

ORDINANCE NO. 2018-06

AN ORDINANCE AMENDING CHAPTER 58 OF THE CODE OF ORDINANCES OF THE CITY OF LEAGUE CITY ENTITLED "LAW ENFORCEMENT" BY AMENDING ARTICLE I, ENTITLED "IN GENERAL" TO ALLOW NON-PEACE OFFICER CITY EMPLOYEES TO ISSUE CITATIONS OF VIOLATION OF THE LEAGUE CITY CODE OF ORDINANCES.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEAGUE CITY, TEXAS, as follows:

Section 1. That the Code of Ordinances is hereby amended to ADD Section 58-3, entitled *Enforcement of this Code*, to read as follows:

Sec. 58-3. Enforcement of city ordinances.

- (a) Actions for violating provisions within this Code may be initiated by issuance of a citation requiring that the person cited appear before the municipal court within ten days, issuance of a summons requiring that the person named appear before the municipal court at a specified time on a specified date, or arrest of the person with or without an arrest warrant as permitted by state law.
- (b) The following persons are hereby authorized to issue citations for violation of a provision of this Code:
 - (1) a peace officer employed by the city;
 - (2) city fire department personnel designated by the fire chief to enforce fire codes and other fire prevention provisions;
 - (3) persons employed by the city and designated as environmental/code enforcement officers or inspectors; and
 - (4) personnel assigned to the city's animal control's office and charged with enforcing animal-related code provisions.
- (c) A person issued a citation requiring an appearance before the municipal court within ten days commits an offense under this Code if he intentionally or knowingly fails to appear within that ten-day period. However, it shall be an affirmative defense to prosecution under this section if that person had a reasonable excuse for his failure to appear.
- (d) Where a person is issued a summons requiring an appearance before the municipal court at a specific time on a specific date and he does not appear, such person may be found in contempt of the court as provided for under state law.

Section 2. Savings. All rights and remedies which have accrued in favor of the City under this Ordinance and amendments thereto shall be and are preserved for the benefit of the City.

Section 3. Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid, unconstitutional or otherwise unenforceable by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 4. Repealer. All ordinances and parts of ordinances in conflict herewith are hereby repealed but only to the extent of such conflict.

Section 5. Codification. It is the intent of the City Council of the City of League City, Texas, that the provisions of this Ordinance shall be codified in the City's official Code of Ordinances as provided hereinabove.

Section 6. Publication and Effective Date. The City Secretary shall cause this Ordinance, or its caption, to be published in the official newspaper of the City of League City, upon passage of such Ordinance. The Ordinance shall become effective ten (10) days after its passage.

PASSED first reading the 13th day of February, 2018.

PASSED second reading the ____ day of _____, 2018.

PASSED AND ADOPTED the ____ day of _____, 2018.

PAT HALLISEY
Mayor

ATTEST:

DIANA M. STAPP
City Secretary

APPROVED AS TO FORM:

NGHIEM V. DOAN
City Attorney