

ORDINANCE NO. 1842

AN ORDINANCE AMENDING CHAPTER 2, "ADMINISTRATION," ARTICLE III, "OFFICERS AND EMPLOYEES," DIVISION 2, "MUNICIPAL COURT," SECTION 2-140, "JUVENILE CASE MANAGER FEE," SUBSECTION (a), OF THE CODE OF ORDINANCES OF THE CITY OF EULESS, TEXAS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVING CLAUSE AND AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Euless, Texas, has general supervision over the operations of the Euless Municipal Court of Record; and

WHEREAS, the Texas Legislature in its 79th regular session passed House Bill No. 1575, authorizing the City Council to create a Juvenile Case Manager Fund, and authorized the imposition of an additional court cost in municipal court cases to provide the revenue for such fund; and

WHEREAS, the Euless City Council, after study, found and determined that the health, safety and welfare of its citizens would best be served by the creation of a Juvenile Case Manager Fund, to provide the necessary funding for the potential employment of one or more full-time Juvenile Case Managers to assist the Euless Municipal Court of Record in administering the Court's juvenile docket and in supervising its court orders in juvenile cases; and

WHEREAS, the Euless City Council, after study, now finds and determines that the current fee is insufficient to finance the salary and benefits of one or more Juvenile Case Managers as described under Article 45.056, Texas Code of Criminal Procedure.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EULESS, TEXAS:

SECTION 1

THAT Chapter 2, "ADMINISTRATION," Article III, "Officers and Employees," Division 2, "Municipal Court," Section 2-140, "Juvenile Case Manager Fee", Subsection (a), of the Code of Ordinances of the City of Euless, Texas, as amended, be hereby amended to hereafter be and read as follows:

Sec. 2-140. Juvenile Case Manager Fee

- (a) There is hereby imposed, as a cost of court, a Juvenile Case Manager Fee of \$5.00 per conviction in the Euless Municipal Court of Record.

SECTION II

SEVERABILITY CLAUSE. That it is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared invalid or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such invalidity or 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 invalid or unconstitutional phrase, clause, sentence, paragraph or section.

SECTION III

SAVING CLAUSE. That Chapter 2 of the Code of Ordinances, City of Euless, Texas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

SECTION IV

EFFECTIVE DATE. This ordinance shall be in full force and effect from and after its passage and publication as provided by the Euless City Charter and the laws of the State of Texas.

PRESENTED AND APPROVED on First and Final Reading at a regular meeting of the Euless City Council on the 24th day of March, 2009, by a vote of _____ ayes, _____ nays and _____ abstentions.

APPROVED:

Mary Lib Saleh, Mayor

ATTEST:

Susan Crim, TRMC, City Secretary

APPROVED AS TO FORM:

Bob McFarland, City Attorney