

ORDINANCE NUMBER 84

MUNICIPAL COURT BUILDING SECURITY FUND

An ordinance of the City of Log Cabin, Texas, established a Municipal Court Building Security Fund: providing for the assessment and collection of a municipal court building security fee; providing for severability; providing for publication and effective date.

Whereas, Article 102.017 of the Code of Criminal Procedure provides for the establishment of a Municipal Court Building Security Fund.

Be it ordained by the City Council of the City of Log Cabin, Texas:

Section 1. Establishment of Municipal Court Building Security Fund

- A. There is hereby created and established a Municipal Court Building Fund, herein now known as the Security Fund, pursuant to Article 102.017 of the Code of Criminal Procedure.
- B. The Security Fund may be maintained in an interest bearing account and may be maintained in the general revenue account.

Section 2. Establishment of Amount of the fee and Assessment and Collection

- A. The fee shall be in the amount of three dollars.
- B. 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. a sentence is imposed on the person;
- B. the person is placed on community supervision, including deferred adjudication; or
- C. the court defers final disposition of the person's case

Section 3. Collection of Fee

- A. The fee shall be collected on conviction for an offense committed on or after the ordinance is adopted
- B. The Clerk of the court shall collect the fee and pay the fee to the municipal treasurer or other official who discharges or performs the duties of the treasurer of the City of Log Cabin, who shall deposit the fee into the Municipal Court Building Security fund.

Section 4. Designated Use of the Fund and Administration

- A. The fund designated by this ordinance shall be used only to finance items when used for the purpose of providing security services for buildings housing the Municipal Court of the City of Log Cabin, Texas
- B. Including:
 - 1. the purchase or repair of X-ray machines and conveying systems;
 - 2. hand-held metal detectors;
 - 3. walk-through metal detectors;
 - 4. identification cards and systems;
 - 5. electronic and surveillance equipment;
 - 6. bailiffs, deputy sheriffs, deputy constables, police officers, or contract security during times when they are providing appropriate security services;
 - 7. signage;
 - 8. confiscated weapon inventory and tracking system;

9. locks, chains, alarms or similar security devices; or the purchase or repair of bullet-proof glass; and
10. continuing education on security issues for court personnel and security personnel.

Section 5. Severability

If any of the provision, section, subsection, sentence, clause or phrase of this ordinance or the application of same to any person or set of circumstances for any reason is held to be unconstitutional, void or invalid or for any reason unenforceable, the validity of the remaining portions of this ordinance or the application thereby shall remain in effect, it being the intent of the City Council of the City of Log Cabin, Texas in adopting this ordinance, that no portion thereof or provision contained herein shall become inoperative or fail by any reason of unconstitutionality or invalidity of any portion or provision.

Section 6. Repealing Conflict

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

Section 7. Publishing and Effective Date

This ordinance shall be published in accordance with the requirement of publishing all ordinances and becoming effective in accordance with state law upon passage, but not earlier than September 01, 1999.

Section 8. Expiration and Administration of Fund

In accordance with Article 102.017 of the Code of Criminal Procedure, this ordinance and the *assessment* and collection of Municipal Court Building Security fee shall remain in full force until amended or repealed by Ordinance or State Law. 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 and Adopted on this the 15 day of July
2000, by the City Council of the City of Log Cabin.

Faye Burnett
Faye Burnett, Mayor
City of Log Cabin, Texas

Attest:

Shelia Callahan
Shelia Callahan, City Secretary
City of Log Cabin, Texas