

ORDINANCE 989

AN ORDINANCE AMENDING SECTION 2-251(a)(b)(c) OF THE CITY'S COE OF ORCINANCES AUTHORIZING THE MUNICIPAL COURT OF THE CITY OF PINEY POINT VILLAGE, TEXAS, TO COLLECT SPECIAL EXPENSE FEES FOR SERVICES PERFORMED ON BEHALF OF CERTAIN DEFENDANTS; AUTHORIZING THE PRESIDING JUDGE AND ANY ASSOCIATE OR ALTERNATE JUDGE TO ASSESS SUCH FEES SEVERABILITY; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PINEY POINT VILLAGE, TEXAS:

WHEREAS, THE 80TH Legislature amended Acts 2007, Ch 1263, Sec 20, to address the pro fine with the fee imposed for services provided associated with issued arrest warrant or capias are amended as stated below:

Division 2. Fees

Section 2-251. Special expenses for issuance and service of warrants or dismissals.

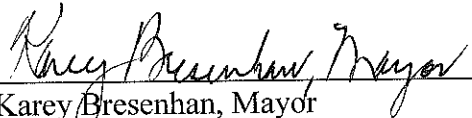
- (a) The municipal judge is authorized to and shall assess a special expense of \$50.00 for processing an issued arrest warrant, capias, or capias pro fine with the fee imposed for the services of:
 - 1. The law enforcement agency that executed the arrest warrant or capias, if the agency requests of the court, not later than the 15th day after the date of the execution of the arrest warrant or capias, the imposition of the fee on conviction
- (b) The municipal judge is authorized to and shall assess a special expense of \$50.00 for the issuance and service of a warrant of arrest pursuant to C.C.P. Art. 102.001.
- (c) The municipal judge is authorized to and shall assess as a special expense for services performed by the city inwhich shall not exceed the actual expense incurred by the city or \$20.00, whichever is less.

In the event any section, paragraph, subdivision, clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Piney Point Village, Texas, declares that it would have passed

each every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

All ordinances or parts of ordinances inconsistent or in conflict herewith are, to the extent of such inconsistency or conflict, hereby repealed.

PASSED, APPROVED AND ADOPTED THIS 2 DAY OF July 2008.


Karey Bresenhan, Mayor

ATTEST:


Lorena E. Briel, City Administrator