

ORDINANCE 2011-23

AN ORDINANCE OF THE CITY OF LA FERIA AMENDING CHAPTER 12 (TRAFFIC AND VEHICLES) AND APPENDIX A OF THE CODE OF ORDINANCES IMPOSING A FEE RELATED TO THE ADMINISTRATION AND ENFORCEMENT OF THE PROVISIONS OF CHAPTER 702 OF THE TEXAS TRANSPORTATION CODE, INCLUDING, BUT NOT LIMITED TO, THE INTERLOCAL AGREEMENT – SCOFFLAW BETWEEN THE CITY OF LA FERIA AND CAMERON COUNTY RELATED THERETO, AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the City of La Feria, a home-rule city, may enforce ordinances necessary to protect health, life, and property and to preserve the good government, order, and security of the municipality and its inhabitants; and

WHEREAS, pursuant to Chapter 702 of the Texas Transportation Code, the City of La Feria may enter into an agreement with the Cameron County Tax Assessor-Collector to prohibit the registration of a vehicle if the owner of the vehicle has an outstanding warrant from the City of La Feria for failure to appear or failure to pay a fine on a complaint that involves the violation of a traffic law; and

WHEREAS, the City of La Feria has taken action to approve an Interlocal Agreement – Scofflaw (the “Agreement”) with Cameron County and the Cameron County Tax Assessor-Collector to enforce the provisions of Chapter 702 of the Texas Transportation Code; and

WHEREAS, the Agreement requires the City of La Feria to impose a fee to offset the cost of administration of such Agreement; and

WHEREAS, the City Commission of the City of La Feria finds that amendments to the Code of Ordinances to impose such a fee are necessary to protect the health, safety, morals and general welfare of the citizens of the City of La Feria;

THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF LA FERIA, THAT:

1. Chapter 12, TRAFFIC AND VEHICLES of the Code of Ordinances is amended by the addition of subsection 12.01.002 as follows:

Sec. 12.01.002 Special fee for administration of enforcement of Chapter 702 of the Texas Transportation Code.

(a) A special “scofflaw” fee as provided in Sec.A12.01.002 of the fee schedule in Appendix A to this Code of Ordinances is hereby established and will be charged by the City of La Feria (directly or through its municipal court) to any owner of a vehicle who has an outstanding warrant from the City of La Feria for failure to appear or failure to pay a fine on a complaint that involves the violation of a traffic law in the City of La Feria.

(b) Such "scofflaw" fee shall be collected by the City of La Feria, or by its duly designated agent as provided under any authorized interlocal agreement relating to the enforcement of Chapter 702 of the Texas Transportation Code, at such time as such vehicle owner attempts to renew such vehicles registration. Such "scofflaw" fee shall only be used to cover the cost of enforcement of Chapter 702 of the Texas Transportation Code and shall only be collected in compliance with the provisions of applicable law.

2. APENDIX A FEE SCHEDULE - Chapter 12, TRAFFIC AND VEHICLES of the Code of Ordinances is amended by the addition of subsections A12.01.002 as follows:

Sec. A12.01.002 Special fee for administration of enforcement of Chapter 702 of the Texas Transportation Code.

- (a) Special "scofflaw" fee: \$20.00.

3. This Ordinance is effective immediately upon passage and approval by the City Commission of the City of La Feria.


PASSED AND APPROVED THIS THE 6TH DAY OF DECEMBER 2011.

APPROVED:



STEVE BREWER, Mayor

ATTEST:


OLGA OBERWETTER, City Secretary

APPROVED AS TO FORM:


RICHARD S. TALBERT, City Attorney