

**ORDINANCE NO. 2014-02**

**AN ORDINANCE OF THE CITY COUNCIL OF BRIDGE CITY, TEXAS, AUTHORIZING A \$25.00 SPECIAL EXPENSE FEE FOR THE ISSUANCE AND SERVICE OF A WARRANT OF ARREST; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, it is the intent of the City Council to protect the public health, safety and welfare; and

**WHEREAS**, municipalities may, under their police powers, enact reasonable regulations to promote the health, safety and welfare of citizens; and

**WHEREAS**, Texas Local Government Code Section 51.001(1) provides that the governing body of a municipality may adopt, publish, amend, or repeal an ordinance, rule or police regulation that is for the good government, peace, or order of the municipality;

**WHEREAS**, the Texas Code of Criminal Procedure Article 45.203 authorizes a special expense fee for the issuance and service of a warrant of arrest for bail jumping, failing to appear in court, or a violation of a promise to appear in court.

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

The Municipal Court Clerk for the City of Bridge City shall collect a special expense fee in the amount of \$25.00 for the issuance and service of a warrant of arrest for an offense under Section 38.10, Texas Penal Code, or Section 543.009, Texas Transportation Code.

The Municipal Court Clerk shall report each special expense collected to the City Treasurer for deposit into the general funds of the City.

The Municipal Court Clerk shall notify each defendant that the Court intends to collect the special expense fee listed herein. The defendant may request a hearing to determine the applicability of the special expense fee to the defendant.

If any section or subsection, clause, sentence, or paragraph of this Ordinance shall be found illegal, invalid, or void by any Court of competent jurisdiction, then such findings shall not affect the remaining portions of this Ordinance, but the same shall be

valid and in effect, it being expressed intention of the City Council of the CITY OF BRIDGE CITY, TEXAS, to pass each sentence, clause, paragraph, section, or exhibit individually.

This Ordinance shall become effective ten (10) days after its publication date, in caption form only, after its passage by the City Council of the CITY OF BRIDGE CITY, TEXAS, after its reading at one (1) regularly scheduled City Council meeting of the CITY OF BRIDGE CITY, TEXAS, such passage to be within ninety (90) days of the reading hereof.

**PASSED BY THE CITY COUNCIL, OF THE CITY OF BRIDGE CITY, TEXAS,** this 18th day of February 2014.

/s/ Kirk Roccaforte

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KIRK ROCCAFORTE, Mayor

ATTEST:

/s/ Sherry Tisdale

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SHERRY TISDALE, City Secretary

/s/ Paul M. Fukuda

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PAUL M. FUKUDA, City Attorney