

ORDINANCE NO. 2014- 35

AN ORDINANCE OF THE CITY OF UVALDE, TEXAS, AMENDING THE POLICE ESCORT FEES LOCATED IN TITLE 10, VEHICLES AND TRAFFIC; CHAPTER 10.36, MISCELLANEOUS VEHICLE AND TRAFFIC REGULATIONS; SECTION 10.26.090, POLICE ESCORT PERMIT FEES; AMENDING SECTION 2.68.010, USER FEES OF THE UVALDE MUNICIPAL CODE OF THE CITY OF UVALDE, TEXAS; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING ENFORCEMENT AND PENALTY CLAUSES; PROVIDING OPEN MEETINGS, SEVERABILITY, AND EFFECTIVE DATE CLAUSES; AND PROVIDING FOR RELATED MATTERS.

Whereas, the City of Uvalde, Texas (herein the “City”), has previously adopted fees for providing services by City employees within its service area;

Whereas, the City police department regularly provides police escort services for wide loads such as mobile homes, other structures, special equipment, large oil tanks, as well as escort services for funeral processions;

Whereas, the City is often called upon to use anywhere from one (1) to four (4) officers to perform such escort services, depending upon various factors;

Whereas, the City desires to rectify any inconsistencies within its own ordinances as to the fees to be charged, as well as clarify how the charges are calculated.

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

Section 1. Findings of Fact. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

Section 2. Amendment of Section 10.26.090 of the Uvalde Municipal Code of Ordinances. Chapter 10.36, Miscellaneous Vehicle and Traffic Regulations of the Uvalde Municipal Code of Ordinances is repealed in its entirety to read as follows:

10.36.090 - Police escort permit fees.

- A. Structure - A police escort permit fee shall be paid for each unit required when a structure needs a police escort to be moved in or through the City of Uvalde, Texas.
- B. Funeral – A police escort permit fee shall be paid for each unit for each trip when required for a funeral escort within, to or from the City of Uvalde, Texas.

C. Definition.

"Structure," as used in this section, means an item or object that has been built or constructed and its size is such that it is not generally licensed to travel on the public streets and highways and its size and construction is such that when it is moved on the public streets or highways that it needs a police escort to protect the safety of the people.

"Trip" as used in this section, means each leg of the escort, which can be from the funeral home to a church and then from the church to the cemetery (2), or just from the funeral home to the cemetery or church to the cemetery (1).

D. The police escort permit fees are set forth in Section 2.68.010, Uvalde Municipal Code of Ordinances.

Section 3. Amendment of Section 2.68.010 of the Uvalde Municipal Code of Ordinances. Chapter 2.68, Fee Schedule for City Services of the Uvalde Municipal Code of Ordinances is amended to read as follows:

2.68.010 - User fees.

The city treasurer is authorized and required to collect for the use of the city the following fees:

A. Filing an application for the abandonment of a public easement in a street or alley, one hundred dollars (\$100.00).

B. Providing a police escort to move a structure, one hundred dollars (\$100.00), per unit.

C. Providing a police escort for funerals, forty dollars (\$40.00), per unit, per trip.

D. Renting office space in the Uvalde Civic Center, forty-four cents (\$0.44) per square foot.

Section 4. Penalties. Any person convicted of violating any provision of this ordinance shall be guilty of a misdemeanor and shall be subject to a fine in an amount not to exceed Five Hundred dollars (\$500.00).

Section 5. Repeal of Conflicting Ordinances. All ordinances or parts of ordinances inconsistent with or in conflict with this ordinance are hereby repealed to the extent of such inconsistency or conflict.

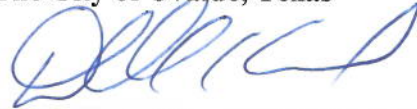
Section 6. Severability. If any provision of this ordinance or the application of any provision to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications hereof which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

Section 7. Open Meetings. That it is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapt. 551, Loc. Gov't. Code.

Section 8. Effective Date. This ordinance shall take effect immediately upon its adoption by the City Council and publication as required by the Local Government Code.

PASSED AND APPROVED on this the 16th day of December, 2014.

The City of Uvalde, Texas



Don McLaughlin, Jr., Mayor

ATTEST:



Susan Conley, City Secretary