

CITY OF SANCTUARY

**P.O. Box 125
Azle, Texas 76098
817.221.6016**

ORDINANCE NO. 74

AN ORDINANCE PROVIDING FOR A "MUNICIPAL COURT BUILDING SECURITY FUND" PROVIDING FOR ASSESSMENT AND COLLECTION OF A MUNICIPAL COURT BUILDING SECURITY FEE; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE; AND ORDAINING OTHER PROVISIONS RELATED TO THE MATTER HEREOF.

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

**SECTION I
MUNICIPAL COURT BUILDING SECURITY 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 Building Security Fund (the "Fund") pursuant to Article 102.017 of the Code of Criminal Procedure.
2. The Municipal Court of the City of Sanctuary, Texas (the "Municipal Court") is hereby authorized and required to assess a Municipal Court Building Security Fee (the "Fee") in the amount of \$3.00 against all Defendants convicted of a misdemeanor offense by the Municipal Court. Each misdemeanor conviction shall be subject to a separate assessment of the Fee.
3. A person is considered to have been convicted in a case if judgment, sentence, or both are imposed on the person; the person receives deferred disposition; or the Court defers final disposition or imposition of the judgment and sentence.
4. The Municipal Court Clerk is hereby authorized and required to collect the Fee and to pay same to the treasury of the City of Sanctuary, Texas. All Fees so collected and paid over to the treasury of the City of Sanctuary, Texas shall be segregated in the Fund.
5. The Fund shall be used only for the purpose of financing the purchase of security devices and/or services for the building or buildings housing the Municipal Court of the City of Sanctuary, Texas. "Security devices and/or services" shall include any and all items described in Article 102.017(d) of the Code of Criminal Procedure.

6. The Fund shall be administered by or under the direction of the City Council of the City of Sanctuary, Texas.

**SECTION II
SEVERABILITY CLAUSE**

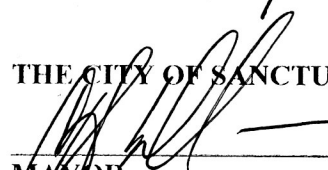
It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree 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 III
EFFECTIVE DATE**

This Ordinance shall be in full force and effect from and after its passage and publication as required by law, and it is so ordained.

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

THE CITY OF SANCTUARY, TEXAS



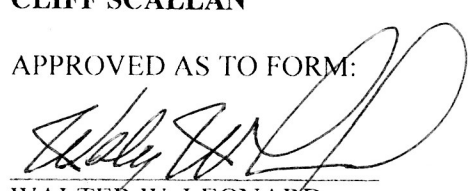
MAYOR
CLIFF SCALLAN

ATTEST:



DEBORAH TOWNLSEY
CITY SECRETARY

APPROVED AS TO FORM:



WALTER W. LEONARD
CITY ATTORNEY