

**ORDINANCE NO. 143-2015 - MUNICIPAL COURT BUILDING SECURITY FUND**

**Supersedes Ordinance #79**

**AN ORDINANCE OF THE CITY OF LONE OAK, TEXAS PROVIDING FOR A "MUNICIPAL COURT BUILDING SECURITY FUND" PROVIDING FOR ASSESSMENT AND COLLECTION OF A MUNICIPAL COURT BUILDING SECURITY FEE: PROVIDING FOR SEVERABILITY: AND ORDAINING OTHER PROVISIONS RELATED TO THE SUBJECT MATTER HEREOF.**

**WHEREAS**, Senate Bill 349 authorized a city to create a Municipal Building Security Fund wherein defendants convicted in a trial for a municipal offense shall pay a \$3.00 security fee as a cost of court; and

**WHEREAS**, the City Council of the City of Lone Oak, Texas deems it in the best interest of the city to create a Municipal Court Building Security Fund.

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LONE OAK, TEXAS:**

**Article I.**

**Section 1:**

**A. Municipal Court Building Security.**

1. There is hereby created and established a Municipal Court Building Security Fund pursuant to Article 102.017 of the Code of Criminal Procedure.
2. The Municipal Court of the City of Lone Oak, Texas is hereby authorized and required to assess a Municipal Court Building Security Fee in the amount of \$3.00 against all defendants convicted of a misdemeanor offense by the Municipal Court.
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 Lone Oak, Texas. All fees so collected and paid over to the treasury of the City of Lone Oak, Texas shall be segregated in the Building Security Fund.
5. The fees and funds held in the Municipal Court Building Security Fund shall be used 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 Lone Oak, Texas; security devices and/or services shall include any and all items described in Article 102.017(d) of the code of Criminal Procedure; supplies providing for building security housing the Municipal Court and its funds of the City of Lone Oak, Texas.
6. The Fund shall be administered by or under the direction of the City of Lone Oak, Texas and the City Secretary is authorized to disburse or expend funds collected pursuant to this ordinance as directed by the Municipal Court of the City.

**Section 2:** In any provision, section, subsection, clause, phrase, sentence, or part of the ordinance or the application of the same to any person or circumstance is for any reason be held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this ordinance as a whole or any part or provisions hereof other than the part declared to be invalid or unconstitutional and the City Council of the City of Lone Oak, Texas declares that it would have passed each and every part of the same notwithstanding the omission or any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.


**Section 3:** All ordinances and parts of ordinances which are inconsistent or are in conflict with this ordinance, are hereby repealed to the extent of the conflict.

**Section 4:** This ordinance shall be published and become effective in accordance with state law.

**PASSED and ADOPTED on the 9<sup>th</sup> day of February, 2015.**

  
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Douglas E. Williams, Mayor

ATTEST:

  
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Kathy Voss, City Secretary