action.~~

Sec. 30-107. Fees.

The City Council shall establish all licensing and inspection fees by resolution.

The fee schedule may include:

1. annual license fee;
2. vehicle inspection fee;
3. duplicate license fee;
4. renewal fee;
5. City tow fee.

No fee shall be imposed except by City Council resolution.

All fees are non-refundable unless otherwise authorized by the City Council.

~~(a) — The annual fee for an emergency wrecker license is seven hundred fifty dollars (\$750.00) for each emergency wrecker company and a ten-dollar (\$10.00) per car fee on all cars towed at the request of the Marshall Police Dispatcher, and a twenty-dollar (\$20.00) fee on all heavy duty vehicles towed at the request of the Marshall Police Dispatcher. The fee will be prorated on a whole-month basis. The annual inspection fee is twenty dollars (\$20.00) for each wrecker that is used in the emergency wrecker service. The fee is two dollars (\$2.00) for issuance of a duplicate license if a license is lost, destroyed, or mutilated.~~

~~(b) — Fees are payable to the City of Marshall upon issuance of the license. No refund of fees will be made.~~

Sec. 30-108. ~~License issuance~~Issuance of License.

When the Chief of Police determines that an applicant satisfies this Article, the City shall issue:

1. an Emergency Wrecker License;
2. an inspection card for each approved tow vehicle.

The inspection card shall remain inside the tow vehicle at all times.

An Emergency Wrecker License shall be displayed prominently at the Towing Company's principal office.

No tow vehicle may be used in Police-Authorized Towing unless a current inspection card has been issued.

~~(a) — The director shall issue a license to provide emergency wrecker service to an applicant who complies with this article and shall issue an emergency wrecker card to an applicant upon inspection and approval of each vehicle. The emergency wrecker card must remain in the inspected wrecker. Before issuance of an emergency wrecker service license and card, the following requirements must be met:~~

- ~~(1) — An applicant shall submit each emergency wrecker that will be used in the service for inspection in a manner determined by the director. Each wrecker must comply with the following minimum requirements:~~
 - ~~a. — Each wrecker must be not less than one (1) ton in size with a dual wheel axle and be equipped with booster brakes.~~
 - ~~b. — Each wrecker must be equipped with a power operated winch, winch line, and boom, with a factory rated lifting capacity of not less than eight thousand (8,000) pounds, single line capacity.~~
 - ~~c. — Each wrecker must carry as standard equipment a tow bar, towing dollies, safety chains, jack stands, a fire extinguisher, a wrecking bar, a broom, a shovel, flares, and a container to carry debris.~~
 - ~~d. — Each wrecker and all of its equipment must be in a safe and good working condition and comply with all minimum safety and equipment standards required for a wrecker by the Texas Transportation Code, the Texas Occupations Code, and any other applicable law, regulation, or rule.~~
 - ~~e. — Each emergency wrecker applicant that is approved as a rotation list wrecker will be issued a radio call number by the Marshall Police Department.~~
 - ~~f. — Each wrecker must be equipped with two way radio equipment that is capable of providing two way voice communication with the applicable law enforcement agency.~~
 - ~~g. — Misuse of the Marshall Police Department radio frequency will be cause for suspension.~~
 - ~~h. — A minimum of one (1) wrecker submitted by the applicant must be equipped with a wheel lift or "roll back" bed.~~
 - ~~i. — Marshall Non-Consensual Wrecker Company's storage yard shall be located no more than three (3) miles from the city limits of Marshall.~~

- (2) ~~An applicant desiring to engage in heavy vehicle or large truck towing and recovery must comply with the following minimum requirements:~~
 - a. ~~Each heavy duty wrecker must be not less than two and one half (2½) tons in size.~~
 - b. ~~Each heavy duty wrecker must be equipped with a power-operated winch, winch line, and boom, with a factory-rated lifting capacity of not less than thirty two thousand (32,000) pounds, single or double line capacity.~~
- (3) ~~Each licensee shall maintain twenty-four hour wrecker service and operate a two-way radio capable of communicating with applicable law enforcement agencies. The licensee shall keep the business location open from 9:00 a.m. to 5:00 p.m. weekdays except for recognized holidays.~~
- (4) ~~A person commits an offense if he operates an emergency wrecker or uses any equipment that fails to comply with all requirements for such equipment required by the State of Texas.~~
- (5) ~~The City of Marshall will accept only one (1) call for service number from applicants. Multiple number lists will not be accepted.~~
- (6) ~~Emergency wreckers must clean the right-of-way and roadway of all debris before leaving the scene of an incident. Emergency wrecker operators must follow the instructions of law enforcement personnel supervising the incident.~~
- (7) ~~Each applicant must provide the City of Marshall Finance Department with proper tax identification for IRS Form 1099.~~
- (8) ~~Each applicant must comply with all state, local, and federal laws for storage yards.~~

Sec. 30-109. License—~~Display; duplicates~~Changes in Information.

A Licensee shall notify the Chief of Police within ten (10) business days of any material change involving:

- 1. ownership;
- 2. management;
- 3. trade name;
- 4. business address;
- 5. vehicle storage facility;
- 6. insurance;
- 7. state license status.

Failure to provide timely notice constitutes grounds for disciplinary action. (a) ~~Each license issued pursuant to this article must be posted and kept in a conspicuous place in the wrecker establishment.~~

(b) ~~A duplicate license may be issued for one (1) lost, destroyed, or mutilated license upon application on a form prescribed by the director. Each duplicate license will have the word "duplicate" stamped across its face and will bear the same number as the one it replaces.~~

(c) ~~Every licensee shall, within ten (10) days after a partial change of control in ownership, or of management, or of change of address or trade name, notify the director of such changes.~~

Sec. 30-110. ~~License—Refusal to issue or renew~~Denial of License.

(a) Grounds for Denial. The Chief of Police may deny issuance or renewal of an Emergency Wrecker License upon written findings that the applicant has failed to satisfy one or more of the requirements of this Article.

Grounds for denial include:

1. Submission of materially false or misleading information in an application or renewal application.
2. Failure to maintain any license, permit, registration, or certification required by state law.
3. Failure to maintain the insurance required by this Article.
4. Failure to successfully complete the required inspection.
5. Failure to maintain a qualifying business location or vehicle storage facility.
6. Failure to maintain equipment required by this Article.
7. Failure to correct deficiencies identified during inspection after reasonable notice.
8. Revocation or suspension of a required state license that materially affects the applicant's ability to lawfully perform towing services.
9. The Licensee, applicant, or any employee thereof has been convicted of a felony, a crime of moral turpitude, or an intoxication offence of any kind, unless at least five (5) years have elapsed since the later of: (a) the date of conviction; or (b) the date of release from confinement imposed for the conviction.
10. Failure to satisfy any objective licensing requirement established by this Article.

(b) An Emergency Wrecker License shall not be denied for arbitrary, capricious, discriminatory, or retaliatory reasons.

(c) The Chief shall issue written notice stating the specific reasons for denial.

~~The Director may refuse to approve issuance or renewal of an emergency wrecker company license for one (1) or more of the following reasons:~~

- ~~(1) — The making of any false statement as to a material matter in an application for a license, or license renewal, or in a hearing concerning the license.~~
- ~~(2) — Revocation of a license, pursuant to this article, of the applicant, or any proprietor, partner, or corporate officer of the applicant, within eighteen (18) months preceding application.~~
- ~~(3) — Use by the licensee of a trade name for his emergency wrecker company other than the one (1) registered with the director.~~
- ~~(4) — Suspension of the licensee's emergency wrecker company license on three (3) occasions within twelve (12) months for more than three (3) days on each occasion.~~
- ~~(5) — Failure to meet the service standards in the rules and regulations established by the director and applicable law enforcement agency, with the same consistency as other licensees.~~
- ~~(6) — A licensee, applicant, or his employee is under indictment or has been convicted of a crime involving theft, unauthorized use of a motor vehicle, burglary of an~~

~~automobile, receiving and concealing stolen property, homicide, aggravated assault, aggravated assault with a motor vehicle, or driving while under the influence of alcohol or drugs unless five (5) years has elapsed since the date of conviction or the date of release from confinement imposed for the conviction, whichever is the later date.~~

Sec. 30-111. ~~License—Suspension.~~

(a) The Chief of Police may temporarily suspend an Emergency Wrecker License or a company's participation in the Rotation List whenever the Chief determines that immediate action is reasonably necessary to protect:

1. public safety;
2. the safety of law enforcement personnel;
3. motorists;
4. property; or
5. the integrity of the City's towing program.

(b) Grounds for suspension include:

1. Failure to maintain required insurance.
2. Failure to maintain required state licenses.
3. Failure to maintain required equipment.
4. Unsafe towing practices.
5. Failure to respond within required response times.
6. Failure to obey lawful instructions of law enforcement.
7. Fraudulent billing.
8. Charging unauthorized fees.
9. Failure to maintain required staffing.
10. Failure to comply with applicable state or federal law.
11. Repeated violations of this Article.

(c) Unless an emergency exists, written notice shall be provided before suspension.

(d) When immediate suspension is necessary to protect public safety, the Chief may order an emergency suspension effective immediately.

Within ten (10) business days, the City shall provide the Licensee an opportunity for an administrative hearing before the Appeals Board.

(e) An emergency suspension shall remain in effect only until the the violation has been corrected and the Chief of Police reverses the suspension or the Appeals Board issues a decision.

~~The director or his designee may suspend an emergency wrecker company license without notice or a hearing for a period not to exceed ten (10) days, or if the deficiency is detrimental to public safety, then for a period of time until the deficiency is corrected, for one (1) or more of the following reasons:~~

- ~~(1) — Failure of the licensee to maintain his wrecker or equipment in a good and safe working condition.~~

- ~~(2) — Violation by the licensee or an employee of the licensee of a provision of this article or of the rules and regulations established for emergency wrecker service by the applicable law enforcement agency and the director.~~
- ~~(3) — Failure of the licensee's wrecker to arrive at the location of a wrecked or disabled vehicle within the prescribed time after having been notified to do so by the applicable law enforcement agency.~~
- ~~(4) — Conviction of an emergency wrecker driver of a provision of the motor vehicle or traffic laws of this state or city while in the scope of his employment in the emergency wrecker service.~~

Sec. 30-112. ~~License Appeal from refusal to issue or renew; from decision to revoke~~Appeals.

(a) An applicant or Licensee may appeal:

- 1. denial of a license;
- 2. denial of renewal;
- 3. suspension;
- 4. revocation;
- 5. removal from the Rotation List.

(b) Appeals shall be filed within ten (10) business days after receipt of written notice.

(c) The Appeals Board shall conduct a hearing within twenty (20) business days, unless continued for good cause.

(d) The appellant shall receive:

- 1. written notice;
- 2. copies of the alleged violations;
- 3. opportunity to present witnesses;
- 4. opportunity to present documents;
- 5. opportunity to cross-examine witnesses when appropriate.

(e) The Appeals Board shall issue written findings.

(f) A Board member who participated in the original decision shall not participate in the appeal.

(g) The Appeals Board may affirm, reverse, modify, reduce, or rescind the disciplinary action.

~~If the director denies the issuance of an initial license, or refuses to approve the renewal of a license, or revokes a license, the applicant or licensee may file an appeal with the appeals board as described in this article. A licensee may appeal a suspension, which is imposed by the director in the following manner:~~

- ~~(1) — A licensee who is suspended by the director or his designee for three (3) days or less may appeal the suspension by written request to the director within ten (10) days after written notification of suspension. The director shall conduct a hearing and may sustain, reverse, or modify the action appealed. The director's action is final.~~

- ~~(2) — A licensee who is suspended by the director for more than three (3) days may appeal the suspension to the appeals board. A written request to the director must be made within ten (10) days after written notice to the licensee.~~
- ~~a. — The appeals board shall set a time, date, and place for a hearing, and the licensee will be notified at least three (3) days prior to the hearing.~~
- ~~b. — The appeals board may sustain, reverse, or modify the action appealed. The appeals board's action is final.~~

Sec. 30-113. ~~License~~ — Revocation.

(a) Following notice and hearing, the Appeals Board may revoke an Emergency Wrecker License for:

1. Repeated violations of this Article.
2. Fraud or intentional misrepresentation.
3. Knowingly charging unauthorized fees.
4. Knowingly submitting false records.
5. Loss of required insurance.
6. Loss of required state licenses.
7. Failure to maintain minimum operational requirements.
8. Conduct demonstrating an inability or unwillingness to safely perform Police-Authorized Towing.
9. Three suspensions within a rolling twenty-four-month period
10. The Licensee, applicant, or any employee thereof has been convicted of a felony, a crime of moral turpitude, or an intoxication offence of any kind, unless at least five (5) years have elapsed since the later of: (a) the date of conviction; or (b) the date of release from confinement imposed for the conviction.

~~{a} Revocation shall be supported by written findings. The Director may revoke an emergency wrecker company license upon notice and hearing for one (1) or more of the following reasons:~~

(b)

(c) The City may impose lesser discipline when appropriate, including:

1. probation;
2. corrective action plans;
3. mandatory retraining;
- temporary suspension.
- ~~(1) — The making of any false statement as to a material matter in an application for a license, license renewal, or in a hearing concerning a license.~~
- 4.
- ~~(2) — Use by the licensee of a trade name for his emergency wrecker company other than the one (1) registered with the director.~~
- ~~(3) — Suspension of a licensee's emergency wrecker company license on three (3) occasions within twelve (12) months for more than three (3) days on each occasion.~~

~~(4) — Suspension of a licensee's emergency wrecker company's license for a deficiency that is detrimental to public safety, and twenty (20) days have elapsed without a correction of the deficiency.~~

~~(5) — A licensee or his employee is under indictment or convicted of a crime involving theft, unauthorized use of a motor vehicle, burglary of an automobile, or receiving and concealing stolen property, homicide, attempted homicide, aggravated assault with a motor vehicle, or driving while under the influence of alcohol or drugs unless five (5) years has elapsed since the date of conviction or the date of release from confinement imposed for the conviction, whichever is the later date.~~

Sec. 30-114. Insurance.

~~(a) (a) A licensee shall procure and keep in full force and effect automobile liability insurance and either garage keeper's liability insurance or tow truck cargo insurance written by an insurance company approved by the State of Texas and acceptable to the city and issued in the standard form approved by the state board of insurance. All provisions of each policy must be acceptable to the city and licensees shall provide proof of such insurance to the city. The insured provisions of each policy must name the city and its officers and employees as additional insured, and the coverage provisions must provide coverage for any loss or damage that may arise to any person or property by reason of the operation of an emergency wrecker service by the licensee.~~

(a) Each Licensee shall maintain insurance required by state law throughout the term of the license.

(b) The City shall receive certificates of insurance upon issuance and renewal.

(c) Policies shall require thirty (30) days written notice before cancellation or material reduction of coverage.

(d) Failure to maintain insurance constitutes grounds for immediate suspension.

~~(b) — The automobile liability insurance must provide combined single limits of liability for bodily injury and property damage of not less than five hundred thousand dollars (\$500,000.00) for each occurrence, or the equivalent, for each motor vehicle used by the licensee, with a maximum deductible not to exceed the limits allowed by the Texas Safety Responsibility Act. Aggregate limits of liability are prohibited.~~

~~(c) — The garage keeper's liability insurance or the tow truck cargo insurance, whichever is maintained, must provide limits of liability for any one (1) loss of not less than twenty five thousand dollars (\$25,000.00) for each light-duty emergency wrecker and fifty thousand dollars (\$50,000.00) for each heavy-duty emergency wrecker. The garage keeper's liability insurance must include a provision for direct primary coverage.~~

~~(d) — If a vehicle is removed from service, the licensee shall maintain the insurance coverage required by this section for the vehicle until the director receives satisfactory proof that all evidence of operation as an emergency wrecker has been removed from the vehicle.~~

~~(e) — Insurance required under this section must include:~~

~~(1) — A cancellation provision in which the insurance company is required to notify the director in writing not fewer than thirty (30) days before canceling, failing to renew, or making a material change to the insurance policy; and~~

~~(2) — A provision to cover all vehicles, whether owned or not owned by the licensee, operated under the license.~~

~~(3) — Reserved.~~

~~(4) — A license will not be granted or renewed unless the applicant or licensee furnishes the director with such proof of insurance as the director considers necessary to determine whether the applicant or licensee is adequately insured under this section.~~

~~(5) — If the insurance of a licensee lapses or is cancelled and new insurance is not obtained, the Director may suspend the license until the licensee provides evidence that insurance coverage required by this section has been obtained. A person shall not operate an emergency wrecker service while a license is suspended under this section, whether or not the action is appealed.~~

Sec. 30-115. ~~Powers and duties of the director~~ Authority of the Chief of Police.

~~The Chief of Police shall administer this Article and may:~~In addition to the powers and duties elsewhere prescribed in this article, the director is authorized to:

1. issue Emergency Wrecker Licenses;
2. conduct inspections;
3. investigate complaints;
4. issue written administrative procedures consistent with this Article;
5. establish standardized inspection forms;
6. monitor response times;
7. maintain towing records;
8. require operational reports;
9. conduct audits;
10. temporarily suspend Emergency Wrecker Licenses as authorized herein.

Administrative procedures adopted under this section shall not conflict with this Article or state law.

~~(1) — Administer and enforce all provisions of this article;~~

~~(2) — Keep records of all licenses issued, suspended, or revoked;~~

~~(3) — Keep records of all authorized emergency vehicles;~~

~~(4) — Adopt rules and regulations, after reasonable notice to the licensees, not inconsistent with the provisions of this article, with respect to the form and content of applications for licenses, the receipt thereof, the investigation of applicants, and other matters incidental or appropriate to his power and duties as may be necessary for the proper administration and enforcement of the provisions of this article;~~

~~(5) — Adopt new emergency wrecker procedures for experimentation on a temporary basis, after reasonable notice to the licensees;~~

~~(6) — Conduct, when appropriate, periodic investigations of emergency wrecker companies.~~

~~(7) — Require periodic reports as necessary to evaluate each emergency wrecker company's operations.~~

Sec. 30-116. ~~Powers and duties of the applicable law enforcement agency~~Marshall Police Department Responsibilities.

~~In addition to the powers and duties elsewhere prescribed in this article, the applicable law enforcement agency is authorized to~~The MPD shall:

1. administer the Rotation List;
2. dispatch rotation companies;
3. maintain dispatch records;
4. monitor response times;
5. investigate complaints;
6. inspect tow vehicles when authorized;
7. document violations;
8. recommend disciplinary action when appropriate;
9. coordinate incident management with towing companies.

~~(1) — Enforce all provisions of this article;~~

~~(2) — Conduct, when appropriate, periodic investigations of emergency wrecker companies throughout the city;~~

~~(3) — Keep records of service adequacy and responsiveness of licensees and provide these records to the director upon request; and~~

~~(4) — Report to the director of any grounds for suspension or revocation of a license under this article observed or documented by a member of the law enforcement agency.~~

Sec. 30-117. ~~Wrecker~~Wrecker rotation Rotation list List procedure.

~~(a) (a)~~Establishment.

The MPD shall establish and maintain a Rotation List consisting of licensed towing companies approved to perform Police-Authorized and Non-Consent Tows under this Article.

Participation on the Rotation List is a privilege granted by the City and not a vested property right.

~~(b)~~Eligibility.

To be eligible for participation, a Towing Company shall:

1. Hold a current City Emergency Wrecker License;
2. Maintain all licenses required by the State of Texas;
3. Maintain all insurance required by this Article;
4. Successfully complete all required inspections;
5. Maintain a qualifying vehicle storage facility;
6. Maintain sufficient personnel and equipment to provide twenty-four-hour service;

7. Maintain satisfactory performance as determined under this Article.

(c) Continued Eligibility.

A Rotation Participant shall continuously comply with this Article. Failure to do so may result in suspension or removal from the Rotation List.

Sec. 30-117-01. Rotation Procedures.

(a) MPD shall maintain a written yearly Rotation List.

(b) Each Police-Authorized Towing assignments shall generally be dispatched sequentially according to the Rotation List unless otherwise authorized by this Article.

(c) Light-Duty Tow and Medium-Duty Tow assignments shall rotate by week. Heavy-Duty Tow assignments shall rotate by tow.

(d) Separate Rotation Lists may be maintained for:

1. Light-Duty Tows;
2. Medium-Duty Tows;
3. Heavy-Duty Tows;
4. Specialized Recovery Operations.

Sec. 30-117-02. Dispatch Procedures.

(e) All Police-Authorized Towing assignments shall be initiated by MPD dispatch.

(f) Tow operators shall acknowledge dispatch immediately upon receipt.

(g) If the assigned Towing Company cannot timely respond, it shall immediately notify MPD. Failure to do so constitutes grounds for discipline.

(h) If a dispatched Towing Company declines, cannot respond, or fails to timely acknowledge dispatch, MPD may immediately dispatch the next available Towing Company on the applicable Rotation List.

Sec. 30-117.03. Response Times.

(a) Tow operators shall arrive within twenty (20) minutes for calls occurring within the City limits or such longer period as may reasonably be required because of weather, traffic, major incidents, or circumstances beyond the operator's control.

(b) Repeated failure to meet required response times may constitute grounds for disciplinary action.

(c) Nothing in this section prevents an incident commander from requesting additional equipment whenever necessary to protect public safety.

Sec. 30-117.04. Emergency Dispatch Authority.

Notwithstanding any other provision of this Article, the incident commander or supervising peace officer may request any available qualified Towing Company whenever necessary to:

1. protect life;
2. protect public safety;
3. clear a roadway;
4. preserve evidence;

5. prevent further property damage;
6. address hazardous materials;
7. respond to major disasters or emergencies.

Use of this authority shall not affect the dispatched company's position on the Rotation List unless otherwise directed by MPD.

Sec. 30-117.05. Multiple Tow Requests.

When multiple tow trucks are reasonably necessary because of multiple vehicles, commercial vehicles, hazardous materials, roadway obstructions, or specialized recovery, MPD may dispatch additional rotation companies or specialized recovery companies as circumstances require.

I

Sec. 30-117.07. Performance Standards.

Each Rotation Participant shall:

1. Maintain courteous and professional conduct.
2. Cooperate with law enforcement.
3. Maintain clean and safe equipment.
4. Maintain twenty-four-hour dispatch capability.
5. Maintain qualified operators.
6. Protect vehicles from additional damage.
7. Follow all lawful directions of incident commanders.
8. Remove debris when required.
9. Comply with all state and federal laws.
10. Maintain required TDLR licenses.

Sec. 30-117.08. Operational Standards.

Tow operators responding to Police-Authorized Tows shall:

1. wear appropriate safety apparel meeting applicable standards;
2. utilize warning lights and traffic control devices as appropriate;
3. protect the Accident scene;
4. avoid unnecessary delay;
5. exercise reasonable care in loading and transporting vehicles;

~~—safeguard personal property remaining in vehicles. An emergency wrecker being called from the wrecker rotation list is referred to as the duty wrecker. When an emergency wrecker is needed, the investigating officer will immediately notify the police department dispatch center. On receiving the first communication, the dispatcher must call the emergency wrecker company on duty at that time to remove the vehicle to a place designated by the applicable law enforcement agency. If additional equipment is required after the duty wrecker's resources are exhausted, the dispatcher will call the next wrecker on the rotation list.~~

6. (b) — If the investigating police officer or the dispatcher determines that use of the wrecker rotation list procedure would result in unreasonable delay in clearing the street, the nearest emergency wrecker may be called as an alternative to use of the procedure.

(c) — A heavy-duty wrecker may be called to the scene of an accident under the following circumstances:

- ~~(1) — The accident involves a tandem axle drive tractor.~~
- ~~(2) — A safety officer or other appropriate official of a damaged vehicle's company requests a heavy-duty wrecker unless honoring the request would result in unreasonable delay in clearing the street.~~
- ~~(3) — The investigating police officer determines that a heavy-duty wrecker is required. The rotation procedure in this article applies to heavy-duty wreckers as well as all other wreckers.~~

~~Sec. 30-117.01. Wrecker rotation list execution.~~

- ~~(a) — The city will maintain a yearly list of emergency wreckers who are on rotation.~~
- ~~(b) — Every Friday, the director will notify the police dispatcher of the assigned wrecker for the rotation period beginning the next Monday morning at 8:00 a.m. and their assigned backup, as well as the heavy-duty wrecker on call. This procedure will continue through the rotation wreckers on the list until all have had a period of rotation.~~

~~Sec. 30-117.02. Suspension/termination from the rotation system.~~

- ~~(a) — The director may, without notice and hearing, suspend a rotation wrecker service from the rotation system for any violation of a contract, any applicable city ordinance, any applicable civil statute, or any policy adopted by the director under authority of city ordinance or a contract, or for any criminal offense committed by the service or by any driver, employee or agent of the service, in the course of providing services, whether or not the services are being performed as part of a rotation system call.~~
- ~~(b) — A rotation wrecker that is suspended may appeal the suspension by written request to the director within ten (10) days after written notification of suspension. The director shall conduct a hearing and may sustain, reverse, or modify the action appealed. The director's action is final.~~
- ~~(c) — A rotation wrecker who is suspended by the director for more than three (3) days may appeal the suspension to the appeals board. A written request to the director must be made within ten (10) days after written notice to the licensee.~~
 - ~~(1) — The appeals board shall set a time, date, and place for a hearing, and the licensee will be notified at least three (3) days prior to the hearing.~~
 - ~~(2) — The appeals board may sustain, reverse, or modify the action appealed. The appeals board's action is final.~~

~~Sec. 30-117.03. Emergency situations.~~

~~When emergency conditions necessitate, the city reserves the right to request the services of the emergency wrecker service who, in the city's sole opinion, is the best able to handle the situation and/or can reach the scene most expeditiously, regardless of the emergency wrecker service position on the rotation log. If a dispatch is made under these circumstances, the emergency wrecker service making such a response will not forfeit its respective position on the rotation.~~

~~Sec. 30-118. Requirements and operating procedures for emergency wrecker service.~~

~~(a) — An emergency wrecker company licensee shall comply with the following requirements and procedures:~~

~~(1) — Maintain twenty-four-hour wrecker service.~~

~~(2) — Arrive at the accident within 30 minutes after having been notified to do so by the applicable law enforcement agency for both light and heavy-duty wreckers. The permit holder shall be available 24 hours a day, 7 days a week.~~

~~(3) — If a called wrecker does not arrive within the allotted time, the officer may ask the dispatcher to cancel the original wrecker and order a second wrecker from the next rotation wrecker on call. Should this take place, the original wrecker will not be granted the tow.~~

~~(4) — Deliver, in every instance, the wrecked or disabled vehicle to a location designated by the applicable law enforcement agency.~~

~~(5) — Emergency wreckers that do not comply with the State of Texas Motor Vehicle Laws are not allowed to participate in the wrecker rotation list.~~

~~(6) — Report to the director all changes in emergency wreckers and equipment used in the licensee's emergency wrecker service and render all additional vehicles for inspection by the director.~~

~~(7) — Employ emergency wrecker drivers who are not habitual violators of the traffic laws.~~

~~(8) — Upon arrival at the scene of an accident, promptly clear the wreckage and debris from the traveled portion of the roadway or confine it to the smallest possible portion of the traveled roadway while removal is taking place and in a manner to minimize the duration of interference with normal traffic flow and completely remove from the site of the accident all resulting wreckage or debris, including all broken glass, but excluding truck or vehicle cargoes, before leaving the site.~~

~~(9) — Nothing in this article shall be construed to permit operation of a wrecker as an authorized emergency vehicle.~~

~~— (10) — All tow operators must maintain current TDLR licensing.~~

Sec. 30-~~119~~118. Custody and Disposition of towed vehiclesVehicles.

A vehicle towed pursuant to this Article shall be stored at a vehicle storage facility designated by the MPD until redeemed by the Vehicle Owner or another person legally entitled to possession of the vehicle.

The vehicle shall be released upon payment of all lawful towing, preservation, and storage charges that have accrued, unless otherwise provided by law.

If the vehicle is not redeemed, it shall be disposed of in accordance with applicable state law.

~~A vehicle towed under the provisions of this article will be kept at a place designated by the applicable law enforcement agency until an application for the vehicle's redemption is made by the owner or an authorized agent who will be entitled to the possession of the vehicle upon payment of all costs of removal and storage that may have accrued. If the owner or an authorized agent does not redeem the vehicle, it will be disposed of in accordance with the law.~~

Sec. 30-120119. Maximum fees ~~Feesto be charged for emergency wrecker service or noneconsensual tows.~~

(a) The City Council shall establish by resolution the maximum rates that may be charged for Police-Authorized and other Non-Consent Towing services regulated by this Article.

The fee schedule may establish maximum charges for:

1. Light-duty towing;
2. Medium-duty towing;
3. Heavy-Duty Towing;
4. Recovery services;
5. Dolly use;
6. Storage;
7. Other services authorized by applicable law.

(b) No Towing Company participating in the Rotation List shall charge any fee exceeding the maximum rate established by the City Council or otherwise authorized by Texas law.

(c) Every invoice shall clearly itemize:

1. tow charge;
2. recovery charge;
3. storage;
4. mileage;
5. labor;
6. equipment utilized;
7. taxes;
8. any other authorized fee.

(d) A copy of every invoice relating to a Police-Authorized Tow shall be maintained for not less than three (3) years and shall be made available to the City upon reasonable request.

(e) No fee shall be assessed unless:

1. expressly authorized by City Council resolution;
2. authorized by state law; or
3. specifically approved by the Vehicle Owner, where permitted by law.

(f) Nothing in this Article regulates charges for:

1. cargo recovery;
2. environmental remediation;
3. hazardous material cleanup;
4. extraordinary recovery services not otherwise regulated by Texas law.

Those services shall be separately negotiated as permitted by law.

~~—The maximum fees charged by permit holders performing emergency wrecker service or non-consent tows shall be set by resolution of the city council and shall reflect the fair value of towing services. Itemized receipts shall be provided to owners or operators at the time payment of tow-related fees is made. Violations of this provision may result in suspension or removal~~

from the tow rotation list, as well as criminal penalties against the offender. Towing fees may be reviewed by the city council once annually upon request of a tow company.

~~(a) A towing company operating under this ordinance shall not charge any fees above the rates established by the City Council. If there is a conflict between city and state established rates, towing companies must comply with applicable state regulations. All permitted towing service invoices must clearly itemize all charges, including services performed, labor, equipment, and other applicable fees. Upon MPD's request, a licensed Towing Company shall provide a copy of the tow invoice for any Police-Authorized or Non-Consent Tow within ten (10) calendar days after the request. Each Towing Company participating in the Rotation List shall also maintain and provide to MPD its current schedule of rates and charges applicable to Police-Authorized and Non-Consent Tows and related storage services and shall promptly notify MPD of any changes to those rates or charges. a copy of the tow invoice must be submitted within ten (10) calendar days. All towing companies participating in the non-consent wrecker rotation shall provide their current non-consent tow schedule to MPD.~~

~~(g)~~

~~(b) Vehicle storage fees may be assessed for any portion of a of a Storage Day; provided, however, that no more than one (1) Storage Day fee may be charged when a vehicle is stored for less than twelve (12) consecutive hours. Storage fees may be charged for any portion of a day, except that no more than one day's fee may be charged if the vehicle is stored for less than 12 hours. A day is defined as beginning and ending at midnight.~~

~~(h)~~

~~A. No additional administrative or equipment related charges may be assessed unless expressly authorized by this ordinance or MPD. Towing companies that violate this section may be subject to suspension, revocation, or other penalties as provided.~~

~~B.(i)~~ Recovery and/or salvage of cargo and mitigation or remediation of hazardous materials, such as fuel spills, are not regulated by this chapter and are separate costs to be negotiated between the owner and whoever is providing that service.

~~(j)~~ Fees not set forth by the City Council shall not be charged.

~~C.(k)~~ Violation of this section constitutes grounds for disciplinary action, suspension, revocation, or removal from the City's Rotation List. ~~Towing companies that violate this section may be subject to suspension, revocation, or other penalties as provided.~~

Sec. 30-121. Traffic Incident Management (Requirement to attend TIMS) Training.

~~(a) Every Tow Operator participating in the Rotation List shall successfully complete the Texas Department of Transportation Traffic Incident Management (TIMS) Training Program.~~

~~(b) Completion shall occur before initial placement on the Rotation List; or within twelve (12) months after adoption of this ordinance for existing participants.~~

~~(c) Proof of current TIMS certification shall be submitted annually with each renewal application.~~

~~(d) Failure to maintain TIMS certification may result in suspension from the Rotation List until corrected. Further, it shall be a requirement for any wrecker service wishing to be on rotation for the city of Marshall, Texas that within twelve (12) months from passage of this ordinance~~

~~that ALL employees that may respond to scenes complete TIMS Training provided by Texas Department of Transportation.” Proof of this training must be provided annually.~~

Sec. 30-122. Records.

Each Rotation Participant shall maintain complete records relating to Police-Authorized Tows, including:

1. dispatch information;
2. response times;
3. invoices;
4. storage records;
5. vehicle release documentation;
6. complaints.

Records shall be retained for three (3) years.

Sec. 30-123. Administrative Rules.

The Chief of Police may adopt written administrative procedures necessary to implement this Article.

Administrative procedures shall be in writing.

1. shall be uniformly applied;
2. shall not conflict with this ordinance;
3. shall not conflict with Texas law.

Sec. 30-124. Enforcement.

The City may enforce this Article by:

1. criminal prosecution;
2. civil enforcement;
3. injunction;
4. administrative suspension;
5. administrative revocation;
6. removal from the Rotation List;
7. any other remedy authorized by law.

The remedies provided herein are cumulative.

SECTION 3. COMPLIANCE WITH OPEN MEETINGS ACT

–That the meeting at which this ordinance was passed was conducted in strict compliance with the Texas Open Meetings Act (Texas Government Code Chapter 551).

SECTION 4. REPEALER CLAUSE

–That all other prior ordinances or portions of ordinances or portions of ordinances of the City of Marshall in conflict with the terms and provisions of this ordinance are hereby repealed to the extent of such conflict only.

SECTION 5. SAVINGS CLAUSE

-That the repeal of any ordinance or portion of any ordinance by this ordinance shall not affect the validity of any pending enforcement action or fines outstanding and due and payable on or before the effective date of this ordinance.

SECTION 6. SEVERABILITY CLAUSE

-That if any section, paragraph, subdivision, clause, phrase, or provision of this ordinance is hereafter determined to be invalid or in violation of the laws of the State of Texas or the Constitution of the United States by of court of appropriate jurisdiction, such finding of invalidity shall affect the continued enforcement only of the provision or provisions so determined to be invalid, it being the intent of the City COUNCIL of the City of Marshall that all other terms and provisions of this ordinance not affected shall remain in full force and effect.

SECTION 7. PENALTY CLAUSE

Any ~~Person~~person, ~~Firm~~firm or ~~Corporation~~corporation violating any term or provision of this ordinance shall be subject to a fine of not more than Five Hundred Dollars (\$500.00)-in accordance with the City of Marshall Code of Ordinances. Every day a violation continues shall be a separate offense.

SECTION 8. PUBLICATION

-That this ordinance shall be effective upon publication

PASSED AND APPROVED by the City Council of the City of Marshall, Texas, on this ____ day of _____, 2026.

AYES: _____

NOES: _____

ABSTAINED: _____

Mayor: _____

City Secretary: _____

A complete copy of this ordinance can be obtained or reviewed in the City Secretary's Office, City Hall at 401 S. Alamo Marshall, Texas.

City of Marshall, Texas

Ordinance No. _____

AN ORDINANCE AMMENDING CHAPTER 30, ARTICLE III OF THE CITY OF MARSHALL CODE OF ORDINANCES, ENTITLED “WRECKER SERVICES” PROVIDING DEFINITIONS; ESTABLISHING RULES FOR WRECKER OPERATIONS; PROVIDING FOR PERMITTING OF WRECKERS; PROVIDING FOR PROCEDURES FOR CALL ROTATAION FOR WRECKERS; PROVIDING FOR PUBLIC SAFETY REQUIREMENTS; ENFORCEMENT PROVISIONS; PENALTIES; AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

WHEREAS the City Council previously adopted regulations governing Police-Authorized and Non-Consent Towing within the City of Marshall by Ordinance O-22-06 and established Article III of Chapter 30 of the Code of Ordinances on February 24th 2022; and

WHEREAS, the City Council finds that the continued regulation of Police-Authorized Towing services is necessary to protect the public health, safety, and welfare, ensure prompt clearance of roadways, promote fair and uniform towing practices, and protect the motoring public; and

WHEREAS, the City Council further finds that revisions to Article III of Chapter 30 of the Code of Ordinances are necessary to clarify licensing requirements, improve administration of the City's wrecker rotation towing system, ensure consistency with applicable provisions of the Texas Occupations Code, Texas Transportation Code, and regulations of the Texas Department of Licensing and Regulation ("TDLR"), and promote efficient law enforcement operations;

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARSHALL, TEXAS:

SECTION 1. FINDINGS

The findings contained in the preamble are hereby adopted as findings of the City Council and of this ordinance are hereby in all things approved.

SECTION 2. AMENDMENT

Article III of Chapter 30 of the City of Marshall Code of Ordinances entitled “Wrecker Service” shall be amended as follows:

Sec. 30-100. Purpose; Applicability.

(a) Purpose.

The purpose of this Article III, Chapter 30 (hereinafter referred to as “this Article”) is to regulate Police-Authorized and other Non-Consent Towing services operating within the City of Marshall in order to:

1. promote public safety;
2. facilitate the prompt removal of disabled or wrecked vehicles from public roadways;
3. establish uniform standards for participation in the City's wrecker rotation towing system;
4. protect the public from unsafe or unfair towing practices;
5. provide objective licensing and operational requirements; and
6. ensure compliance with applicable state law.

This Article applies solely to:

1. Police-Authorized Tows;
2. Non-Consent Tows authorized by law;
3. towing services participating in the Marshall Police Department Rotation List;
4. vehicle storage facilities receiving vehicles towed pursuant to this Article.

This Article does not apply to:

1. Consent Tows requested by the owner or operator of a vehicle;
2. private property Consent Tows;
3. repossessions;
4. any towing activity expressly preempted by state law.

Nothing contained herein shall be interpreted to conflict with or supersede Chapters 2303 or 2308 of the Texas Occupations Code, the Texas Transportation Code, or regulations adopted by the Texas Department of Licensing and Regulation. To the extent any provision conflicts with state law, state law shall control.

Participation in the City's wrecker rotation system is a privilege granted by the City and not a property right. Nothing in this Article creates any contractual or vested right to receive police dispatches.

Nothing in this Article limits the authority of any peace officer at the scene of an emergency to take actions reasonably necessary to protect public safety.

Sec. 30-101. Definitions.

In this Article, unless the context clearly indicates otherwise, the following words shall have the meanings assigned:

Accident means an occurrence involving one or more vehicles resulting in injury, death, property damage, or a disabled vehicle requiring removal.

Appeals Board means the five-member board established under this Article to hear appeals from licensing or rotation decisions. The Appeals Board will consist of two (2) Marshall City Councilmembers, the City Manager or his designee, the Director of Public Works or his designee, and the Fire Chief or his designee. No official who made the original decision may participate in the appeal of that decision.

Chief of Police means the Chief of Police of the City of Marshall or the Chief's authorized designee.

City means the City of Marshall, Texas.

Consent Tow means a tow requested by the owner, operator, or person lawfully entitled to possession of the vehicle.

Disabled Vehicle means a vehicle that cannot safely operate on a public roadway because of mechanical failure, damage, fire, vandalism, or other condition requiring towing.

Emergency Wrecker License means a license issued by the City of Marshall to a towing company that has satisfied the requirements of this Article to perform Police-Authorized Tows and other Non-Consent Tows. An Emergency Wrecker License is a prerequisite to eligibility for participation in the City's Rotation List but does not create a right or entitlement to receive police dispatches or remain on the Rotation List.

Heavy-Duty Tow means towing a vehicle having a gross vehicle weight rating (GVWR) of 25,000 pounds or greater.

Heavy-Duty Tow Truck means a motor vehicle equipped with a chassis rated at five tons or greater, equipped with a power-operated winch, winch line, and boom, with a factory-rated lifting capacity of not less than 32,000 pounds, single- or double-line capacity.

Incident Management Tow means the removal of a vehicle from the scene of a traffic Accident or roadway incident under the direction of law enforcement.

Licensee means a towing company holding an Emergency Wrecker License issued by the City of Marshall.

Light-Duty Tow means towing of a vehicle with a GVWR of 10,000 pounds or less.

Medium-Duty Tow means towing of a vehicle having a GVWR exceeding 10,000 pounds but less than 25,000 pounds.

MPD means the Marshall Police Department.

Non-Consent Tow means the towing or removal of a vehicle without the prior consent of the Vehicle Owner or operator, including Police-Authorized Tows and any other tow authorized by applicable law.

Police-Authorized Tow means the removal of a vehicle by a towing company at the direction or request of the Marshall Police Department, another law enforcement agency having jurisdiction, or another governmental official authorized by law to order the removal of a vehicle. The term includes, but is not limited to, the removal of wrecked, disabled, abandoned, illegally parked, impounded, or otherwise unlawfully situated vehicles when authorized by applicable law.

Rotation List means the official list maintained by Marshall Police Department identifying licensed towing companies eligible to receive Police-Authorized Towing assignments.

Rotation Participant means a licensed towing company approved by the Chief of Police to participate in the City's Rotation List.

Storage Day means the period beginning at 12:00 a.m. (midnight) and ending at 11:59 p.m. on the same calendar day.

Tow Operator means an individual licensed by TDLR to operate a tow truck.

Towing Company means a person or legal entity engaged in the business of towing vehicles.

Vehicle means every device in, upon, or by which any person or property is or may be transported or drawn upon a street, except a device moved by human power or used exclusively upon stationary rails or tracks.

Vehicle Owner means a person having legal title to, lawful possession of, or the legal right to control a vehicle.

Vehicle Storage Facility is a location licensed by the state to store vehicles towed.

Wrecker means any motor vehicle used for the purpose of towing or removing vehicles as defined by Texas law.

Sec. 30-101.01. Orders of Police Officers.

- (a) A Tow Operator responding to a Police-Authorized Tow shall comply with all lawful instructions issued by the incident commander or other peace officer directing traffic or managing the incident scene.
- (b) Failure to comply constitutes grounds for disciplinary action under this Article.

Sec. 30-102. Solicitation Prohibited.

- (a) A Towing Company, Tow Operator, or person acting on behalf of either may not solicit business at or near the scene of an Accident unless specifically requested by the Vehicle Owner or directed by law enforcement.
- (b) The unauthorized presence of a tow vehicle at an Accident scene may constitute evidence of solicitation but shall not create an irrebuttable presumption of a violation.
- (c) Nothing herein prohibits lawful advertising not directed toward a specific Accident scene.

Sec. 30-103. Violations and Penalties.

- (a) A person who violates this Article commits a misdemeanor offense punishable by a fine not to exceed an amount of Five Hundred Dollars (\$500.00).
- (b) Each day a violation continues constitutes a separate offense.
- (c) The city may pursue any other remedy authorized by law, including suspension or revocation of licenses or removal from the City's Rotation List.

Sec. 30-104. Unauthorized Response to Accident Scenes.

- (a) Except when requested by the Vehicle Owner, the vehicle operator, law enforcement, or another governmental agency authorized by law, no Tow Operator shall respond to an Accident scene for the purpose of obtaining towing business.
- (b) Violation of this section constitutes grounds for disciplinary action, suspension, revocation, or removal from the City's Rotation List.

Sec. 30-105. City License Required; Rotation Participation.

- (a) No person may perform Police-Authorized or other Non-Consent Towing services under this Article unless the Towing Company:
 - 1. holds a valid City of Marshall Emergency Wrecker License;
 - 2. maintains all licenses and registrations required by the State of Texas;
 - 3. maintains all insurance required by this Article; and
 - 4. complies with all applicable federal, state, and local laws.

- (b) Issuance of an Emergency Wrecker License authorizes the Licensee to provide Police-Authorized Towing services subject to this Article.

Issuance of an Emergency Wrecker License does not automatically entitle a Licensee to participate in the City's Rotation List.

Participation on the Rotation List shall be governed separately under Section 30-117.

- (c) Only one Emergency Wrecker License may be issued for each Towing Company operating under a single ownership and business location.
- (d) An Emergency Wrecker License issued under this Article is non-transferable, is non-assignable, and expires annually on June 30 unless renewed. The sole exception to this provision shall be that a Licensee may transfer a license to a wholly own entity of the Licensee upon application (without fee) and approval by the Chief of Police.
- (e) Each Licensee must maintain a permanent business office within the City limits or within one (1) driving mile of the City limits and shall keep the business location open from 9:00 a.m. to 5:00 p.m. on weekdays, except for recognized holidays.
- (f) Each Licensee must maintain a vehicle storage facility within the City limits or within three (3) driving mile of the City limits, unless otherwise approved by the Chief of Police upon written finding that the alternate location will not adversely affect response times or public safety. Any vehicle storage facility must be lighted and fenced.
- (g) Each Licensee must maintain twenty-four-hour dispatch capability, adequate personnel, equipment meeting this Article and a vehicle storage facility licensed by TDLR.
- (h) Each Licensee must maintain a minimum of one (1) Wrecker equipped with a wheel lift or roll back bed.
- (i) Each Licensee engaged in Heavy-Duty Tow must maintain a minimum of (1) Heavy-Duty Tow Truck.
- (j) Each Licensee is required to maintain its own towing equipment. And Licensees may not share vehicle storage facilities or permanent business addresses.

Sec. 30-106. Application for License.

- (a) Applications shall be submitted on forms prescribed by the Chief of Police.
- (b) Each Application shall include:

1. legal name of applicant;
2. assumed business name;
3. business address;
4. mailing address;
5. telephone number;
6. electronic mail address;
7. names of all owners, partners, members, officers, or managers;
8. proof of ownership or lawful possession of all tow vehicles;
9. description of each tow vehicle;
10. TDLR license information;
11. proof of insurance;

12. identification of vehicle storage facility;
13. emergency contact information;
14. agreement to participate in the Rotation List; and
15. certification that applicant will comply with this Article.

- (c) The applicant shall immediately notify the City of any material change in the information contained in the application.
- (d) An application shall not be considered complete until all required documents have been submitted.
- (e) The Chief of Police may require additional documentation reasonably necessary to determine compliance with this Article.

Sec. 30-106.01. Investigation.

Upon receipt of a completed application, the Chief of Police shall investigate whether the applicant satisfies the requirements of this Article.

The investigation may include:

1. inspection of equipment;
2. inspection of storage facilities;
3. verification of insurance;
4. verification of state licenses;
5. review of prior compliance history;
6. review of safety violations;
7. review of response capabilities.

Sec. 30-106.02. Inspection.

Before issuance or renewal of an Emergency Wrecker License, every tow vehicle shall successfully pass inspection by the City.

The inspection shall include:

1. required equipment;
2. warning lights;
3. winches;
4. wheel lifts;
5. jack stands;
6. dollies;
7. safety chains;
8. flares;
9. communications equipment;
10. fire extinguisher;
11. compliance with state law.

Failure to pass inspection shall result in denial until corrected.

Sec. 30-106.03. Standards for Approval.

The Chief of Police shall issue an Emergency Wrecker License when the applicant demonstrates compliance with this Article.

Approval shall be based upon objective findings including:

1. compliance with state licensing;
2. compliance with insurance requirements;
3. satisfactory inspection;
4. adequate equipment;
5. qualified personnel;
6. lawful storage facilities;
7. ability to provide continuous service
8. prior compliance with Article III, Chapter 30.

An Emergency Wrecker License shall not be denied for arbitrary or discriminatory reasons.

Sec. 30-107. Fees.

The City Council shall establish all licensing and inspection fees by resolution.

The fee schedule may include:

1. annual license fee;
2. vehicle inspection fee;
3. duplicate license fee;
4. renewal fee;
5. City tow fee.

No fee shall be imposed except by City Council resolution.

All fees are non-refundable unless otherwise authorized by the City Council.

Sec. 30-108. Issuance of License.

When the Chief of Police determines that an applicant satisfies this Article, the City shall issue:

1. an Emergency Wrecker License;
2. an inspection card for each approved tow vehicle.

The inspection card shall remain inside the tow vehicle at all times.

An Emergency Wrecker License shall be displayed prominently at the Towing Company's principal office.

No tow vehicle may be used in Police-Authorized Towing unless a current inspection card has been issued.

Sec. 30-109. Changes in Information.

A Licensee shall notify the Chief of Police within ten (10) business days of any material change involving:

1. ownership;
2. management;
3. trade name;
4. business address;
5. vehicle storage facility;
6. insurance;
7. state license status.

Failure to provide timely notice constitutes grounds for disciplinary action.

Sec. 30-110. Denial of License.

- (a) Grounds for Denial. The Chief of Police may deny issuance or renewal of an Emergency Wrecker License upon written findings that the applicant has failed to satisfy one or more of the requirements of this Article.

Grounds for denial include:

1. Submission of materially false or misleading information in an application or renewal application.
 2. Failure to maintain any license, permit, registration, or certification required by state law.
 3. Failure to maintain the insurance required by this Article.
 4. Failure to successfully complete the required inspection.
 5. Failure to maintain a qualifying business location or vehicle storage facility.
 6. Failure to maintain equipment required by this Article.
 7. Failure to correct deficiencies identified during inspection after reasonable notice.
 8. Revocation or suspension of a required state license that materially affects the applicant's ability to lawfully perform towing services.
 9. The Licensee, applicant, or any employee thereof has been convicted of a felony, a crime of moral turpitude, or an intoxication offence of any kind, unless at least five (5) years have elapsed since the later of: (a) the date of conviction; or (b) the date of release from confinement imposed for the conviction.
 10. Failure to satisfy any objective licensing requirement established by this Article.
- (b) An Emergency Wrecker License shall not be denied for arbitrary, capricious, discriminatory, or retaliatory reasons.
- (c) The Chief shall issue written notice stating the specific reasons for denial.

Sec. 30-111. Suspension.

- (a) The Chief of Police may temporarily suspend an Emergency Wrecker License or a company's participation in the Rotation List whenever the Chief determines that immediate action is reasonably necessary to protect:

1. public safety;
2. the safety of law enforcement personnel;
3. motorists;
4. property; or
5. the integrity of the City's towing program.

- (b) Grounds for suspension include:

1. Failure to maintain required insurance.
2. Failure to maintain required state licenses.
3. Failure to maintain required equipment.
4. Unsafe towing practices.
5. Failure to respond within required response times.
6. Failure to obey lawful instructions of law enforcement.
7. Fraudulent billing.

8. Charging unauthorized fees.
9. Failure to maintain required staffing.
10. Failure to comply with applicable state or federal law.
11. Repeated violations of this Article.

- (c) Unless an emergency exists, written notice shall be provided before suspension.
- (d) When immediate suspension is necessary to protect public safety, the Chief may order an emergency suspension effective immediately.

Within ten (10) business days, the City shall provide the Licensee an opportunity for an administrative hearing before the Appeals Board.

- (e) An emergency suspension shall remain in effect only until the violation has been corrected and the Chief of Police reverses the suspension, or the Appeals Board issues a decision.

Sec. 30-112. Appeals.

- (a) An applicant or Licensee may appeal:
 1. denial of a license;
 2. denial of renewal;
 3. suspension;
 4. revocation;
 5. removal from the Rotation List.
- (b) Appeals shall be filed within ten (10) business days after receipt of written notice.
- (c) The Appeals Board shall conduct a hearing within twenty (20) business days, unless continued for good cause.
- (d) The appellant shall receive:
 1. written notice;
 2. copies of the alleged violations;
 3. opportunity to present witnesses;
 4. opportunity to present documents;
 5. opportunity to cross-examine witnesses when appropriate.
- (e) The Appeals Board shall issue written findings.
- (f) A Board member who participated in the original decision shall not participate in the appeal.
- (g) The Appeals Board may affirm, reverse, modify, reduce, or rescind the disciplinary action.

Sec. 30-113. Revocation.

- (a) Following notice and hearing, the Appeals Board may revoke an Emergency Wrecker License for:
 1. Repeated violations of this Article.
 2. Fraud or intentional misrepresentation.
 3. Knowingly charging unauthorized fees.
 4. Knowingly submitting false records.
 5. Loss of required insurance.
 6. Loss of required state licenses.

7. Failure to maintain minimum operational requirements.
8. Conduct demonstrating an inability or unwillingness to safely perform Police-Authorized Towing.
9. Three suspensions within a rolling twenty-four-month period
10. The Licensee, applicant, or any employee thereof has been convicted of a felony, a crime of moral turpitude, or an intoxication offence of any kind, unless at least five (5) years have elapsed since the later of: (a) the date of conviction; or (b) the date of release from confinement imposed for the conviction.

(b) Revocation shall be supported by written findings.

(c) The city may impose lesser discipline when appropriate, including:

1. probation;
2. corrective action plans;
3. mandatory retraining;
4. temporary suspension.

Sec. 30-114. Insurance.

(a) Each Licensee shall maintain insurance required by state law throughout the term of the license.

(b) The City shall receive certificates of insurance upon issuance and renewal.

(c) Policies shall require thirty (30) days written notice before cancellation or material reduction of coverage.

(d) Failure to maintain insurance constitutes grounds for immediate suspension.

Sec. 30-115. Authority of the Chief of Police.

The Chief of Police shall administer this Article and may:

1. issue Emergency Wrecker Licenses;
2. conduct inspections;
3. investigate complaints;
4. issue written administrative procedures consistent with this Article;
5. establish standardized inspection forms;
6. monitor response times;
7. maintain towing records;
8. require operational reports;
9. conduct audits;
10. temporarily suspend Emergency Wrecker Licenses as authorized herein.

Administrative procedures adopted under this section shall not conflict with this Article or state law.

Sec. 30-116. Marshall Police Department Responsibilities.

The MPD shall:

1. administer the Rotation List;
2. dispatch rotation companies;
3. maintain dispatch records;

4. monitor response times;
5. investigate complaints;
6. inspect tow vehicles when authorized;
7. document violations;
8. recommend disciplinary action when appropriate;
9. coordinate incident management with towing companies.

Sec. 30-117. Wrecker Rotation List

(a) Establishment.

The MPD shall establish and maintain a Rotation List consisting of licensed towing companies approved to perform Police-Authorized and Non-Consent Tows under this Article.

Participation on the Rotation List is a privilege granted by the City and not a vested property right.

(b) Eligibility.

To be eligible for participation, a Towing Company shall:

1. Hold a current City Emergency Wrecker License;
2. Maintain all licenses required by the State of Texas;
3. Maintain all insurance required by this Article;
4. Successfully complete all required inspections;
5. Maintain a qualifying vehicle storage facility;
6. Maintain sufficient personnel and equipment to provide twenty-four-hour service;
7. Maintain satisfactory performance as determined under this Article.

(c) Continued Eligibility.

A Rotation Participant shall continuously comply with this Article. Failure to do so may result in suspension or removal from the Rotation List.

Sec. 30-117-01. Rotation Procedures.

(a) MPD shall maintain a written yearly Rotation List.

(b) Each Police-Authorized Towing assignments shall generally be dispatched sequentially according to the Rotation List unless otherwise authorized by this Article.

(c) Light-Duty Tow and Medium-Duty Tow assignments shall rotate by week. Heavy-Duty Tow assignments shall rotate by tow.

(d) Separate Rotation Lists may be maintained for:

1. Light-Duty Tows;
2. Medium-Duty Tows;
3. Heavy-Duty Tows;
4. Specialized Recovery Operations.

Sec. 30-117-02. Dispatch Procedures.

(e) All Police-Authorized Towing assignments shall be initiated by MPD dispatch.

(f) Tow operators shall acknowledge dispatch immediately upon receipt.

- (g) If the assigned Towing Company cannot timely respond, it shall immediately notify MPD. Failure to do so constitutes grounds for discipline.
- (h) If a dispatched Towing Company declines, cannot respond, or fails to timely acknowledge dispatch, MPD may immediately dispatch the next available Towing Company on the applicable Rotation List.

Sec. 30-117.03. Response Times.

- (a) Tow operators shall arrive within twenty (20) minutes for calls occurring within the City limits or such longer period as may reasonably be required because of weather, traffic, major incidents, or circumstances beyond the operator's control.
- (b) Repeated failure to meet required response times may constitute grounds for disciplinary action.
- (c) Nothing in this section prevents an incident commander from requesting additional equipment whenever necessary to protect public safety.

Sec. 30-117.04. Emergency Dispatch Authority.

Notwithstanding any other provision of this Article, the incident commander or supervising peace officer may request any available qualified Towing Company whenever necessary to:

1. protect life;
2. protect public safety;
3. clear a roadway;
4. preserve evidence;
5. prevent further property damage;
6. address hazardous materials;
7. respond to major disasters or emergencies.

Use of this authority shall not affect the dispatched company's position on the Rotation List unless otherwise directed by MPD.

Sec. 30-117.05. Multiple Tow Requests.

When multiple tow trucks are reasonably necessary because of multiple vehicles, commercial vehicles, hazardous materials, roadway obstructions, or specialized recovery, MPD may dispatch additional rotation companies or specialized recovery companies as circumstances require.

Sec. 30-117.07. Performance Standards.

Each Rotation Participant shall:

1. Maintain courteous and professional conduct.
2. Cooperate with law enforcement.
3. Maintain clean and safe equipment.
4. Maintain twenty-four-hour dispatch capability.
5. Maintain qualified operators.
6. Protect vehicles from additional damage.
7. Follow all lawful directions of incident commanders.
8. Remove debris when required.
9. Comply with all state and federal laws.

10. Maintain required TDLR licenses.

Sec. 30-117.08. Operational Standards.

Tow operators responding to Police-Authorized Tows shall:

1. wear appropriate safety apparel meeting applicable standards;
2. utilize warning lights and traffic control devices as appropriate;
3. protect the Accident scene;
4. avoid unnecessary delay;
5. exercise reasonable care in loading and transporting vehicles;
6. safeguard personal property remaining in vehicles.

Sec. 30-118. Custody and Disposition of Vehicles.

A vehicle towed pursuant to this Article shall be stored at a vehicle storage facility designated by the MPD until redeemed by the Vehicle Owner or another person legally entitled to possession of the vehicle.

The vehicle shall be released upon payment of all lawful towing, preservation, and storage charges that have accrued, unless otherwise provided by law.

If the vehicle is not redeemed, it shall be disposed of in accordance with applicable state law.

Sec. 30-119. Maximum Fees.

(a) The City Council shall establish by resolution the maximum rates that may be charged for Police-Authorized and other Non-Consent Towing services regulated by this Article.

The fee schedule may establish maximum charges for:

1. Light-duty towing;
2. Medium-duty towing;
3. Heavy-Duty Towing;
4. Recovery services;
5. Dolly use;
6. Storage;
7. Other services authorized by applicable law.

(b) No Towing Company participating in the Rotation List shall charge any fee exceeding the maximum rate established by the City Council or otherwise authorized by Texas law.

(c) Every invoice shall clearly itemize:

1. tow charge;
2. recovery charge;
3. storage;
4. mileage;
5. labor;
6. equipment utilized;
7. taxes;
8. any other authorized fee.

(d) A copy of every invoice relating to a Police-Authorized Tow shall be maintained for not less than three (3) years and shall be made available to the City upon reasonable request.

- (e) No fee shall be assessed unless:
1. expressly authorized by City Council resolution;
 2. authorized by state law; or
 3. specifically approved by the Vehicle Owner, where permitted by law.

- (f) Nothing in this Article regulates charges for:
1. cargo recovery;
 2. environmental remediation;
 3. hazardous material cleanup;
 4. extraordinary recovery services not otherwise regulated by Texas law.

Those services shall be separately negotiated as permitted by law.

- (g) Upon MPD's request, a licensed Towing Company shall provide a copy of the tow invoice for any Police-Authorized or Non-Consent Tow within ten (10) calendar days after the request. Each Towing Company participating in the Rotation List shall also maintain and provide to MPD its current schedule of rates and charges applicable to Police-Authorized and Non-Consent Tows and related storage services and shall promptly notify MPD of any changes to those rates or charges.
- (h) Vehicle storage fees may be assessed for any portion of a of a Storage Day; provided, however, that no more than one (1) Storage Day fee may be charged when a vehicle is stored for less than twelve (12) consecutive hours.
- (i) Recovery and/or salvage of cargo and mitigation or remediation of hazardous materials, such as fuel spills, are not regulated by this chapter and are separate costs to be negotiated between the owner and whoever is providing that service.
- (j) Fees not set forth by the City Council shall not be charged.
- (k) Violation of this section constitutes grounds for disciplinary action, suspension, revocation, or removal from the City's Rotation List.

Sec. 30-121. Traffic Incident Management (TIMS) Training.

- (a) Every Tow Operator participating in the Rotation List shall successfully complete the Texas Department of Transportation Traffic Incident Management (TIMS) Training Program.
- (b) Completion shall occur before initial placement on the Rotation List; or within twelve (12) months after adoption of this ordinance for existing participants.
- (c) Proof of current TIMS certification shall be submitted annually with each renewal application.
- (d) Failure to maintain TIMS certification may result in suspension from the Rotation List until corrected.

Sec. 30-122. Records.

Each Rotation Participant shall maintain complete records relating to Police-Authorized Tows, including:

1. dispatch information;
2. response times;
3. invoices;

4. storage records;
5. vehicle release documentation;
6. complaints.

Records shall be retained for three (3) years.

Sec. 30-123. Administrative Rules.

The Chief of Police may adopt written administrative procedures necessary to implement this Article.

Administrative procedures shall be in writing,

1. shall be uniformly applied;
2. shall not conflict with this ordinance;
3. shall not conflict with Texas law.

Sec. 30-124. Enforcement.

The city may enforce this Article by:

1. criminal prosecution;
2. civil enforcement;
3. injunction;
4. administrative suspension;
5. administrative revocation;
6. removal from the Rotation List;
7. any other remedy authorized by law.

The remedies provided herein are cumulative.

SECTION 3. COMPLIANCE WITH OPEN MEETINGS ACT

That the meeting at which this ordinance was passed was conducted in strict compliance with the Texas Open Meetings Act (Texas Government Code Chapter 551).

SECTION 4. REPEALER CLAUSE

That all other prior ordinances or portions of ordinances or portions of ordinances of the City of Marshall in conflict with the terms and provisions of this ordinance are hereby repealed to the extent of such conflict only.

SECTION 5. SAVINGS CLAUSE

That the repeal of any ordinance or portion of any ordinance by this ordinance shall not affect the validity of any pending enforcement action or fines outstanding and due and payable on or before the effective date of this ordinance.

SECTION 6. SEVERABILITY CLAUSE

That if any section, paragraph, subdivision, clause, phrase, or provision of this ordinance is hereafter determined to be invalid or in violation of the laws of the State of Texas or the Constitution of the United States by a court of appropriate jurisdiction, such finding of invalidity shall affect the continued enforcement only of the provision or provisions so determined to be invalid, it being the intent of the City COUNCIL of the City of Marshall that all other terms and provisions of this ordinance not affected shall remain in full force and effect.

SECTION 7. PENALTY CLAUSE

Any person, firm or corporation violating any term or provision of this ordinance shall be subject to a fine of not more than Five Hundred Dollars (\$500.00) in accordance with the City of Marshall Code of Ordinances. Every day a violation continues shall be a separate offense.

SECTION 8. PUBLICATION

That this ordinance shall be effective upon publication

PASSED AND APPROVED by the City Council of the City of Marshall, Texas, on this ____ day of _____, 2026.

AYES: _____

NOES: _____

ABSTAINED: _____

Mayor: _____

City Secretary: _____

A complete copy of this ordinance can be obtained or reviewed in the City Secretary's Office, City Hall at 401 S. Alamo Marshall, Texas.



Marshall Police Department

2101 East End Blvd N. • Marshall, Texas 75670 • (903) 935-4520 • Fax (903) 935-4558

Cliff Carruth
Chief of Police

- i. Light Duty: \$272 for the first hour of operation. After the first hour, time will be billed in 15-minute increments. If a police officer on the scene determines that a second tow truck is required, the standard light-duty fee shall apply for the second truck for the first hour of operation. Any additional time will be billed in 15-minute increments.
- ii. Medium Duty: \$380 for the first hour of operation. After the first hour, time shall be billed in 15-minute increments. If the police officer on scene determines that a second wrecker is required, the standard medium-duty fee shall apply for the second wrecker for the first hour of work. Any additional time shall be billed in 15-minute increments.
- iii. Heavy Duty: \$489 per unit. After the first hour, time shall be billed in fifteen-minute increments. If a police officer on scene determines that a second wrecker is necessary, the standard heavy-duty fee shall apply to the second truck for the first hour of work. Any additional time shall be billed in 15-minute increments.
- iv. Special Services
 - 1. Dolly Fee: \$45 (in addition to the standard tow fee).
 - 2. Rollover Recovery: \$85 (in addition to the standard tow fee).
- v. Extra Fees
 - 1. Accident Scene Response: \$35 (in addition to standard tow fee).
 - 2. Vehicle Storage Fee 25ft or less: 22.85/day.
 - 3. Vehicle Storage Fee Over 25ft: 39.99/day.

The recommended fees for the different types of tows are consistent with the numbers reviewed on TDLR's page. The reason that we listed them as per hour is that while it is rare, there are times where a wrecker may be on scene for an extended amount of time. Longview has a provision in their ordinance that allows a fee of \$91 per hour be assessed after the first hour. In causing them to bill in 15 minute increments it results in \$67.50 per billing section. While this could result in a higher per hour fee should they be there an extended time it would more than likely reduce the amount billed.

The special services fees are listed similar to that of Longview. They allow for a dolly fee as well, but it does not appear that they have a rollover recovery fee. However, rollover accidents usually require a significant increase in the amount of work that needs to be done which is why this fee was included.

“Keeping our Community Safe”



TO: City Council
DATE: July 9, 2026
ITEM #: 8.B
SUBJECT: **O-26-16** Consider approval of an ordinance amending ordinance O-25-15 Comprehensive Fee Schedule. (City Secretary)

Recommendation for Action: Staff recommends City Council approve the proposed ordinance amending Ordinance O-25-15, updating the City's Comprehensive Fee Schedule.

Executive Summary: The proposed ordinance amends Ordinance O-25-15 to update the City of Marshall's Comprehensive Fee Schedule. The revision is for the inclusion of wrecker fees.

Focus Area(s): Improving Communication

Budget Cost: N/A

Staff Contact: Nikki Smith, City Secretary

Attachments:

1. O-26-16 Ordinance Amending FY25 Comprehensive Fee Schedule Ordinance O-25-15
2. Attachment A FY26 Comprehensive Fee Schedule

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MARSHALL, TEXAS, AMENDING THE RATES AND FEES FOR SERVICES PROVIDED BY THE CITY OF MARSHALL;

WHEREAS, on July 24, 2025, the City Council of the City of Marshall, Texas, adopted Ordinance No. O-25-15 to establish rates and fees for services provided by the City; and

WHEREAS, the City of Marshall, Texas, seeks to amend the Comprehensive Fee Schedule to include rates and fees that were not incorporated in the original schedule;

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

SECTION 1. The findings and recitals set forth in the preamble of this ordinance are hereby adopted and approved in their entirety.

SECTION 2. All fees for services provided by the City of Marshall shall conform to the updated fee schedule attached to this ordinance as *Attachment A*.

SECTION 3. The City Council confirms that the meeting at which this ordinance was passed was conducted in strict compliance with the Texas Open Meetings Act (Texas Government Code Chapter 551).

SECTION 4. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed, but only to the extent of such conflict.

SECTION 5. The repeal of any ordinance or part of an ordinance by this ordinance shall not affect the validity of any pending enforcement actions or any fees accrued for services rendered prior to the effective date of this ordinance.

SECTION 6. This ordinance shall take effect on July 9, 2026.

PASSED AND APPROVED the 9th day of July 2026.

APPROVED:

Mayor of the City Council
of the City of Marshall, Texas

ATTEST:

City Secretary



City of Marshall

Comprehensive Fee Schedule FY25

Category	Department	Fee Description	Approved FY25 Fee Amount	Proposed FY26 Fee Amount	Change
Alarms, Emergency		Permit, Annual	25.00	-	None
Alarms, Emergency		Service Charge, False Alarm, Non-Payment Of False Alarm Fee (\$5 Per Day, Maximum \$50)	5.00	-	None
Alarms, Emergency		Service Charge, False Burglar Alarm, False Alarms 6 & 7 (Each)	25.00	-	None
Alarms, Emergency		Service Charge, False Burglar Alarm, False Alarms Above 7 (Each)	100.00	-	None
Alarms, Emergency		Service Charge, False Emergency Medical Assistance Alarm, False Alarms 6 & 7 (Each)	25.00	-	None
Alarms, Emergency		Service Charge, False Emergency Medical Assistance Alarm, False Alarms Above 7 (Each)	100.00	-	None
Alarms, Emergency		Service Charge, False Fire Alarm, False Alarms 6 & 7 (Each)	25.00	-	None
Alarms, Emergency		Service Charge, False Fire Alarm, False Alarms Above 7 (Each)	100.00	-	None
Alarms, Emergency		Service Charge, False Robbery Alarm, False Alarms 4 & 5 (Each)	25.00	-	None
Alarms, Emergency		Service Charge, False Robbery Alarm, False Alarms Above 5 (Each)	100.00	-	None
Alarms, Emergency		Service Charge, Invalid Permit, 1St Response	50.00	-	None
Alarms, Emergency		Service Charge, Invalid Permit, 2Nd Response	75.00	-	None
Alarms, Emergency		Service Charge, Invalid Permit, 3 And Over Responses (Each)	100.00	-	None
Alarms, Emergency		Service Charge, Invalid Permit, Previous Years' Violations, 1st Response	50.00	-	None
Alarms, Emergency		Service Charge, Invalid Permit, Previous Years' Violations, 2nd And Over Response	100.00	-	None
Ambulance Services		Als Disposables	400.00	-	None
Ambulance Services		Als Emergency	1,400.00	-	None
Ambulance Services		Als li Emergency	1,600.00	-	None
Ambulance Services		Als Non-Emergency	1,400.00	-	None
Ambulance Services		Bls Disposables	300.00	-	None
Ambulance Services		Bls Emergency	1,200.00	-	None
Ambulance Services		Bls Non-Emergency	1,200.00	-	None
Ambulance Services		Helicopter Transfer Charge	400.00	-	None
Ambulance Services		Mileage, Per Mile	24.00	-	None
Ambulance Services		No Transport-Patient Contact, No Transport (Inside City)	150.00	-	None
Ambulance Services		No Transport-Patient Contact, No Transport (Outside City)	200.00	-	None
Animal Control		Adoption Fee Standard Adult Cat	80.00	-	None
Animal Control		Adoption Fee Standard Adult Dog	100.00	-	None
Animal Control		Boarding Fee (Per Day)	60.00	-	None
Animal Control		Cat, (Residency Outside Marshall City Limit)	50.00	-	None
Animal Control		Cat, Plus 1-5 Kittens	100.00	-	None
Animal Control		Cat, Plus 6+ Kittens	150.00	-	None
Animal Control		Dog, (Residency Outside Marshall City Limit)	50.00	-	None
Animal Control		Dog, Plus 1-3 Puppies	150.00	-	None
Animal Control		Dog, Plus 4+ Puppies	200.00	-	None
Animal Control		Impoundment Fee-Altered Animal (1St Impoundment)	100.00	-	None
Animal Control		Impoundment Fee-Altered Animal (2rd Impoundment)	200.00	-	None
Animal Control		Impoundment Fee-Altered Animal (3rd Impoundment)	300.00	-	None
Animal Control		Microchip	50.00	-	None
Animal Control		Quarantine (\$20 Per Day, Maximum \$200)	80.00	-	None
Animal Control		Quarantine (Initial Fee)	200.00	-	None
Animal Control		Spay/Neuter Fee (Surrendered Animals)	50.00	-	None
Animal Control		Surrender Fee (Compliant Animal)	100.00	-	None
Animal Control		Surrender Fee (Non-Compliant Animal)	160.00	-	None
Burning Permits		Land Clearing (Per Day) (Monday - Friday)	250.00	-	None
Burning Permits		Burn Permit (14 Days)	25.00	-	None
Code Compliance Fees		Administrative Fee - Code Enforcement Non-Compliance	90.00	-	None
Commercial		Cell Tower Upgrade - Permit	90.00	-	None
Commercial		Certificate Of Occupancy - Permit	50.00	-	None
Commercial		Driveway Or Parking Lot - Permit	150.00	-	None
Commercial		Electrical- Others/ Repairs - Permit	35.00	-	None
Commercial		Electrical- Panel Replacement/ Rewire/ Service- Meter Base Replacement - Permit	50.00	-	None



City of Marshall

Comprehensive Fee Schedule FY25

Category	Department	Fee Description	Approved FY25 Fee Amount	Proposed FY26 Fee Amount	Change
Commercial		Electrical, Plumbing, Or Mechanical- New Construction Or Addition Permit	10% Of The Original Building Permit Fee	-	None
Commercial		Irrigation - Permit	125.00	-	None
Commercial		Mechanical- Replacement/ Repairs - Permit	35.00	-	None
Commercial		New Construction/Addition/Remodel Permit Fee (Per Sq. Foot)	0.30	-	None
Commercial		New Construction/Addition/Remodel Plan Review Permit	50% Of The Permit Fee	-	None
Commercial		Plumbing- Others/ Repairs - Permit	35.00	-	None
Commercial		Plumbing- Slab Leaks/ Tunneling/ Sewer Main Replacement - Permit	50.00	-	None
Commercial		Roofing - Permit	250.00	-	None
Commercial		Sign- 50 Sq Ft Or Less Double Sided - Permit	80.00	-	None
Commercial		Sign- 50 Sq Ft Or Less Single Sided Or Reface - Permit	65.00	-	None
Commercial		Sign- Greater Than 50 Sq Ft Double Sided - Permit	190.00	-	None
Commercial		Sign- Greater Than 50 Sq Ft Single Sided Or Reface - Permit	125.00	-	None
Community Centers, Lions & Smith		Deposit For Damages/Clean Up Fee	150.00	-	None
Community Centers, Lions & Smith		Rental Fees: All Day	150.00	-	None
Community Centers, Lions & Smith		Rental Fees: 8 A.M. - 5 P.M.	100.00	-	None
Convention Center		Additional Time Requested (Per Hour)	45.00	-	None
Convention Center		All American Meeting Room (Up To 4 Hours)	125.00	-	None
Convention Center		Big Cypress (1/3 Hall - Up To 8 Hours) Friday - Sunday Rate	325.00	-	None
Convention Center		Big Cypress (1/3 Hall - Up To 8 Hours) Monday - Thursday Rate	225.00	-	None
Convention Center		Big Cypress (1/3 Hall - Up To 8 Hours) Non-Profit Rate	275.00	-	None
Convention Center		Bluebonnet Meeting Room (Up To 4 Hours)	100.00	-	None
Convention Center		Caddo Hall (East & West - Up To 8 Hours) Friday - Sunday	600.00	-	None
Convention Center		Caddo Hall (East & West - Up To 8 Hours) Monday - Thursday	500.00	-	None
Convention Center		Caddo Hall (East & West - Up To 8 Hours) Non-Profit Rate	500.00	-	None
Convention Center		Caddo Hall (East Or West - Up To 8 Hours) Friday - Sunday Rate	425.00	-	None
Convention Center		Caddo Hall (East Or West - Up To 8 Hours) Monday - Thursday Rate	325.00	-	None
Convention Center		Caddo Hall (East Or West - Up To 8 Hours) Non-Profit Rate	350.00	-	None
Convention Center		Coffee Urn And Supplies (Each)	35.00	-	None
Convention Center		Concession Stand (Per Day)	35.00	-	None
Convention Center		Damages/Clean Up Fee Deposit (Refundable)	500.00	-	None
Convention Center		Entire Facility (8 Hours Max.)	1,650.00	-	None
Convention Center		Freight Storage (Per Day)	150.00	-	None
Convention Center		Kitchen (Per Day)	200.00	-	None
Convention Center		Little Cypress (1/5 Hall - Up To 8 Hours) Friday - Sunday Rate	275.00	-	None
Convention Center		Little Cypress (1/5 Hall - Up To 8 Hours) Monday - Thursday Rate	250.00	-	None
Convention Center		Little Cypress (1/5 Hall - Up To 8 Hours) Non-Profit Rate	225.00	-	None
Convention Center		Lobby (Daily - Up To 8 Hours)	200.00	-	None
Convention Center		Marshall (Up To 4 Hours)	75.00	-	None
Convention Center		Parking Lot (Display Use Only - Up To 8 Hours)	400.00	-	None
Convention Center		Podium	10.00	-	None
Convention Center		Projector	30.00	-	None
Convention Center		Room Reset Fee	100.00	-	None
Convention Center		Sabine (Up To 4 Hours)	75.00	-	None
Convention Center		Seven Flags & All American Meeting Rooms (Up To 4 Hours)	250.00	-	None
Convention Center		Seven Flags Meeting Room (Up To 4 Hours)	125.00	-	None
Convention Center		Smart Board	75.00	-	None
Convention Center		Sound System	35.00	-	None
Convention Center		Stage (Full)	100.00	-	None
Convention Center		Stage (Half)	50.00	-	None
Convention Center		Stagecoach (Up To 4 Hours)	100.00	-	None
Convention Center		Theater Light & Sound Tech (Per Hour)	25.00	-	None
Convention Center		Theater/Auditorium (Up To 4 Hours)	325.00	-	None



City of Marshall

Comprehensive Fee Schedule FY25

Category	Department	Fee Description	Approved FY25 Fee Amount	Proposed FY26 Fee Amount	Change
Convention Center		Theater/Auditorium (Up To 8 Hours) Friday - Sunday Rate	650.00	-	None
Convention Center		Theater/Auditorium (Up To 8 Hours) Monday - Thursday Rate	600.00	-	None
Convention Center		Theater/Auditorium (Up To 8 Hours) Non-Profit Rate	550.00	-	None
Convention Center		Ticket Office (Per Day)	35.00	-	None
Day Care Inspection		Day Care / Pre-School State Inspection	50.00	-	None
False Alarm Fee		4Th Fire Alarm Within 1 Year	150.00	-	None
False Alarm Fee		5Th Fire Alarm Within 1 Year	200.00	-	None
False Alarm Fee		Additional After 5Th Fire Alarm	50.00	-	None
Fire & Ambulance Report		Incident Report	5.00	-	None
Fire Alarm Permit		Installation/Replacement/Addition Of Fire Alarm System	150.00	-	None
Fire Sprinkler Permit		Installation/Replacement/Addition Of Fire Sprinkler System	150.00	-	None
Fire Suppression Permit		Installation/Replacement/Addition Of Fire Suppression System	100.00	-	None
Fire/Rescue Fees		Motor Vehicle Incidents - Level 1	523.00	-	None
Fire/Rescue Fees		Motor Vehicle Incidents - Level 2	595.00	-	None
Fire/Rescue Fees		Motor Vehicle Incidents - Level 3 - Car Fire	727.00	-	None
Fire/Rescue Fees		Add-On Service - Extrication	1,569.00	-	None
Fire/Rescue Fees		Add-On Service - Creating Landing Zone	480.00	-	None
Fire/Rescue Fees		HAZMAT Level 1 - Basic Response	843.00	-	None
Fire/Rescue Fees		HAZMAT Level 2 - Intermediate Response	3,007.00	-	None
Fire/Rescue Fees		HAZMAT Level 3 - Advanced Response	7,095.00	-	None
Fire/Rescue Fees		HAZMAT Additional On Scene Time Engine per hour	481.00	-	None
Fire/Rescue Fees		HAZMAT Additional On Scene Time Truck or Quint per hour	601.00	-	None
Fire/Rescue Fees		HAZMAT Additional On Scene Time Miscellaneous Equipment per hour	352.00	-	None
Fire/Rescue Fees		Fire Investigation - Fire Investigation Team per hour	332.00	-	None
Fire/Rescue Fees		Fires - Engine per hour	481.00	-	None
Fire/Rescue Fees		Fire - Truck or Quint per hour	601.00	-	None
Fire/Rescue Fees		Illegal Fires - Engine per hour	481.00	-	None
Fire/Rescue Fees		Illegal Fires - Truck or Quint per hour	601.00	-	None
Fire/Rescue Fees		Water Incidents - All levels - per rescue person	60.00	-	None
Fire/Rescue Fees		Water Incidents - Level 1 - Basic Response	481.00	-	None
Fire/Rescue Fees		Water Incidents - Level 2 - Intermediate Response	962.00	-	None
Fire/Rescue Fees		Water Incidents - Level 3 - Advanced Response	2,409.00	-	None
Fire/Rescue Fees		Back Country or Special Rescue	481.00	-	None
Fire/Rescue Fees		Back Country or Special Rescue per rescue person	60.00	-	None
Fire/Rescue Fees		Chief Response	290.00	-	None
Fire/Rescue Fees		Miscellaneous / Additional On Scene Time - Engine per hour	300.00	-	None
Fire/Rescue Fees		Miscellaneous / Additional On Scene Time - Truck or Quint per hour	601.00	-	None
Fire/Rescue Fees		Miscellaneous / Additional On Scene Time - Miscellaneous Equipment per hour	352.00	-	None
Fire/Rescue Fees		Gas Leaks - Level 1 - Outside without fire - Engine per hour	481.00	-	None
Fire/Rescue Fees		Gas Leaks - Level 1 - Outside without fire - Truck or Quint per hour	601.00	-	None
Fire/Rescue Fees		Gas Leaks - Level 2 - Outside with fire - Engine per hour	772.00	-	None
Fire/Rescue Fees		Gas Leaks - Level 3 - Inside Structure - Engine per hour	962.00	-	None
Fire/Rescue Fees		Gas Leaks - All Levels - Fee per Rescue Person per Hour	60.00	-	None
Fireworks Permit		Includes Pre-Inspection, Fire Watch, And Apparatus	250.00	-	None
Foster Home Inspection		Foster Home / Adoption State Inspection	50.00	-	None
Fuel Tank Permit		Installation/Removal Of Flammable/Combustible Storage Tank (Per Tank)	100.00	-	None
Group Home Inspection		Group Home State Inspection	75.00	-	None
Health Department Fees		Annual Food Establishment Permits (1-13 Employees)	175.00	-	None
Health Department Fees		Annual Food Establishment Permits (14+ Employees)	250.00	-	None
Health Department Fees		Catering Trucks/ Mobile Units - Annual Permit	150.00	-	None
Health Department Fees		Day Care W/ Food Establishment	175.00	-	None
Health Department Fees		Day Care W/Out Food Establishment	75.00	-	None
Health Department Fees		Food Vendor/ Festival Concession Stand (Per Vendor)	25.00	-	None



City of Marshall

Comprehensive Fee Schedule FY25

Category	Department	Fee Description	Approved FY25 Fee Amount	Proposed FY26 Fee Amount	Change
Health Department Fees		Foster Homes (Per Inspection)	25.00	-	None
Health Department Fees		Group Day/ Registered Home (Per Inspection)	50.00	-	None
Health Department Fees		Health Re-Inspection	50.00	-	None
Health Department Fees		Replacement Food Purveyors Permit	25.00	-	None
Health Department Fees		Seasonal Food Permit	90.00	-	None
Health Department Fees		Temporary Food Permit (14 Days)	75.00	-	None
Hospital Inspection		Hospital Inspection	300.00	-	None
Information Services		Accident Report - In Person/By Mail	6.00	-	None
Information Services		Accident Report - Online	9.00	-	None
Information Services		Background Checks - Business (Solicitation)	30.00	-	None
Information Services		Background Checks - Individual	10.00	-	None
Information Services		Body Cam/Car Video Charge Per Minute	1.00	-	None
Information Services		Body Cam/Car Video Media	10.00	-	None
Information Services		Police Report - Cd (Photos, 911 Call, Etc.)	5.00	-	None
Information Services		Police Report - Printed Report	4.00	-	None
Information Services		Report Requiring Extensive Prep Time (Per Hour)	15.00	-	None
Inspection and Work without a Permit Fee		After Hours Inspection (Per Hour, 2-Hour Minimum)	50.00	-	None
Inspection and Work without a Permit Fee		Re-Inspections	50.00	-	None
Inspection and Work without a Permit Fee		Work Without A Permit Fees, 1st Offense	150.00	-	None
Inspection and Work without a Permit Fee		Work Without A Permit Fees, 2nd Offense	300.00	-	None
Inspection and Work without a Permit Fee		Of Marshall Will Be Determined By The Inspectors)	500.00	-	None
Library		Gold Room Meeting Space (Per Day)	50.00	-	None
Liquor Permit Fees		Local Distributor's Permit (Lp)	50.00	-	None
Liquor Permit Fees		Malt Beverage Retail Dealer's Off-Premise License (Bf)	30.00	-	None
Liquor Permit Fees		Package Store Permit (P)	250.00	-	None
Liquor Permit Fees		Wine And Malt Beverage Retailer's Off-Premise Permit (Bq)	30.00	-	None
Liquor Permit Fees		Wine-Only Package Store (Q)	37.50	-	None
Medical Fac. Insp.		Medical Facility Inspection (State Mandated)	75.00	-	None
Memorial City Hall Performance Center		3Rd Floor Great Room - (Per Hr.) Includes Access And Use Of Lobby	125.00	-	None
Memorial City Hall Performance Center		3Rd Floor Great Room - (Per Hr.) Includes Access And Use Of Lobby - Non-Profit	75.00	-	None
Memorial City Hall Performance Center		3Rd Floor Kitchen - Per Event	100.00	-	None
Memorial City Hall Performance Center		Auditorium - Additional Hourly Usage Fee After 10 Hours	100.00	-	None
Memorial City Hall Performance Center		(Saturday 9Am - 11Pm) (Sunday 9Am - 11Pm) - Non-Profit * After 10 Hours, Additional Fees Apply	300.00	-	None
Memorial City Hall Performance Center		(Saturday 9Am - 11Pm) (Sunday 9Am - 11Pm) * After 10 Hours, Additional Fees Apply	350.00	-	None
Memorial City Hall Performance Center		11Pm) - Non-Profit * After 10 Hours, Additional Fees Apply	550.00	-	None
Memorial City Hall Performance Center		11Pm) * After 10 Hours, Additional Fees Apply	800.00	-	None
Memorial City Hall Performance Center		Auditorium Extended Rental (Outside Above Stated Hours Of Operation) (Per Hour)	100.00	-	None
Memorial City Hall Performance Center		Box Office Staff (Per Hour)	25.00	-	None
Memorial City Hall Performance Center		Cameras	100.00	-	None
Memorial City Hall Performance Center		Clean Up Fee	250.00	-	None
Memorial City Hall Performance Center		Custodial Fee (Assessed For Excessive Garbage, Décor, Boxes, Etc.)	Up To \$250	-	None
Memorial City Hall Performance Center		Damage Deposit (Per Event)	250.00	-	None
Memorial City Hall Performance Center		Deposit Per Event	Fees	-	None
Memorial City Hall Performance Center		Event Set-Up On MCH Website For Online Ticket Sales	250.00	-	None
Memorial City Hall Performance Center		MCH Manager Fee (Per Hr. After 5pm)	75.00	-	None
Memorial City Hall Performance Center		MCH Manager Fee (Per Hr. After 5pm) - Non-Profit	50.00	-	None
Memorial City Hall Performance Center		Microphone	50.00	-	None
Memorial City Hall Performance Center		Microphone - Non-Profit	25.00	-	None
Memorial City Hall Performance Center		Piano	400.00	-	None
Memorial City Hall Performance Center		Piano - Non-Profit	300.00	-	None
Memorial City Hall Performance Center		Police Security Fee (Hourly) - No Alcohol (1 - 49 Guests) * No Officer Required	-	-	None
Memorial City Hall Performance Center		Police Security Fee (Hourly) - No Alcohol (100 - 199 Guests) * 2 Officers	90.00	-	None



City of Marshall

Comprehensive Fee Schedule FY25

Category	Department	Fee Description	Approved FY25 Fee Amount	Proposed FY26 Fee Amount	Change
Memorial City Hall Performance Center		Police Security Fee (Hourly) - No Alcohol (200 - 299 Guests) * 3 Officers	135.00	-	None
Memorial City Hall Performance Center		Police Security Fee (Hourly) - No Alcohol (300 - 399 Guests) * 4 Officers	180.00	-	None
Memorial City Hall Performance Center		Police Security Fee (Hourly) - No Alcohol (400 - 499 Guests) * 5 Officers	225.00	-	None
Memorial City Hall Performance Center		Police Security Fee (Hourly) - No Alcohol (50 - 99 Guests) * 1 Officer	45.00	-	None
Memorial City Hall Performance Center		Police Security Fee (Hourly) - No Alcohol (500 - 599 Guests) *6 Officers	270.00	-	None
Memorial City Hall Performance Center		Police Security Fee (Hourly) - No Alcohol (600 - 699 Guests) * 7 Officers	315.00	-	None
Memorial City Hall Performance Center		Police Security Fee (Hourly) - No Alcohol (700 - 800 Guests) * 8 Officers	360.00	-	None
Memorial City Hall Performance Center		Police Security Fee (Hourly) - W/ Alcohol (1 - 49 Guests) * 1 Officer	50.00	-	None
Memorial City Hall Performance Center		Police Security Fee (Hourly) - W/ Alcohol (100 - 199 Guests) * 3 Officers	150.00	-	None
Memorial City Hall Performance Center		Police Security Fee (Hourly) - W/ Alcohol (200 - 299 Guests) * 4 Officers	200.00	-	None
Memorial City Hall Performance Center		Police Security Fee (Hourly) - W/ Alcohol (300 - 399 Guests) * 5 Officers	250.00	-	None
Memorial City Hall Performance Center		Police Security Fee (Hourly) - W/ Alcohol (400 - 499 Guests) * 6 Officers	300.00	-	None
Memorial City Hall Performance Center		Police Security Fee (Hourly) - W/ Alcohol (50 - 99 Guests) * 2 Officer	100.00	-	None
Memorial City Hall Performance Center		Police Security Fee (Hourly) - W/ Alcohol (500 - 599 Guests) *7 Officers	350.00	-	None
Memorial City Hall Performance Center		Police Security Fee (Hourly) - W/ Alcohol (600 - 699 Guests) * 8 Officers	400.00	-	None
Memorial City Hall Performance Center		Police Security Fee (Hourly) - W/ Alcohol (700 - 800 Guests) * 9 Officers	450.00	-	None
Memorial City Hall Performance Center		Promotion/Sales/Distribution Of Concessions, Merchandise, Novelties, Souvenirs	10% Of Net Sales	-	None
Memorial City Hall Performance Center		Promotions & Advertising (1 Per Event)	50.00	-	None
Memorial City Hall Performance Center		Promotions & Advertising (2 Per 1 Event)	75.00	-	None
Memorial City Hall Performance Center		Sound System - Operator Fee Not Included	100.00	-	None
Memorial City Hall Performance Center		Spotlights - Operator Fee Not Included	50.00	-	None
Memorial City Hall Performance Center		Tablecloths (Each)	7.50	-	None
Memorial City Hall Performance Center		Tables (60' Round)	15.00	-	None
Memorial City Hall Performance Center		Technical Supervisor On-Site For Duration Of Event (Per Hour)	25.00	-	None
Memorial City Hall Performance Center		Theatrical Lighting-Operator Fee Not Included	100.00	-	None
Memorial City Hall Performance Center		Video Projectors/Screen (Auditorium Only) Operator Fee Not Included	100.00	-	None
Memorial City Hall Performance Center		Wireless Clear-Com	100.00	-	None
Miscellaneous		Comprehensive Special Event Permit, 1-20 Vendors	145.00	-	None
Miscellaneous		Comprehensive Special Event Permit, 21-40 Vendors	225.00	-	None
Miscellaneous		Comprehensive Special Event Permit, 41-60 Vendors	305.00	-	None
Miscellaneous		Comprehensive Special Event Permit, 61-80 Vendors	385.00	-	None
Miscellaneous		Comprehensive Special Event Permit, 81-100 Vendors	465.00	-	None
Miscellaneous		Demolition Of A Structure	75.00	-	None
Miscellaneous		Fence Above 6Ft	35.00	-	None
Miscellaneous		Itinerant Vendor Permit (Per Day)	30.00	-	None
Miscellaneous		Moving Of A Structure	125.00	-	None
Miscellaneous		Solar Panel Installation	250.00	-	None
Miscellaneous		Special Event Permit (Per Application, Valid 3 Consecutive Days)	65.00	-	None
Municipal Court		1st Excessive Noise	130.00	-	None
Municipal Court		1st Excessive Noise Muffler	130.00	-	None
Municipal Court		1st No Commercial Drivers License	218.90	-	None
Municipal Court		1st No Liability Insurance	224.00	-	None
Municipal Court		1st No Valid Drivers License	199.90	-	None
Municipal Court		1st Unrestrained Child < 9 Years of Age	12.50	-	None
Municipal Court		2nd Excessive Noise	280.00	-	None
Municipal Court		2nd Excessive Noise Muffler	280.00	-	None
Municipal Court		2nd No Commercial Drivers License	243.90	-	None
Municipal Court		2nd No Liability Insurance	369.00	-	None
Municipal Court		2nd No Valid Drivers License	199.90	-	None
Municipal Court		3rd Or Over Excessive Noise	500.00	-	None
Municipal Court		3rd No Liability Insurance	469.00	-	None
Municipal Court		3rd No Valid Drivers License	199.90	-	None
Municipal Court		3rd Or More Excessive Noise Muffler	500.00	-	None



City of Marshall
Comprehensive Fee Schedule FY25

<i>Category</i>	<i>Department</i>	<i>Fee Description</i>	<i>Approved FY25 Fee Amount</i>	<i>Proposed FY26 Fee Amount</i>	<i>Change</i>
Municipal Court		4th No Drivers License	199.90	-	None
Municipal Court		4th No Liability Insurance	569.00	-	None
Municipal Court		5th + No Valid Drivers License	199.90	-	None
Municipal Court		5th No Liability Insurance	569.00	-	None
Municipal Court		6th No Liability Insurance	569.00	-	None
Municipal Court		7th No Liability Insurance	569.00	-	None
Municipal Court		8th No Liability Insurance	569.00	-	None
Municipal Court		9th + No Liability Insurance	569.00	-	None
Municipal Court		Administrative Dismissal Fee	10.00	-	None
Municipal Court		Allowing Unlicensed Driver To Drive	119.00	-	None
Municipal Court		Animal At Large	130.00	-	None
Municipal Court		Animal Care	134.00	-	None
Municipal Court		Arrest Fee	5.00	-	None
Municipal Court		Assault By Contact	334.00	-	None
Municipal Court		Assault By Threat	334.00	-	None
Municipal Court		Assault Family Violence	334.00	-	None
Municipal Court		ATV On City Street	119.00	-	None
Municipal Court		Breaking Open Pound	134.00	-	None
Municipal Court		Building Code Violation	84.00	-	None
Municipal Court		Building Maintenance Code	146.00	-	None
Municipal Court		Building Security Fee	3.00	-	None
Municipal Court		Change Lanes When Unsafe	165.90	-	None
Municipal Court		Child Safety Fund	25.00	-	None
Municipal Court		Child Safety Fund D.A.R.E.	25.00	-	None
Municipal Court		Child Safety Seat - TX dot (State Fee)	0.15	-	None
Municipal Court		Commercial Vehicle Violation	165.90	-	None
Municipal Court		Compensation Criminal Victims (State Fee)	15.00	-	None
Municipal Court		Condemned Structure	84.00	-	None
Municipal Court		Cons. Alcoholic Bev. On Prem Lic. Off Prem Cons.	134.00	-	None
Municipal Court		Consolidated Court Cost (State Fee)	17.00	-	None
Municipal Court		Contest Of Speed (Racing)	160.90	-	None
Municipal Court		Correctional Mgmt. Institute (State Fee)	0.50	-	None
Municipal Court		Court Cost	51.25	-	None
Municipal Court		Court Cost (State Fee)	51.25	-	None
Municipal Court		Criminal Mischief	284.00	-	None
Municipal Court		Cross At Point Other Than Crosswalk	150.00	-	None
Municipal Court		Cut Across Property To Make Turn	100.90	-	None
Municipal Court		Cut Corner Left Turn	100.90	-	None
Municipal Court		Defective Brake Lights	100.90	-	None
Municipal Court		Defective Brakes	70.90	-	None
Municipal Court		Defective Headlights	65.90	-	None
Municipal Court		Defective License Plate Light	65.90	-	None
Municipal Court		Defective Tail Lights	65.90	-	None
Municipal Court		Direct Contempt	100.00	-	None
Municipal Court		Discharge Fire Works City Limits	84.00	-	None
Municipal Court		Discharge Weapon In City Limits	200.00	-	None
Municipal Court		Disorderly Conduct - Exposure	334.00	-	None
Municipal Court		Disorderly Conduct Display Firearm	334.00	-	None
Municipal Court		Disorderly Conduct Fighting	334.00	-	None
Municipal Court		Disorderly Conduct Fighting At School	134.00	-	None
Municipal Court		Disorderly Conduct Language	334.00	-	None
Municipal Court		Disorderly Conduct Language At School	134.00	-	None
Municipal Court		Disorderly Conduct Lewd & Unlawful Behavior	334.00	-	None



City of Marshall

Comprehensive Fee Schedule FY25

Category	Department	Fee Description	Approved FY25 Fee Amount	Proposed FY26 Fee Amount	Change
Municipal Court		Disregard Rail Road Crossing Gate	170.90	-	None
Municipal Court		Disregard Traffic Control Device	100.90	-	None
Municipal Court		Disregarded No Passing Zone	120.90	-	None
Municipal Court		Disruption Of Class	134.00	-	None
Municipal Court		Drinking Alcoholic Beverage In Public Place, Proh	200.00	-	None
Municipal Court		Driving On Improved Shoulder	101.00	-	None
Municipal Court		Driving While License Invalid	318.90	-	None
Municipal Court		Drove Around Barricade	134.00	-	None
Municipal Court		Drove In Center Median	100.90	-	None
Municipal Court		Drove On Improved Shoulder	100.90	-	None
Municipal Court		Drove Over Fire Hose	120.90	-	None
Municipal Court		Drove With Out Of State DI For More Than 30 Days	119.00	-	None
Municipal Court		Drove Without Lights When Required	100.90	-	None
Municipal Court		Drove Wrong Side Of Roadway	110.90	-	None
Municipal Court		Drove Wrong Way One Way Street	100.90	-	None
Municipal Court		Electronic Transmission Depicting A Minor	334.00	-	None
Municipal Court		Excessive Speed	100.90	-	None
Municipal Court		Expired Vehicle Registration	109.00	-	None
Municipal Court		Expired Drivers License	119.00	-	None
Municipal Court		Fail To Appear As Witness	134.00	-	None
Municipal Court		Fail To Control Speed Accident	165.90	-	None
Municipal Court		Fail To Dim Head Lights	100.90	-	None
Municipal Court		Fail To Drive In Single Lane	100.90	-	None
Municipal Court		Fail To Give Half Of Road Way	165.90	-	None
Municipal Court		Fail To Hold Food At Proper Temperature	154.00	-	None
Municipal Court		Fail To Identify	284.00	-	None
Municipal Court		Fail To Keep Bicycle On Right Side Of Road	101.00	-	None
Municipal Court		Fail To Obey Direction Officer	115.90	-	None
Municipal Court		Fail To Register Vacant Property	154.00	-	None
Municipal Court		Fail To Report Accident At Once	101.00	-	None
Municipal Court		Fail To Report Change Address To Dps	69.00	-	None
Municipal Court		Fail To Signal 100' Before Turn	100.90	-	None
Municipal Court		Fail To Signal Lane Change	100.90	-	None
Municipal Court		Fail To Stop - Designated Point - Stop Sign	100.90	-	None
Municipal Court		Fail To Stop Accident Fixture	199.90	-	None
Municipal Court		Fail To Stop Accident Hit Moving Vehicle	214.90	-	None
Municipal Court		Fail To Stop Accident Parked Vehicle	214.90	-	None
Municipal Court		Fail To Stop And Render Info/Aid	199.90	-	None
Municipal Court		Fail To Stop Designated Point Red Light	100.90	-	None
Municipal Court		Fail To Yield Right Of Way Emergency Vehicle	199.90	-	None
Municipal Court		Failure To Appear	30.00	-	None
Municipal Court		Failure To Yield -R.O.W Emergency Vehicle	199.90	-	None
Municipal Court		Failure To Yield Right Of Way - Open Intersection	165.90	-	None
Municipal Court		Failure To Yield Right Of Way - Private Drive	165.90	-	None
Municipal Court		Failure To Yield Right Of Way - Red Light	165.90	-	None
Municipal Court		Failure To Yield Right Of Way - Stop Sign	165.90	-	None
Municipal Court		Failure To Yield Right Of Way - Turning Left	165.90	-	None
Municipal Court		Failure To Yield Right Of Way - Yield Sign	165.90	-	None
Municipal Court		Failure To Yield -To Parked Emergency Vehicle	199.90	-	None
Municipal Court		Flashing Red Light Failure To Yield -R.O.W.	165.90	-	None
Municipal Court		Following To Close	165.90	-	None
Municipal Court		Food Protection	130.00	-	None
Municipal Court		Fraudulent Destr Removal Concealment Of Writing	334.00	-	None



City of Marshall

Comprehensive Fee Schedule FY25

Category	Department	Fee Description	Approved FY25 Fee Amount	Proposed FY26 Fee Amount	Change
Municipal Court		Fugitive App Fund (State Fee)	5.00	-	None
Municipal Court		Go Straight Turn Only Lane	100.90	-	None
Municipal Court		Illegal Burning	134.00	-	None
Municipal Court		Illegal Dumping	84.00	-	None
Municipal Court		Illegal Keeping Of Poultry	130.00	-	None
Municipal Court		Illegal Lane Change No Accident	110.90	-	None
Municipal Court		Illegal Sign	130.00	-	None
Municipal Court		Illegal U-Turn	134.00	-	None
Municipal Court		Improper Left Turn	165.90	-	None
Municipal Court		Improper Right Turn	165.90	-	None
Municipal Court		Improper Solid Rubber Tire	101.00	-	None
Municipal Court		Improper Use Of Horn	66.00	-	None
Municipal Court		Indigent Defense (State Fee)	2.00	-	None
Municipal Court		JC	96.00	-	None
Municipal Court		Judicial Court Training (State Fee)	2.00	-	None
Municipal Court		Judicial Support Fund (State Fee)	6.00	-	None
Municipal Court		Junk Vehicles	84.00	-	None
Municipal Court		Jury Reimb. Svc. Fee (State Fee)	4.00	-	None
Municipal Court		Juv. Crime & Del. Fund (State Fee)	0.50	-	None
Municipal Court		Juvenile Curfew	330.00	-	None
Municipal Court		Leave Child Unattended In Vehicle	234.00	-	None
Municipal Court		Left Turn Wrong Lane	100.90	-	None
Municipal Court		Littering City Street	134.00	-	None
Municipal Court		Local Traffic Fee	3.00	-	None
Municipal Court		Local Truancy And Prevention	5.00	-	None
Municipal Court		Made U-turn On Curve Or Hill	100.90	-	None
Municipal Court		Method Of Collection And Receptacles	146.00	-	None
Municipal Court		Miscellaneous Penal Code Violation	284.00	-	None
Municipal Court		Minor Consuming Alcohol	134.00	-	None
Municipal Court		Minor Driving Under The Influence Alcohol	168.90	-	None
Municipal Court		Minor In Possession Alcohol	134.00	-	None
Municipal Court		Minor In Possession Tobacco Product	219.00	-	None
Municipal Court		Misc. Government Code	134.00	-	None
Municipal Court		Miscellaneous City Ordinance	766.00	-	None
Municipal Court		Miscellaneous Moving Traffic	100.90	-	None
Municipal Court		Municipal Court Building Secur	4.90	-	None
Municipal Court		Municipal Court Technology Fun	4.00	-	None
Municipal Court		Municipal Jury Fund	0.10	-	None
Municipal Court		New Consolidated Court Cost (State Fee)	40.00	-	None
Municipal Court		No Alarm Permit	44.00	-	None
Municipal Court		No Certified Food Manager On Duty	130.00	-	None
Municipal Court		No Drivers License On Demand	69.00	-	None
Municipal Court		No Identification Tag	134.00	-	None
Municipal Court		No License Plate On Trailer	119.00	-	None
Municipal Court		No Motorcycle Endorsement	148.90	-	None
Municipal Court		No Mud Flaps	66.00	-	None
Municipal Court		No Protective Head Gear Motor Cycle	49.00	-	None
Municipal Court		No Seat Belt Child 4-16	66.50	-	None
Municipal Court		No Seat Belt Driver	63.00	-	None
Municipal Court		No Seat Belt Passenger	48.00	-	None
Municipal Court		No Slow Moving Vehicle Emblem	100.90	-	None
Municipal Court		No Stop lamps When Required	100.90	-	None
Municipal Court		No Vehicle Registration Displayed	124.00	-	None



City of Marshall

Comprehensive Fee Schedule FY25

Category	Department	Fee Description	Approved FY25 Fee Amount	Proposed FY26 Fee Amount	Change
Municipal Court		No White Light On Front Of Bicycle	65.90	-	None
Municipal Court		No/Expired Vaccination Tag	84.00	-	None
Municipal Court		Noise Disorderly Conduct	284.00	-	None
Municipal Court		Noxious Odor Disorderly Conduct	134.00	-	None
Municipal Court		Nuisance	84.00	-	None
Municipal Court		Obscured License Plate	119.00	-	None
Municipal Court		Occupying A Condemned Structure	84.00	-	None
Municipal Court		Omni	6.00	-	None
Municipal Court		Omni City	4.00	-	None
Municipal Court		Only One License Plate	69.00	-	None
Municipal Court		Open Container Alcohol In Vehicle (2Nd) Driver	283.90	-	None
Municipal Court		Open Container Alcohol In Vehicle (1St) Driver	233.90	-	None
Municipal Court		Open Container In Vehicle - Passenger	219.00	-	None
Municipal Court		Operate Food Establishment Without Permit	200.00	-	None
Municipal Court		Operate Unsafe Vehicle	100.90	-	None
Municipal Court		Operate Vehicle With Child In Open Bed	120.90	-	None
Municipal Court		Operate Vehicle With Wrong License Plate or Registration	144.00	-	None
Municipal Court		Operate Vehicle Without License Plate	119.00	-	None
Municipal Court		Over Maximum Height	134.00	-	None
Municipal Court		Overgrown Lot	84.00	-	None
Municipal Court		Parked And Failed To Set Brakes	165.00	-	None
Municipal Court		Parked Facing Traffic	80.00	-	None
Municipal Court		Parked In Fire Lane	130.00	-	None
Municipal Court		Parked In Handicapped Zone	515.00	-	None
Municipal Court		Parked In Lane Of Traffic	80.00	-	None
Municipal Court		Parked In Prohibited Area	150.00	-	None
Municipal Court		Parked Within 15' Of Fire Hydrant	150.00	-	None
Municipal Court		Parking - Cv - Prohibited Area	80.00	-	None
Municipal Court		Parking Lot Back W/O Safety	166.00	-	None
Municipal Court		Parking Miscellaneous	80.00	-	None
Municipal Court		Pass Insufficient Clearance	100.90	-	None
Municipal Court		Pass Stationary Emergency Vehicle	199.90	-	None
Municipal Court		Pass When Unsafe	165.90	-	None
Municipal Court		Passed In No Passing Zone	100.90	-	None
Municipal Court		Passing School Bus	25.00	-	None
Municipal Court		Passing School Bus Loading/Unloading	515.90	-	None
Municipal Court		Plumbing Violations	84.00	-	None
Municipal Court		Police Dept. Overtime Reimbursement	40.00	-	None
Municipal Court		Possession Drug Paraphernalia	334.00	-	None
Municipal Court		Possession Of Illegal Smoking Products	284.00	-	None
Municipal Court		Processing Fee - Defensive Driving	9.90	-	None
Municipal Court		Prohibited Accumulations	2,000.00	-	None
Municipal Court		Prohibited Left Turn	100.90	-	None
Municipal Court		Public Intoxication	334.00	-	None
Municipal Court		Ran Flashing Red Light	100.90	-	None
Municipal Court		Ran Red Light	100.90	-	None
Municipal Court		Ran Stop Sign	100.90	-	None
Municipal Court		Reckless Damage & Destruction	284.00	-	None
Municipal Court		Reckless Driving	236.00	-	None
Municipal Court		Remaining On Premises	214.00	-	None
Municipal Court		Riding On Rear Wheel Only	134.00	-	None
Municipal Court		Right Turn From Wrong Lane Accident	165.90	-	None
Municipal Court		Seat Belt Fines	74.00	-	None



City of Marshall

Comprehensive Fee Schedule FY25

Category	Department	Fee Description	Approved FY25 Fee Amount	Proposed FY26 Fee Amount	Change
Municipal Court		Sell Single Cigarettes	100.00	-	None
Municipal Court		Selling Without Permit	334.00	-	None
Municipal Court		Sex Orientated Business	230.00	-	None
Municipal Court		Shine A Laser light At Uniformed Safety Officer	334.00	-	None
Municipal Court		Skateboarding Where Prohibited	104.00	-	None
Municipal Court		Smoke In Prohibited Area	134.00	-	None
Municipal Court		Solicitation Without Permit	230.00	-	None
Municipal Court		Special Expense Fee/Deferred	1.00	-	None
Municipal Court		Special Use Permit Violation	200.00	-	None
Municipal Court		Speeding 1-10 Over Limit	100.90	-	None
Municipal Court		Speeding 11-15	110.90	-	None
Municipal Court		Speeding 16-20	120.90	-	None
Municipal Court		Speeding 21-24	145.90	-	None
Municipal Court		Speeding 25 Mph & Over	199.90	-	None
Municipal Court		Speeding Less Than 10 Percent Above Limit	100.90	-	None
Municipal Court		Speeding School Zone	165.90	-	None
Municipal Court		Speeding School Zone 25 Over	199.90	-	None
Municipal Court		Stands Vehicle And Blocks Handicapped Access	515.00	-	None
Municipal Court		State Consolidated Fees	62.00	-	None
Municipal Court		State Moving Violation Fee	0.10	-	None
Municipal Court		State Traffic Fee	30.00	-	None
Municipal Court		State Traffic Fee	50.00	-	None
Municipal Court		Stop In Lane Of Traffic	150.00	-	None
Municipal Court		Street Backed W/O Safety	166.00	-	None
Municipal Court		T V Receiver View Driver	101.00	-	None
Municipal Court		Technology Fund	4.00	-	None
Municipal Court		Texting While Driving	40.00	-	None
Municipal Court		Theft Less Than One Hundred Dollars	334.00	-	None
Municipal Court		Theft Of Service Less Than \$100	334.00	-	None
Municipal Court		Time Pay Fee	2.50	-	None
Municipal Court		Time Pay Fee	10.00	-	None
Municipal Court		Time Pay Fee (State Fee)	15.00	-	None
Municipal Court		Traffic Fund	3.00	-	None
Municipal Court		Truancy Prevention Diversion	2.00	-	None
Municipal Court		Turned When Unsafe	165.90	-	None
Municipal Court		Unapproved Equipment	65.90	-	None
Municipal Court		Unauthorized Glass Coating Material	70.90	-	None
Municipal Court		Unlawful Load Extension To Rear	134.00	-	None
Municipal Court		Unlawful Use Of Engine Brakes; Compression Brakes	200.00	-	None
Municipal Court		Unrestrained Child < 8 Years of Age	148.00	-	None
Municipal Court		Unrestrained Child < 8Yoa 2Nd Or More	74.00	-	None
Municipal Court		Unrestrained Child Under Five	66.50	-	None
Municipal Court		Unrestrained Child Under Two	66.50	-	None
Municipal Court		Unsafe Speed	100.90	-	None
Municipal Court		Unsafe Start Parked, Stopped, Standing Position	100.90	-	None
Municipal Court		Unsecured Load	144.00	-	None
Municipal Court		Unightly Yard Or Lot	84.00	-	None
Municipal Court		Use Of Sidewalk	120.00	-	None
Municipal Court		Use Of Wireless Communication Device In Sz	145.90	-	None
Municipal Court		Victims Comp (State Fee)	35.00	-	None
Municipal Court		Violation Commercial Drivers License Rest.	218.90	-	None
Municipal Court		Violation Continuing Obligation	324.00	-	None
Municipal Court		Violation Drivers License Restriction	68.90	-	None



City of Marshall
Comprehensive Fee Schedule FY25

<i>Category</i>	<i>Department</i>	<i>Fee Description</i>	Approved FY25 Fee Amount	Proposed FY26 Fee Amount	Change
Municipal Court		Violation Of Burn Ban	434.00	-	None
Municipal Court		Violation Of Promise To Appear	200.00	-	None
Municipal Court		Violation Of Restrictions On Windows	71.00	-	None
Municipal Court		Walking With Back To Traffic	96.00	-	None
Municipal Court		Warrant Fee	50.00	-	None
Municipal Court		Wrong Inspection Sticker Displayed	111.00	-	None
Municipal Court		Wrong Registration Displayed	144.00	-	None
Nursing Home Insp.		Nursing Home / Assisted Living State Inspection	150.00	-	None
Parks & Recreation		Pavilion Rentals - 2 Hours/Per Pavilion (Non-Resident)	30.00	-	None
Parks & Recreation		Pavilion Rentals - 2 Hours/Per Pavilion (Resident)	20.00	-	None
Parks & Recreation		Pavilion Rentals - All Day (8 am - 8 pm) Per Pavilion (Non-Resident)	150.00	-	None
Parks & Recreation		Pavilion Rentals - All Day (8 am - 8 pm) Per Pavilion (Resident)	100.00	-	None
Parks & Recreation/Arena		Contractual Services	30% Of Participant Fee	-	None
Parks & Recreation/Arena		Large Arena (Per Day)	600.00	-	None
Parks & Recreation/Arena		Meeting Rooms	100.00	-	None
Parks & Recreation/Arena		Recreational Vehicle Hookups (Per Day)	20.00	-	None
Parks & Recreation/Arena		Shavings (40Lb. Bag)	6.00	-	None
Parks & Recreation/Arena		Small Arena (Per Day)	350.00	-	None
Parks & Recreation/Arena		Stall Rentals (Per Day)	20.00	-	None
Parks & Recreation/Ballfields		Clean Up/Damage Deposit	250.00	-	None
Parks & Recreation/Ballfields		Field Preparation Per Field - Lions Ball Field/Babe Ruth Ball Field	40.00	-	None
Parks & Recreation/Ballfields		Field Rentals Per Hour (Non-Resident)	35.00	-	None
Parks & Recreation/Ballfields		Field Rentals Per Hour (Resident)	25.00	-	None
Parks & Recreation/Ballfields		Lights Per Hour (Per Field)	20.00	-	None
Parks & Recreation/Ballfields		Operating Agreement -Increasing 1% Each Year	6% Of Gross For Year	-	None
Parks & Recreation/Ballfields		Tournament Staff Per Hour	40.00	-	None
Parks & Recreation/Ballfields		Tournament User Light Fees Per Field Per Day - 3 Hours (6 - 9 pm)	30.00	-	None
Parks & Recreation/Ballfields		Tournaments User Fee Per Field Per Day	100.00	-	None
Parks & Recreation/Ballfields		Tournaments User Fee Per Field Per Day - Non-Resident (8 am - 9 pm)	250.00	-	None
Parks & Recreation/Ballfields		Tournaments User Fee Per Field Per Day - Resident (8 am - 9 pm)	150.00	-	None
Parks & Recreation/Ballfields		Tournaments User Fee Per Field Per Event	100.00	-	None
Parks & Recreation/Ballfields		Tournaments, 10% Of Profit	10% Of Profit	-	None
Parks & Recreation/Ballfields		User Fee Per Team Participating In League Play	100.00	-	None
Parks & Recreation/Golf Course		Annual Membership	721.00	-	None
Parks & Recreation/Golf Course		Cart Storage - Electric Cart (Monthly)	23.70	-	None
Parks & Recreation/Golf Course		Cart Storage - Gas Cart (Monthly)	12.90	-	None
Parks & Recreation/Golf Course		Cart, Rental, 18 Holes	15.50	-	None
Parks & Recreation/Golf Course		Cart, Rental, 27 Holes	20.60	-	None
Parks & Recreation/Golf Course		Cart, Rental, 36 Holes	25.70	-	None
Parks & Recreation/Golf Course		Cart, Rental, 9 Holes	10.30	-	None
Parks & Recreation/Golf Course		City Employee Membership	360.00	-	None
Parks & Recreation/Golf Course		City Run, Tournament Participation Fee Per Person	65.00	-	None
Parks & Recreation/Golf Course		Contractual Services	30% Of Participant Fee	-	None
Parks & Recreation/Golf Course		Driving Range, Large Bucket, W/Monthly Fee	6.70	-	None
Parks & Recreation/Golf Course		Driving Range, Medium Bucket	8.80	-	None
Parks & Recreation/Golf Course		Driving Range, Medium Bucket, W/Monthly Fee	4.60	-	None
Parks & Recreation/Golf Course		Driving Range, Small Bucket	6.20	-	None
Parks & Recreation/Golf Course		Driving Range, Small Bucket, W/Monthly Fee	3.30	-	None
Parks & Recreation/Golf Course		Driving Range, Large Bucket	10.30	-	None
Parks & Recreation/Golf Course		Green Fees - 18 Holes Weekdays	12.40	-	None
Parks & Recreation/Golf Course		Green Fees - 18 Holes Weekends/Holidays	20.60	-	None
Parks & Recreation/Golf Course		Green Fees - 9 Holes Weekdays	7.50	-	None
Parks & Recreation/Golf Course		Green Fees - 9 Holes Weekends/Holidays	15.50	-	None



City of Marshall

Comprehensive Fee Schedule FY25

Category	Department	Fee Description	Approved FY25 Fee Amount	Proposed FY26 Fee Amount	Change
Parks & Recreation/Golf Course		Green Fees - Monthly	72.10	-	None
Parks & Recreation/Golf Course		Green Fees - Twilight W/ Cart Rental	14.72	-	None
Parks & Recreation/Golf Course		Tournament User Course Rental Fee	350.00	-	None
Parks & Recreation/Golf Course		Tournament User Course Rental Deposit Fee	100.00	-	None
Parks & Recreation/Golf Course		Trail Fees - Daily	6.70	-	None
Parks & Recreation/Golf Course		Trail Fees - Monthly	13.90	-	None
Residential		Above Ground Pool	100.00	-	None
Residential		Accessory Structure Permit Fee (Per Sq. Foot)	0.15	-	None
Residential		Accessory Structure Plan Review	50.00	-	None
Residential		Certificate Of Occupancy	25.00	-	None
Residential		Driveway	35.00	-	None
Residential		Electrical- Others/ Repairs	35.00	-	None
Residential		Electrical- Panel Replacement/ Rewire/ Service- Meter Base Replacement	50.00	-	None
Residential		Electrical, Plumbing, Or Mechanical- New Construction Or Addition Permit Fee	-	-	None
Residential		In Ground Pool	200.00	-	None
Residential		Interior/ Exterior Remodel	90.00	-	None
Residential		Irrigation	100.00	-	None
Residential		Mechanical- Replacement/ Repairs	35.00	-	None
Residential		Minor Remodeling	50.00	-	None
Residential		New Construction/Addition/Remodel Permit Fee (Per Sq. Foot)	0.30	-	None
Residential		New Construction/Addition/Remodel Plan Review Permit	100.00	-	None
Residential		Plumbing- Others/ Repairs	35.00	-	None
Residential		Plumbing- Slab Leaks/ Tunneling/ Sewer Main Replacement	50.00	-	None
Residential		Roofing	50.00	-	None
Residential		Window Replacement (Per Window, Minimum \$35)	10.00	-	None
Service Fee		After-Hour Service Fee	45.00	-	None
Service Fee		Courtesy Turn-On Fee	15.00	-	None
Service Fee		Emergency Cut-Off Fee	15.00	-	None
Service Fee		Meter Audit Fee	50.00	-	None
Service Fee		Meter Reread/High Bill Check Fee	15.00	-	None
Service Fee		Meter Reset Fee	45.00	-	None
Service Fee		Meter Tampering Fee	100.00	-	None
Service Fee		Meter Testing/Exchange Fee (1" Or Less)	100.00	-	None
Service Fee		Reconnect Fee	50.00	-	None
Service Fee		Return Trip Service Fee	15.00	-	None
Service Fee		Returned Check / Insufficient Funds	35.00	-	None
Service Fee		Temporary Cut-Off Fee	15.00	-	None
Service Fee		Transfer Fee (Transfer Of Residential Account)	15.00	-	None
Sewer		Access Fee	500.00	-	None
Sewer		Pretreatment, Annual Waste Hauler Permit (Specified Period Not To Exceed 5 Years)	100.00	-	None
Sewer		Pretreatment, Setting Sampler For Industry (Per Trip)	50.00	-	None
Sewer		Pretreatment, Trip Charge For Industry (Per Trip)	10.00	-	None
Sewer		Pretreatment, Waste Hauler Discharge Fee, Residential Waste (Per Gallon)	0.03	-	None
Sewer		Pretreatment, Waste Hauler Discharge Fee, Waste Collected Outside City Limits (Per Gallon)	0.04	-	None
Sewer Rates		Sewer Rates Inside City Limits (Per 1,000 Gallons)	6.43	-	None
Sewer Rates		Sewer Rates Inside City Limits Base Rate	16.01	-	None
Sewer Rates		Sewer Rates Outside City Limits (Per 1,000 Gallons)	12.86	-	None
Sewer Rates		Sewer Rates Outside City Limits Base Rate	32.02	-	None
Sewer Rates - Leigh Annex		Sewer Rates - Leigh Annex (Per 1,000 Gallons)	6.43	-	None
Sewer Rates - Leigh Annex		Sewer Rates - Leigh Annex Base Rate	16.01	-	None
Special Event Fires		Includes Pre-Inspection, Fire Watch, And Apparatus (Per Hour)	50.00	-	None
Water		Access Fee	675.00	-	None
Water Rates		Schedule Of Water Rates Inside City Limits (Per 1,000 Gallons)	5.10	-	None



City of Marshall
Comprehensive Fee Schedule FY25

<i>Category</i>	<i>Department</i>	<i>Fee Description</i>	Approved FY25 Fee Amount	Proposed FY26 Fee Amount	Change
Water Rates		Schedule Of Water Rates Outside City Limits (Per 1,000 Gallons)	10.20	-	None
Water Rates - Leigh Annex		Schedule Of Water Rates - Leigh Annex (Per 1,000 Gallons)	5.88	-	None
Zoning and Platting Fees		Annexations	675.00	-	None
Zoning and Platting Fees		Minor Plat (Less Than 4 Lots W/No Utility Extension) (\$5.00 Per Lot Not Including County Fees)	675.00	-	None
Zoning and Platting Fees		Planned Unit Developments	50.00	-	None
Zoning and Platting Fees		Preliminary Or Final Plat (\$5.00 Per Lot Not Including County Recording Fees)	50.00	-	None
Zoning and Platting Fees		Printing/ Reproduction (Per Page)	675.00	-	None
Zoning and Platting Fees		Re-Zone/ Variance	675.00	-	None
Zoning and Platting Fees		Right-Of-Way Abandonment	50.00	-	None
Zoning and Platting Fees		Site Plan Review (Nonresidential Only)	50.00	-	None
Zoning and Platting Fees		Specific Use Permit	675.00	-	None
Zoning and Platting Fees		Zoning Verification Letter	50.00	-	None
Wrecker Service Fees		Annual Emergency Wrecker License Fee per company		750.00	750.00
Wrecker Service Fees		Per car fee on all cars towed at the request of MPD		10.00	10.00
Wrecker Service Fees		Per car fee on all heavy duty vehicles towed at the request of MPD		20.00	20.00
Wrecker Service Fees		Annual inspection fee for each wrecker used in emergency wrecker service		20.00	20.00
Wrecker Service Fees		Duplicate license (if license is lost, destroyed, or mutilated)		2.00	2.00



TO: City Council
DATE: July 9, 2026
ITEM #: 9.A
SUBJECT: **R-26-12** Consider approval of a resolution updating and amending Resolution R-12-14. (Councilmember Godfrey, City Manager, City Secretary)

Recommendation for Action: Consider approval of the resolution.

Executive Summary: Resolution R-12-14 states, "The Commission of the City of Marshall hereby establishes as a policy that any information that is prepared for an individual Commissioner regarding any item that is known to be coming up on an agenda for discussion or a vote shall be disseminated to all Commissioner."

Staff has been asked to amend and update the resolution to allow that any information that is prepared for an individual Councilmember regarding any item shall be disseminated to all Councilmember. The resolution also establishes that if any information is requested by an individual Councilmember for an item that is not known at the time to be coming up on an agenda for a meeting, each Councilmember shall be notified of the availability of this information and that information shall be provided to any and all Councilmembers that request a copy of said information. The resolution has also been amended to update the titles of Commissioner and Commission to Councilmember and Council.

The changes have been made, and the resolution is being provided for Council's consideration.

Focus Area(s): This item aligns with the following council adopted focus area(s): Improving Communication

Budget Cost: N/A

Staff Contact: Greg Smith, City Manager
Nikki Smith, City Secretary

Attachments: 1. R-26-12 Dissemination of Information

RESOLUTION NO. _____

A RESOLUTION AMENDING RESOLUTION NO. R-12-14 OF THE CITY COUNCIL OF THE CITY OF MARSHALL, TEXAS THAT ESTABLISHED A POLICY OF THE CITY COUNCIL REGARDING DISSEMINATION OF INFORMATION REQUESTED BY ONE COUNCILMEMBER TO ALL COUNCILMEMBERS

WHEREAS, the members of the Marshall City Council receive a physical and/or electronic packet of information prior to each meeting that contains information on items that are on the agenda for the upcoming meeting; and

WHEREAS, individual members of the City Council sometimes request supplemental information regarding items that are on agendas for upcoming meetings; and

WHEREAS, individual members of the City Council also sometimes request information on items that are not on an agenda for an upcoming meeting; and

WHEREAS, it is important in the deliberation of the City's business for all City Councilmembers to have available to them all of the same information that is requested by individual Councilmembers; and

WHEREAS, Council wishes to amend the policy to allow information prepared for a Councilmember on a matter not on a posted or anticipated agenda to be provided solely to the requesting Councilmember, unless another Councilmember requests it after notice of its availability.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MARSHALL THAT:

1.

The City Council of the City of Marshall hereby establishes as policy that any information prepared for, or provided to, an individual Councilmember concerning a matter that is included on a posted agenda shall be disseminated to all Councilmembers. The City Manager is directed to implement procedures necessary to ensure compliance with this policy.

2.

The City Council of the City of Marshall hereby further establishes as part of this policy that when an individual Councilmember requests information regarding an

item that is not included on a posted agenda, the requested information shall be provided solely to the requesting Councilmember. However, if requested information does become an agenda item, then all Councilmembers shall be notified that such information has been prepared and is available upon request, and a copy shall be provided to any Councilmember who requests it. The City Manager is directed to implement procedures necessary to ensure compliance with this policy.

3.

The findings set forth in the preamble to this resolution are hereby in all things approved.

4.

The meeting at which this resolution was passed was conducted in strict compliance with the Texas Open Meetings Act (Texas Government Code Chapter 551).

5.

All other prior resolutions or portions of resolutions of the City of Marshall in conflict with the terms and provisions of this resolution are hereby repealed to the extent of such conflict only.

6.

This resolution shall be effective on and after its passage.

PASSED, APPROVED, AND ADOPTED this 9th day of July 2026.

APPROVED:

Mayor of the City Council
of the City of Marshall, Texas

ATTEST:

City Secretary



TO: City Council
DATE: July 9, 2026
ITEM #: 9.B
SUBJECT: **R-26-13** Consider approval of a resolution of the City Council of the City of Marshall, Texas, establishing the maximum fees that may be charged by holders of an emergency wrecker license for police-authorized or non-consent towing, recovery, and storage services; providing for enforcement; and providing an effective date.

Recommendation for Action: Consideration of approval of the resolution.

Executive Summary: This resolution is to provide for the establishment of the maximum fees a licensed emergency wrecker company is allowed to charge for police authorized tows.

Focus Area(s): This item aligns with the following council adopted focus area(s): Improving Customer Service and Improving Customer Service

Budget Cost:

Staff Contact:

Attachments: 1. R-26-13 Resolution for Max Tow Fees

CITY OF MARSHALL, TEXAS

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARSHALL, TEXAS, ESTABLISHING THE MAXIMUM FEES THAT MAY BE CHARGED BY HOLDERS OF AN EMERGENCY WRECKER LICENSE FOR POLICE-AUTHORIZED OR NON-CONSENT TOWING, RECOVERY, AND STORAGE SERVICES; PROVIDING FOR ENFORCEMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Marshall has adopted an ordinance regulating Emergency Wrecker License Holders participating in the City's police-authorized or non-consent towing rotation; and

WHEREAS, Chapter 2308 of the Texas Occupations Code authorizes municipalities to establish maximum fees for police-authorized (non-consent) towing services; and

WHEREAS, the City Council finds that establishing uniform maximum fees protects the public from excessive charges while ensuring that licensed towing companies receive fair compensation for services rendered; and

WHEREAS, the City Council further finds that establishing these fees by resolution allows the City to periodically review and adjust the fee schedule without requiring amendment of the City's towing ordinance;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARSHALL, TEXAS:

SECTION 1. PURPOSE

This Resolution establishes the maximum fees that may be charged by an Emergency Wrecker License Holder for police-authorized (non-consent) towing, recovery, and storage services performed pursuant to the City's Emergency Wrecker Ordinance.

No Emergency Wrecker License Holder shall charge any fee in excess of the amounts authorized by this Resolution.

SECTION 2. MAXIMUM TOWING FEES

A. Light-Duty Tow

The maximum charge for a light-duty tow shall be Two Hundred Seventy-Two Dollars (\$272.00) for the first hour of operation for towing a vehicle from the scene of a police-authorized (non-consent) tow to another location within the corporate limits of the City or to the licensed storage facility of the Emergency Wrecker License Holder.

If additional time is required beyond the first hour, charges shall be prorated based upon the applicable hourly rate and billed in fifteen (15) minute increments.

If the police officer in charge determines that one or more light-duty wreckers are reasonably necessary to complete the police-authorized (non-consent) tow or recovery operation, each additional light-duty wrecker may charge up to Two Hundred Seventy-Two Dollars (\$272.00) for the first hour of operation, with any additional time billed in fifteen (15) minute increments.

B. Medium-Duty Tow

The maximum charge for a medium-duty tow shall be Three Hundred Eighty Dollars (\$380.00) for the first hour of operation for towing a vehicle from the scene of a police-authorized (non-consent) tow to another location within the corporate limits of the City or to the licensed storage facility of the Emergency Wrecker License Holder. A medium-duty tow truck shall not be used unless its use is reasonably necessary to safely perform the tow or recovery operation and is approved by the police officer in charge of the scene.

If additional time is required beyond the first hour, charges shall be prorated based on the applicable hourly rate and billed in fifteen (15) minute increments.

If the police officer in charge determines that a one or more additional medium-duty wreckers are reasonably necessary to complete the police-authorized (non-consent) tow or recovery operation, each additional medium-duty wrecker tow unit may charge up to Three Hundred Eighty Dollars (\$380.00) for the first hour of operation, with any additional time billed in fifteen (15) minute increments.

C. Heavy-Duty Tow

The maximum charge for a heavy-duty tow shall be Four Hundred Eighty-Nine Dollars (\$489.00) per heavy-duty tow unit for the first hour of operation for towing a vehicle from the scene of a police-authorized (non-consent) tow to another location within the corporate limits of the City or to the licensed storage facility of the Emergency Wrecker License Holder. A medium-duty tow truck shall not be used unless its use is reasonably necessary to safely perform the tow or recovery operation and is approved by the police officer in charge of the scene.

If additional time is required beyond the first hour, charges shall be prorated based upon the applicable hourly rate and billed in fifteen (15) minute increments.

If the police officer in charge determines that one or more additional heavy-duty wreckers are reasonably necessary to complete the police-authorized (non-consent) tow or recovery operation, each additional heavy-duty tow unit may charge up to Four Hundred Eighty-Nine Dollars (\$489.00) for the first hour of operation, with any additional time billed in fifteen (15) minute increments.

SECTION 3. SPECIAL SERVICE CHARGES

In addition to the applicable towing charge, the following maximum fees may be assessed when the service is reasonably necessary and actually performed:

Service	Maximum Fee
Dolly Fee	\$45.00
Rollover Recovery	\$85.00

Each special service charge may be assessed only once per incident unless otherwise authorized by the Marshall Police Department.

SECTION 4. ADDITIONAL AUTHORIZED CHARGES

The following additional fees are authorized:

Service	Maximum Fee
Accident Scene Response Fee	\$35.00
Vehicle Storage (vehicles $\leq$ 25 feet)	\$22.85 per day
Vehicle Storage (vehicles $>$ 25 feet)	\$39.99 per day

Storage charges shall be assessed in accordance with the City's Emergency Wrecker Ordinance.

No more than one (1) day's storage fee may be charged when a vehicle is stored for less than twelve (12) hours.

SECTION 5. PROHIBITED CHARGES

Except as expressly authorized by this Resolution, the City's Emergency Wrecker Ordinance, or applicable law, an Emergency Wrecker License Holder shall not charge any additional fee or surcharge, including but not limited to:

1. Dispatch fees;
2. Administrative fees;
3. Paperwork or processing fees;
4. Environmental fees;
5. Fuel surcharges;
6. Shop supply fees;
7. Scene management fees;
8. Hook-up fees separate from the authorized tow fee;
9. Equipment fees for equipment not actually used;
10. Labor charges for personnel;
11. Duplicate charges for the same service; or
12. Any other fee not specifically authorized by this Resolution.

SECTION 6. ITEMIZED INVOICES

Every invoice issued for a police-authorized tow shall clearly itemize all charges, including:

1. Tow fee;
2. Recovery charges;
3. Special service charges;
4. Storage charges;
5. Applicable taxes, if any; and
6. The total amount due.

Upon request of the Marshall Police Department, a copy of the invoice shall be provided within ten (10) calendar days.

SECTION 7. ENFORCEMENT

Charging fees in excess of those authorized by this Resolution or charging unauthorized fees shall constitute a violation of the City's Emergency Wrecker Ordinance and may result in:

1. Suspension of the Emergency Wrecker License;
2. Revocation of the Emergency Wrecker License;
3. Removal from the City's police-authorized towing rotation;
4. Administrative penalties authorized by the City's ordinances; and
5. Any other remedy authorized by law.

SECTION 8. AMENDMENT OF FEES

The City Council may amend the fee schedule established by this Resolution from time to time upon determining that revisions are necessary to reflect the fair value of services provided, market conditions, operating costs, or other factors consistent with Chapter 2308 of the Texas Occupations Code.

SECTION 9. SEVERABILITY

If any provision of this Resolution is held to be invalid or unenforceable, such determination shall not affect the remaining provisions, which shall remain in full force and effect.

SECTION 10. EFFECTIVE DATE

This Resolution shall become effective immediately upon its adoption.

PASSED AND APPROVED by the City Council of the City of Marshall, Texas, on the ____ day of _____, 2026.

CITY OF MARSHALL, TEXAS

By: _____
Mayor

ATTEST:

By: _____
City Secretary

APPROVED AS TO FORM:

By: _____
City Attorney



TO: City Council
DATE: July 9, 2026
ITEM #: 10.A
SUBJECT: An Executive Session pursuant to the Open Meetings Act, Chapter 551 of the Texas Government Code under Section 551.074
Personnel Matters: Review candidates for the position of Municipal Judge.

Recommendation for Action:

Executive Summary:

Focus Area(s): This item aligns with the following council adopted focus area(s):

Budget Cost:

Staff Contact:

Attachments: None



TO: City Council
DATE: July 9, 2026
ITEM #: 11.A
SUBJECT: Consider action regarding discussion from the executive session.

Recommendation for Action:

Executive Summary:

Focus Area(s):

Budget Cost:

Staff Contact:

Attachments: None