

ORDINANCE

CITY OF NEW ORLEANS

CITY HALL: November 6, 2025

CALENDAR NO. 35,302

NO. _____ MAYOR COUNCIL SERIES

BY: COUNCILMEMBER MORRELL

AN ORDINANCE to amend and reordain Section 154-777 of the Code of the City of New Orleans to align fees for non-consensual towing and recovery with the annual rates set by the Louisiana Public Service Commission; and otherwise to provide with respect thereto.

1 SECTION 1. THE COUNCIL OF THE CITY OF NEW ORLEANS HEREBY ORDAINS,

2 That section 154-777 of the Code of the City of New Orleans, Louisiana is amended to read as follows:

3 “Chapter 154 – TRAFFIC AND VEHICLES

4 * * *

5 ARTICLE VIII. – STOPPING, STANDING, PARKING

6 * * *

7 DIVISION 3. – SEIZURE OR IMMOBILIZATION OF CERTAIN VEHICLES

8 * * *

9 Sec. 154-777. –Unoccupied vehicle in violation of law.

10 (a) Any unoccupied vehicle found on a street or highway against which there is a recorded and
11 unpaid delinquent parking citation issued under the authority of this article shall be immediately
12 immobilized or towed and impounded, or both, by any police officer or other person duly
13 authorized.

14 (b) Such vehicle shall be surrendered or released only to the duly registered owner of such vehicle or
15 his agent thereof upon:

- 16 (1) Such person depositing a cash bond in the amount of the fines and penalties for any
17 unpaid parking citations (including the citation, if any, for which the vehicle was towed)
18 recorded against such vehicle plus any towing, immobilization or storage fees; or
- 19 (2) Such person (but only if he is the same person charged with the parking citation) signing
20 and executing a form prepared by the department of law for the purpose of waiving his
21 right to a hearing, admitting liability for the parking offense charged, agreeing to and
22 paying the parking fines, towing fee and storage fees or immobilization fee incurred for
23 the period of impoundment or immobilization. The person duly authorized to collect
24 parking fines, towing, immobilization, and storage fees is hereby authorized to accept
25 such waivers of hearing and pleas of guilty to the offenses charged for entering of same
26 in the proper court of competent jurisdiction, and such person shall be authorized to
27 collect all such fines and fees and issue receipts therefore to the person making payment
28 of same.
- 29 (c) If the person whose vehicle has been immobilized or impounded deposits a bond as provided in
30 subsection (b)(1), such person shall be issued a notice to appear for hearing in accordance with
31 the provisions of this article in the same manner and under the same procedures employed for
32 any violation. Any person whose vehicle has been impounded or immobilized under the
33 provisions of this section and desires an expedited hearing shall be afforded such a hearing
34 within three business days of his written request therefore.
- 35 (d) [Forfeiture of bond.] If a person whose vehicle has been immobilized or impounded deposits a
36 bond as provided in subsection (b)(1), such a bond will be subject to forfeiture if he fails to pay
37 the fines and/or penalties assessed by the parking adjudication bureau within six months after
38 such assessment. If such fee is deposited in the form of a bond and the responsible person is
39 found not liable for all parking citations for which the vehicle was immobilized or impounded,
40 such bond will be returned to the depositor or his agent.
- 41 (e) [Violations.] The purpose of this section is to provide for immobilization, impoundment by
42 immobilization, and removal and/or impoundment of unoccupied vehicles when in violation of
43 the following sections of chapter 34 and this chapter: section 34-19; section 34-20; section 154-
44 861; section 154-864; section 154-866; section 154-868; section 154-869; section 154-870;
45 section 154-874; section 154-875; section 154-876; section 154-877.1; section 154-878; section
46 154-923; section 154-925; section 154-973; section 154-975; section 154-976; section 154-977;

47 section 154-978; section 154-979; section 154-1031; section 154-1032; section 154-1035;
48 section 154-1036; and section 154-1043.

49 (f) *Towing, immobilization, and storage rates.* The department shall collect fees for immobilization,
50 towing, and storage, including, but not limited to, administrative fees and gate fees, at the rates
51 established annually by the Louisiana Public Service Commission and published in its Schedule
52 of Prescribed Rates and Requirements for Non-Consensual Towing and Recovery Services.

53 (g) If any vehicle, other than truck tractors, semitrailers, boats, buses, school buses, freight-carrying
54 vehicles, trailers, tow trucks or dump trucks, dual-axle or tandem-axle is impounded, such
55 vehicle shall be assessed a towing fee in accordance with this section and, after the first 24 hours,
56 a storage fee shall be incurred in accordance with this section, together with such fine as may be
57 imposed in accordance with the law.

58 (h) If a truck tractor, semitrailer, boat, bus, school bus, freight-carrying vehicle, trailer, tow truck or
59 dump truck, dual-axle or tandem-axle is impounded, such vehicle shall be assessed a towing fee
60 in accordance with this section and, after the first 24 hours, a storage fee shall be incurred in
61 accordance with this section, together with such fine as may be imposed in accordance with law.

62 (i) The purpose of this section is to provide for the impoundment through immobilization of
63 unoccupied oversized vehicles when in violation of the following sections of [chapter 34 and]
64 this chapter: Section 34-19; section 34-20; section 154-861; section 154-866; section 154-868;
65 section 154-869; section 154-870; section 154-874; section 154-875; section 154-877.1; section
66 154-923; section 154-925; section 154-973; section 154-975; section 154-976; section 154-977;
67 section 154-978; section 154-979; section 154-1031; section 154-1035; and section 154-1043.

68 (j) If any vehicle, other than truck tractors, semitrailers, boats over 18 feet, buses, school buses,
69 freight-carrying vehicles, trailers, tow trucks or dump trucks, is impounded through
70 immobilization, such vehicle shall be assessed a towing fee in accordance with this section and,
71 after the first 24 hours, a storage fee shall be incurred in accordance with this section, together
72 with such fine as may be imposed in accordance with law. If a truck tractor, semitrailer, boat,
73 bus, school bus, freight-carrying vehicle, trailer, tow truck or dump truck is impounded through
74 immobilization as provided for in subsection (i), such vehicle shall be assessed a towing fee in

75 (k) accordance with this section and, after the first 24 hours, a storage fee shall be incurred in
76 accordance with this section, together with such fine as may be imposed in accordance with
77 law.”

ADOPTED BY THE COUNCIL OF THE CITY OF NEW ORLEANS _____

PRESIDENT OF THE COUNCIL

DELIVERED TO THE MAYOR ON _____

APPROVED:
DISAPPROVED: _____

MAYOR

RETURNED BY THE MAYOR ON _____ **AT** _____

CLERK OF COUNCIL

ROLL CALL VOTE:
YEAS:

NAYS:

ABSENT:

RECUSED:

ENGROSSED VERSION

Sec. 154-777. – Unoccupied vehicle in violation of law.

- (a) Any unoccupied vehicle found on a street or highway against which there is a recorded and unpaid delinquent parking citation issued under the authority of this article shall be immediately immobilized or towed and impounded, or both, by any police officer or other person duly authorized.
- (b) Such vehicle shall be surrendered or released only to the duly registered owner of such vehicle or his agent thereof upon:
 - (1) Such person depositing a cash bond in the amount of the fines and penalties for any unpaid parking citations (including the citation, if any, for which the vehicle was towed) recorded against such vehicle plus any towing, immobilization, or storage fees; or
 - (2) Such person (but only if he is the same person charged with the parking citation) signing and executing a form prepared by the department of law for the purpose of waiving his right to a hearing, admitting liability for the parking offense charged, agreeing to and paying the parking fines, towing fee and storage fees or immobilization fee incurred for the period of impoundment or immobilization. The person duly authorized to collect parking fines, towing, immobilization, and storage fees is hereby authorized to accept such waivers of hearing and pleas of guilty to the offenses charged for entering of same in the proper court of competent jurisdiction, and such person shall be authorized to collect all such fines and fees and issue receipts therefore to the person making payment of same.
- (c) If the person whose vehicle has been immobilized or impounded deposits a bond as provided in subsection (b)(1), such person shall be issued a notice to appear for hearing in accordance with the provisions of this article in the same manner and under the same procedures employed for any violation. Any person whose vehicle has been impounded or immobilized under the provisions of this section and desires an expedited hearing shall be afforded such a hearing within three business days of his written request therefore.
- (d) *[Forfeiture of bond.]* If a person whose vehicle has been immobilized or impounded deposits a bond as provided in subsection (b)(1), such a bond will be subject to forfeiture if he fails to pay the fines and/or penalties assessed by the parking adjudication bureau within six months after such assessment. If such fee is deposited in the form of a bond and the responsible person is

found not liable for all parking citations for which the vehicle was immobilized or impounded, such bond will be returned to the depositor or his agent.

(e) *[Violations.]* The purpose of this section is to provide for immobilization, impoundment by immobilization, and removal and/or impoundment of unoccupied vehicles when in violation of the following sections of chapter 34 and this chapter: section 34-19; section 34-20; section 154-861; section 154-864; section 154-866; section 154-868; section 154-869; section 154-870; section 154-874; section 154-875; section 154-876; section 154-877.1; section 154-878; section 154-923; section 154-925; section 154-973; section 154-975; section 154-976; section 154-977; section 154-978; section 154-979; section 154-1031; section 154-1032; section 154-1035; section 154-1036; and section 154-1043.

(f) *Towing, immobilization, and storage rates.* ~~The towing and storage rates shall be as set forth in the rules and regulations of the Louisiana Public Service Commission. Immobilization fees shall be 75 percent of the applicable towing rate rounded up to the nearest dollar, and the impoundment by immobilization rate shall be the outside storage rate.~~ **The department shall collect fees for immobilization, towing, and storage, including, but not limited to, administrative fees and gate fees, at the rates established annually by the Louisiana Public Service Commission and published in its Schedule of Prescribed Rates and Requirements for Non-Consensual Towing and Recovery Services.**

(g) *Administrative fees.* ~~The rates shall be as set forth by the State Department of Public Safety and Corrections, Office of State Police, title 55, chapter 19.~~

(h) *Gate fees.*: the rates shall be as set forth by R.S. 32:1734.

~~(i)~~**(g)** If any vehicle, other than truck tractors, semitrailers, boats, buses, school buses, freight-carrying vehicles, trailers, tow trucks or dump trucks, dual-axle or tandem-axle is impounded, **such vehicle shall be assessed a towing fee in accordance with this section and, after the first 24 hours, a storage fee shall be incurred in accordance with this section,** a towing fee of \$125.00 and, after the first 24 hours, a storage fee of \$25.00, not to exceed \$500.00, for each day that the vehicle involved was impounded shall be assessed, together with such fine as may be imposed in accordance with the law.

~~(j)~~**(h)** If a truck tractor, semitrailer, boat, bus, school bus, freight-carrying vehicle, trailer, tow truck or dump truck, dual-axle or tandem-axle is impounded, **such vehicle shall be assessed a towing fee in accordance with this section and, after the first 24 hours, a storage fee shall be incurred in accordance with this section,** a towing fee of \$250.00 and, after the first 24 hours, a storage

~~fee of \$50.00, not to exceed \$1,000.00, for each day that the vehicle involved was impounded shall be assessed together with such fine as may be imposed in accordance with law.~~

~~(k)(i)~~ The purpose of this section is to provide for the impoundment through immobilization of unoccupied oversized vehicles when in violation of the following sections of [chapter 34 and] this chapter: Section 34-19; section 34-20; section 154-861; section 154-866; section 154-868; section 154-869; section 154-870; section 154-874; section 154-875; section 154-877.1; section 154-923; section 154-925; section 154-973; section 154-975; section 154-976; section 154-977; section 154-978; section 154-979; section 154-1031; section 154-1035; and section 154-1043.

~~(l)(i)~~ If any vehicle, other than truck tractors, semitrailers, boats over 18 feet, buses, school buses, freight-carrying vehicles, trailers, tow trucks or dump trucks, is impounded through immobilization, such vehicle shall be assessed a towing fee in accordance with this section and, after the first 24 hours, a storage fee shall be incurred in accordance with this section, an immobilization fee of \$100.00 and, after the first 24 hours, a storage fee of \$25.00, but not to exceed \$500.00, for each day that the vehicle involved was impounded shall be assessed together with such fine as may be imposed in accordance with law. If a truck tractor, semitrailer, boat, bus, school bus, freight-carrying vehicle, trailer, tow truck or dump truck is impounded through immobilization as provided for in subsection ~~(k)(i)~~, such vehicle shall be assessed a towing fee in accordance with this section and, after the first 24 hours, a storage fee shall be incurred in accordance with this section, an immobilization fee of \$250.00 and, after the first 24 hours, a storage fee of \$50.00, but not to exceed \$1,000.00, for each day that the vehicle involved was impounded shall be assessed together with such fine as may be imposed in accordance with law.