

ORDINANCE NO. 2453

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS IMPOSING A SPECIAL EXPENSE FEE FOR SERVICES PERFORMED IN CONNECTION WITH MUNICIPAL COURT CASES DISMISSED AS A RESULT OF PERSONS TAKING A DEFENSIVE DRIVING COURSE; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY.

WHEREAS, Tex. Crim. Proc. Code Ann. art. 45.06 permits the imposition of a special expense for services performed in cases in Municipal Court where state law allows dismissal upon a defendant's completion of a defensive driving course; and

WHEREAS, it has been determined by the Municipal Court that the actual expense incurred for such services is at least ten (\$10.00) dollars;

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

SECTION 1. The Municipal Court of the City of Mesquite, Texas is authorized to assess and collect a special expense fee of ten (\$10.00) dollars from each person charged with a misdemeanor offense committed on or after September 1, 1987 and whose charge is dismissed as a result of their completion of a defensive driving course in compliance with the requirements of Tex. Rev. Civ. Stat. Ann. art. 670ld § 143A.

SECTION 2. That should any paragraph, sentence, subdivision clause, phrase, section or provision of this ordinance be adjudged or 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 hereof other than the part or provision so decided to be unconstitutional, illegal, or invalid and shall not affect the validity of any other ordinance of the City of Mesquite.

SECTION 3. The fact that the present ordinances of the City of Mesquite are inadequate to protect the health and welfare of the inhabitants of the City of Mesquite creates an urgency and an emergency and necessitates that this ordinance become effective immediately from and after its date of passage and the publication of its caption as the law in such cases provides.

DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas on the 17th day of August, A.D., 1987.

George A. Venner, Sr.
George A. Venner, Sr.
Mayor

ATTEST:

Lynn Prugel
Lynn Prugel
City Secretary

APPROVED:

Jonathan Graham
Jonathan Graham
City Attorney