

ORDINANCE NO. 2015-03

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIDGEPORT, TEXAS ESTABLISHING ARTICLE 7.600 'COLLECTION FEE' OF CHAPTER 7 'MUNICIPAL COURT' PROVIDING FOR A FEE TO DEFRAY COSTS OF COLLECTING DELINQUENT FINES, FEES, COURT COSTS, AND OTHER DEBTS PURSUANT TO ARTICLE 103.0031 OF THE TEXAS CODE OF CRIMINAL PROCEDURE; PROVIDING THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Bridgeport is a Type A general law municipality located in Wise County, created in accordance with the provisions of Chapter 6 of the Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

WHEREAS, Article 103.0031 of the Texas Code of Criminal Procedure authorizes the City of Bridgeport to contract with a private attorney for the collection of the fees listed above and to impose an additional fee in the amount of thirty percent (30%) on each debt or account receivable that is more than sixty days past due and which has been referred to an attorney for collection; and

WHEREAS, the City of Bridgeport has determined that it is in the public interest to ensure the prompt payment of delinquent court-imposed fines, fees, court costs, and other debts as provided by said statute; and

WHEREAS, the City of Bridgeport, pursuant to Article 103.0031, Texas Code of Criminal Procedure, has entered into a contract with a private firm to provide services for the collection of debts and accounts receivables, i.e.: fines, fees, court costs, restitution, and other debts ordered to be paid by a court serving the City of Bridgeport; and

WHEREAS, the City of Bridgeport deems it in the public interest to adopt this ordinance authorizing an additional collection fee for the collection of delinquent fines, fees, court costs, and other debts.

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

SECTION 1

The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City of Bridgeport and made a part of this ordinance for all purposes and findings of fact.

SECTION 2

Chapter 7 'Municipal Court' of the Bridgeport Code of Ordinances is hereby amended to include a new Article 7.600 'Collection Fee' which shall hereafter read as follows:

"ARTICLE 7.600 COLLECTION FEE

In accordance with Article 103.0031 of the Texas Code of Criminal Procedure, there is hereby imposed an additional fee of thirty percent (30%) on all debts and accounts receivable, i.e.: fines, fees, court costs, restitution, and other debts, that are more than sixty (60) days past due and have been referred to a private firm for collection."

SECTION 3

The City of Bridgeport is hereby authorized to enter into a contract with the Perdue Firm to provide services for the collection of fines, fees, court costs, and other debts substantially in the form of the attached contract which is made a part of this ordinance for all purposes.

SECTION 4

This ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances of the City of Bridgeport, Texas, as amended, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances and such Code, in which event the conflicting provisions of such ordinances and such Code are hereby repealed.

SECTION 5

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if a phrase, clause, sentence, paragraph, or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality shall not effect the remaining phrases, clauses, sentences, paragraphs, and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of the unconstitutional phrase, clause, sentence, paragraph, or section.

SECTION 6

This ordinance shall be in full force and effect from and after its passage, and it is so ordained.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF BRIDGEPORT, TEXAS, BY A VOTE OF 5 TO 0, ON THIS THE 5th DAY OF March, 2015.

APPROVED:



Corey Lane, Mayor

ATTEST:



Jessica McEachern, City Secretary

