

CITY OF SANCTUARY

P.O. Box 125

Azle, Texas 76098

817.221.6016

ORDINANCE NO. 73

**AN ORDINANCE OF THE CITY OF SANCTUARY, TEXAS,
ESTABLISHING A MUNICIPAL COURT TECHNOLOGY FUND;
PROVIDING FOR THE ASSESSMENT AND COLLECTIN OF A
MUNICIPAL COURT TECHNOLOGY FEE; PROVIDING FOR A
SEVERABILITY; PROVIDING FOR PUBLICATION AND EFFECTIVE
DATE; PROVIDING FOR EXPIRATION DATE.**

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
SANCTUARY, TEXAS (HEREIN AFTER REFERRED TO AS THE "CITY").**

**SECTION I
ESTABLISHMENT OF MUNCIPIAL COURT TECHNOLOGY FUND**

**THAT CHAPTER 09, SECTION 10, OF THE CODE OF ORDINANCES, CITY OF
SANCTUARY, TEXAS, TO READ AS FOLLOWING:**

- 1.** There is hereby created and established a Municipal Court Technology Fund, here-in-now known as the Fund, pursuant to Article 102.0172 of the Code of Criminal Procedure.
- 2.** The Fund may be maintained in an interest bearing account and may be maintained in the general revenue account.

**SECTION II
ESTABLISHMENT OF AMOUNT OF THE FEE AND ASSESSMENT AND
COLLECTION**

- 1.** The Fee shall be in the amount of \$4.00.
- 2.** The fee shall be assessed and collected from the Defendant upon conviction for a misdemeanor offense in the Municipal Court as a cost of court. A Defendant is considered convicted if:
 - a.** judgment, sentence, or both are imposed on the person;
 - b.** the person is placed on deferred disposition; or
 - c.** the court defers final disposition or imposition of the judgment and sentence.

3. The fee shall be collected on conviction for an offense committed on or after September 1, 1999, (or for convictions on offenses committed on or after ordinance is adopted).
4. The Clerk of the Court shall collect the fee and pay the fee to the municipal treasurer or City Secretary of the City of Sanctuary, Texas, who shall deposit the fee into the Municipal Court Technology Fund.

SECTION III DESIGNATED USE OF THE FUND AND ADMINISTRATION

1. The Fund shall be used only for the purpose of financing the purchase of or to maintain technology enhancements for the Municipal Court of the City of Sanctuary, Texas. "Technology enhancements" shall include any and all items described in Article 102.0172 of the Code of Criminal Procedure. Fee may only be assessed and collected on offenses occurring on or after September 1, 1999. The fee may not be assessed or collected retroactively if Fund is established at a later date than September 1, 1999.
2. The Fund shall be administered by or under the direction of the City Council of the City of Sanctuary, Texas.

SECTION IV SEVERABILITY CLAUSE

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION V REPEALING CONFLICT

All ordinances and parts of ordinances in conflict with ordinance are hereby repealed to the extent of conflict with this ordinance. Ordinances _____ and _____ are repealed in their entirety.

SECTION VI

This ordinance shall be published in accordance with the requirements of publishing all ordinances and becomes effective in accordance with state law upon passage, but earlier than May 2, 2013, 2013.

SECTION VII

The purpose of the use of any funds remaining in the fund shall continue to be used and administered as required by this ordinance and for that purpose this ordinance remains in effect.

PASSED AND APPROVED ON THIS 02 DAY OF May, 2013.

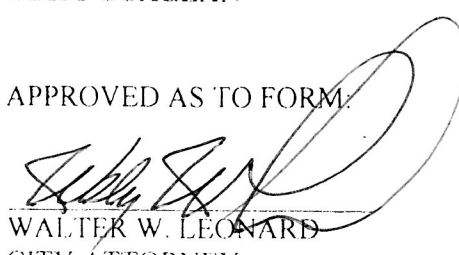
THE CITY OF SANCTUARY, TEXAS


MAYOR
CLIFF SCALLAN

ATTEST:


DEBORAH TOWNSLEY
CITY SECRETARY

APPROVED AS TO FORM:


WALTER W. LEONARD
CITY ATTORNEY