

CITY OF LOWRY CROSSING, TEXAS

ORDINANCE NO. 156

AN ORDINANCE OF THE CITY OF LOWRY CROSSING, TEXAS, ESTABLISHING A MUNICIPAL COURT BUILDING SECURITY FUND AND REQUIRING EACH DEFENDANT CONVICTED FOR A MISDEMEANOR OFFENSE IN THE MUNICIPAL COURT OF THE CITY OF LOWRY CROSSING, TEXAS, TO PAY A THREE DOLLAR (\$3.00) BUILDING SECURITY FEE AS A COST OF COURT; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Article 102.017 of the Texas Code of Criminal Procedure provides for the establishment of a Municipal Court Building Security Fund to finance certain security services for the Municipal court through the imposition of a \$3.00 security fee to be paid as a cost of court by each defendant convicted for a misdemeanor offense in the Municipal Court; and

WHEREAS, The City Council finds that it is in the public interest to establish such fund; Now, Therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LOWRY CROSSING, TEXAS:

SECTION 1. ESTABLISHMENT OF MUNICIPAL COURT BUILDING SECURITY FUND.

Pursuant to Article 102.017 of the Texas Code of Criminal Procedure, there is hereby established a Municipal Court Building Security Fund to be used only to finance the following items when such items are used for the purpose of providing security services for buildings housing a municipal court:

- A. The purchase or repair of X-ray machines and conveying systems;
- B. Handheld metal detectors;
- C. Walkthrough metal detectors;
- D. Identification cards and systems;
- E. Electronic locking and surveillance equipment;
- F. Bailiffs, deputy sheriffs, deputy constables, or contract security personnel during times when they are providing appropriate security services;
- G. Signage;

- H. Confiscated weapon inventory and tracking systems;
- I. Locks, chains, alarms, or similar security devices;
- J. The purchase or repair of bullet-proof glass;
- K. Continuing education or security issues for Court personnel and security personnel; and
- L. Any other items or for any other purpose as may be authorized from time to time by the amendment of Article 102.017 of the Texas Code of Criminal Procedure.

SECTION 2. ESTABLISHMENT OF AMOUNT FEE AND ASSESSMENT AND COLLECTION.

- A. Each defendant convicted of a misdemeanor offense in the Municipal Court of the City of Lowry Crossing, Texas shall pay a Three Dollar (\$3.00) security fee as a cost of court. A person is considered convicted if:
 - 1. A sentence is imposed on the person;
 - 2. The person receives community supervision, including deferred adjudication; or,
 - 3. The court defers final disposition of the person's case.
- B. Each defendant so convicted shall pay the fee in addition to any other fines, penalties, or court costs required by city ordinance or state or federal law. A separate fee must be paid for each separate conviction.
- C. The Clerk of the Municipal Court shall collect the costs and pay them to the Municipal Treasurer or other official who discharges or performs the duties of the treasurer of the City of Lowry Crossing, who shall deposit the fee into the Municipal Court Building Security Fund.

SECTION 3. ADMINISTRATION OF FUND.

The Municipal Court Building Security Fund shall be administered by or under the direction of the City Council of the City of Lowry Crossing.

SECTION 4. REPEALING CLAUSE.

All parts of ordinances, inconsistent or in conflict with the provisions of this ordinance are hereby repealed.

SECTION 5. SEVERABILITY CLAUSE.

If any article, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid or held unconstitutional, the same shall not affect the validity of this ordinance as a whole or any part or provision thereof, other than the part so decided to be invalid or unconstitutional.

SECTION 6. EFFECTIVE DATE.

This ordinance shall take effect immediately after its passage as the law in such cases provides.

DULY ADOPTED by the City Council of the City of Lowry Crossing, Texas, the 22nd day of April, 2002.


RICHARD JOND RON, MAYOR

ATTEST:


PATRICIA FRAN CEN, CITY SECRETARY

APPROVED AS TO FORM:


CITY APTORNEY