



Legislation Details (With Text)

File #: 18-0100 **Version:** 1 **Name:** Non-Peace Officer Citations
Type: Agenda Item **Status:** Approved
File created: 2/14/2018 **In control:** City Council
On agenda: 2/27/2018 **Final action:** 2/27/2018
Title: Consider and take action on Ordinance No. 2018-06 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 officers to issue citations for violations of the League City Municipal Code - Second Reading (Assistant City Manager)

City Council approved the first reading, 7-1-0, on February 13, 2018.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Data Sheet, 2. Ordinance 2018-06

Date	Ver.	Action By	Action	Result
2/27/2018	1	City Council	Approved	Pass

Consider and take action on Ordinance No. 2018-06 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 officers to issue citations for violations of the League City Municipal Code - Second Reading (Assistant City Manager)

City Council approved the first reading, 7-1-0, on February 13, 2018.

Under Texas Code of Criminal Procedure Article 14.06(b) and Texas Transportation Code Sections 543.002-543.005, only peace officers are granted the authority to issue citations in lieu of arrests for violations of state and city code. A peace officer is an officer certified by the Texas Commission on Law Enforcement Officer Standards and Education (TCLEOSE).

Texas Local Government Code Chapter 51 allows a home-rule municipality, by ordinance, to grant non-peace officers (code enforcement, animal control officers, fire inspectors, etc.) the authority to issue citations for violations of its municipal code. Currently, there are two ways that a non-peace officer may adjudicate city code violations. First, the non-peace officers may request that a peace officer come to the scene to issue the citation for the non-peace officer. Under this method, if the citation is challenged in municipal court, both the peace officer and the non-peace officer must be subpoenaed and spend time in court.

The second method is for the non-peace officer to work with the municipal court to issue a court summons. Under this method, both the prosecutor and municipal judge must be given time to individually review and approve the summons and a warrant officer must personally serve the summons on the defendant in order to compel the defendant to come to court.

City staff is recommending approval of this item in order to improve enforcement efficiency and better utilize city resources.

City Council approved the first reading, 7-1-0, on February 13, 2018.

CONTRACT ORIGINATION: Approved and reviewed by City Attorney.

Attachments:

1. Data Sheet
2. Ordinance 2018-06

FUNDING

{x} NOT APPLICABLE