

ORDINANCE NO. 083-087

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, PROVIDING THAT THE CODE OF ORDINANCES, TOWN OF ADDISON, TEXAS, BE AMENDED BY ADDING SECTION 10-5, WARRANT FEE; PROVIDING FOR THE COLLECTION OF A WARRANT FEE NOT TO EXCEED \$25.00; PROVIDING FOR A REPEAL CLAUSE; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS:

SECTION 1. That Section 10-5 of the Code of Ordinances of the Town of Addison, Texas, be amended so that such section shall read as follows:

SECTION 10-5. WARRANT FEE

1. INTENT AND PURPOSE. The City Council of the Town of Addison finds and declares that:

A. An increasing number of defendants are failing to appear in the Municipal Court of the Town of Addison or otherwise violating the terms of their release.

B. It is a matter of public necessity that the Municipal Court of the Town of Addison issue arrest warrants to be served on such defendants.

C. The cost of issuance and service of such arrest warrants has been borne by the Town of Addison.

D. Texas Code of Criminal Procedure, Article 45.06 authorizes the Town of Addison to collect a special expense for the issuance and service of a warrant of arrest, after due notice, from such defendants.

E. The 1983 session of the Texas State Legislature passed and the Governor signed into law Senate Bill 1034, which amends the Texas Code of Criminal Procedure, Art. 45.06 so as to increase the maximum amount to be collected for the issuance and service of an arrest warrant to \$25.00, effective December 1, 1983.

2. COLLECTION OF SPECIAL EXPENSE. The Municipal Court of the Town of Addison shall collect \$25.00 for the issuance and service of a warrant of arrest from each and every defendant served and arrested.

3. ADOPTION OF RULES AND REGULATIONS. The Municipal Court Clerk is hereby authorized to adopt such rules and regulations concerning the practice and procedures in the Municipal Court for the collection of such \$25.00 warrant expense.

SECTION 2. That Chapter 10 of the Code of Ordinances, Town of Addison, Texas, as amended, shall remain in full force and effect, save and except as amended by this Ordinance.

SECTION 3. That should any paragraph, sentence, subdivision, clause, phrase or section of this ordinance be adjudged or be held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision thereof other than the part so decided to be invalid, illegal, or unconstitutional.

SECTION 4. The fact that the present Code does not provide for a Warrant Fee and is therefore inadequate to properly safeguard the general public, health and safety, creates an urgency and an emergency, and requires this Ordinance to become effective immediately upon its passage and publication of the caption as the law in such cases provides.

DULY PASSED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS, this the 13th day of December, 1983.

MAYOR Jerry Redding

ATTEST:

Jacque Kruse
CITY SECRETARY