

ORDINANCE NO. 3442

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING CHAPTER 1 OF THE CODE OF THE CITY OF MESQUITE BY DELETING SECTION 1-15 IN ITS ENTIRETY AND ADDING A NEW SECTION 1-15 REGARDING THE SCHEDULE OF CHARGES FOR COPYING OF PUBLIC INFORMATION; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE; AND DECLARING AN EMERGENCY.

WHEREAS, the 77th Texas Legislature adopted House Bill 1544 which amends Section 521.055 of the Transportation Code and provides that the fee for a copy of an accident report is six dollars (\$6.00) or the actual cost of the copy, whichever is less, and establishes a fee of two dollars (\$2.00) for the certification of the report, and the City Council of the City of Mesquite hereby finds six dollars (\$6.00) to be the appropriate charge for the copy of an accident report in accordance with this legislation; and

WHEREAS, because of the ever-increasing costs to the Fire Department for processing requests for Emergency Medical Service (EMS) records, the City Council of the City of Mesquite finds that in order to offset those costs the City should assess charges as initially authorized by the 75th Texas Legislature.

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

SECTION 1. That Chapter 1 of the Code of the City of Mesquite is hereby amended by deleting Section 1-15 in its entirety and adding a new Section 1-15 to read as follows, in all other respects said Code and Chapter to remain in full force and effect:

Chapter 1

GENERAL PROVISIONS

Sec. 1-15. Schedule of charges for copying of public information.

The rules of the General Services Commission entitled "Cost of Copies of Public Information," together with any revisions and amendments thereto, are hereby adopted as the City's schedule of charges except as provided below:

Health Care Information, as defined and authorized by Chapter 241, Subchapter G of the Texas Health and Safety Code:

Basic retrieval fee for paper copies	
Including cost for first 10 pages	\$30.00
Plus additional charges	

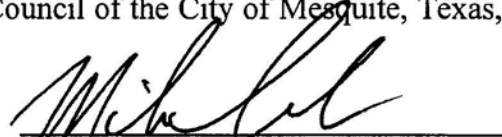
For each page 11-60	1.00
For each page 61-400	.50
For each remaining page	.25
Basic retrieval fee for records electronically stored	
Including the cost for first 10 pages	45.00
Plus charge for each additional page	1.00
Fee for written responses to a written set of questions	10.00
Tax Certificate	10.00
Traffic Accident Report	6.00
Certification of Traffic Accident Report	2.00
Certification of other City Documents	1.00

SECTION 2. That should any word, sentence, clause, paragraph or provision of this ordinance be held to be invalid or unconstitutional, the validity of the remaining provisions of this ordinance shall not be affected and shall remain in full force and effect.

SECTION 3. That all ordinances or portions thereof in conflict with the provisions of this ordinance, to the extent of such conflict, are hereby repealed. To the extent that such ordinances or portions thereof are not in conflict herewith, the same shall remain in full force and effect.

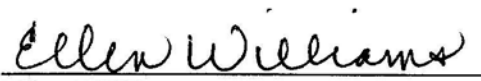
SECTION 4. That the present ordinances of the City of Mesquite are inadequate in regulating charges for the reproduction or copying of public information, creates an urgency and an emergency for the preservation of the public health, safety and welfare, and requires that this ordinance shall take effect September 1, 2001.

DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 20th day of August, 2001.




Mike Anderson
Mayor

ATTEST:



Ellen Williams
City Secretary

APPROVED:



B. J. Smith
City Attorney