

ORDINANCE NO. 235

AN ORDINANCE OF THE CITY OF SEVEN POINTS, TEXAS, ESTABLISHING A MUNICIPAL COURT BUILDING ~~SECURITY FUND~~; PROVIDING FOR PAYMENT INTO SUCH FUND; PROVIDING FOR COLLECTION OF THE FUNDS; PROVIDING FOR THE ADMINISTRATION OF THE FUND; PROVIDING FOR THE USE OF THE FUNDS COLLECTED; PROVIDING FOR ANY CONFLICTING PROVISIONS AND THE SEVERABILITY OF THIS ORDINANCE; AND PROVIDING AN EFFECTIVE DATE FOR THIS ORDINANCE.

WHEREAS, the Legislature of the State of Texas in its 74th Session with the passage of Senate Bill 349 made amendment to the Texas Code of Criminal Procedure allowing municipalities to establish municipal court building security funds;

AND WHEREAS, the City of Seven Points, Texas, wishes to establish such a fund;

NOW THEREFORE BE IT ORDAINED BY THE CITY OF SEVEN POINTS, TEXAS.

I. FUND ESTABLISHED

That from and after the effective date of this Ordinance, there shall hereafter be and be established a special fund to be known as the "municipal court building security fund."

II. PAYMENT INTO FUND

- (a) That every defendant convicted in a trial for a misdemeanor offense in the Municipal Court of the City of Seven Points, Texas, shall be required to pay a three dollar (\$3.00) security fee as a cost of court.
- (b) That as used herein, 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.

III. COLLECTION AND ADMINISTRATION

- (a) That the court clerk shall collect the court cost as established herein and shall pay them to the municipal treasurer.
- (b) That the municipal court building security fund shall be administered by or under the direction of the City Council of the City of Seven Points, Texas.

IV. USE OF FUNDS

That the funds collected as set forth herein may be used only to finance the following items when used for the purpose of providing security services for buildings housing the municipal court:

- (1) the purchase or repair of x-ray machines and conveying systems;
- (2) handheld metal detectors;
- (3) walkthrough metal detectors;
- (4) identification cards and systems;
- (5) electronic locking and surveillance equipment;
- (6) bailiffs or other contract security personnel during time when they are providing appropriate security services;
- (7) signage;
- (8) confiscated weapon inventory and tracking systems; or
- (9) locks, chains or other security hardware.

V. CONFLICTING PROVISIONS

That any and all Ordinances of the City of Seven Points, Texas, heretofore adopted which are in conflict with this Ordinance are hereby expressly repealed insofar as the same are in conflict therewith.

VI. SEVERABILITY OF ORDINANCE

That if any section, subsection, paragraph, sentence, clause, phrase, or word in this Ordinance, or application thereof to any person or circumstances, is held invalid by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of the Ordinance, and the City Council of the City of Seven Points, Texas, hereby declares that it would have passed such remaining portions of the Ordinance despite such invalidity.

VII. EFFECTIVE DATE

That this Ordinance shall take effect immediately from and after passage and publication, as the law in such cases provides.


DULY ADOPTED BY THE CITY COUNCIL OF THE CITY OF SEVEN POINTS, TEXAS ON THIS THE 10th DAY OF October, 1995.

PASSED AND APPROVED THIS THE 10th DAY OF Oct., 1995.

APPROVED:



Honorable Marian Hill
Mayor

ATTEST: 

Terry Abbott
City Secretary