

ORDINANCE NO. 0245

AN ORDINANCE OF THE CITY COUNCIL OF THE TOWN OF HORIZON CITY, TEXAS, EXEMPTING CERTAIN POLICE VEHICLES FROM STATE OF TEXAS INSCRIPTION REQUIREMENTS AND DESIGNATION OF AUTHORIZED PERSONS; AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT; SEVERABILITY; AND EFFECTIVE DATE

WHEREAS, Section 721.004 of the Texas Transportation Code requires municipal-owned vehicles be inscribed by the name of the city and title of the user department on each side of vehicle, and Section 721.005 allows the municipality to exempt certain vehicles used by its police department in the performance of its official duties;

WHEREAS, the Texas Transportation Code Chapter 703 permits issuance of regularly designated license plates not bearing the word "exempt" for a vehicle that is exempt by law and is exempt from the inscription requirements of Chapter 721 under an ordinance of a municipality; and

WHEREAS, the City Council finds that the use of unmarked vehicles is crucial to performance of certain law enforcement functions to enable surveillance and deter criminal activity within the city limits of the Town of Horizon City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF HORIZON CITY:

1. EXEMPTION OF VEHICLES FROM INSCRIPTION REQUIREMENTS

Pursuant to Section 502.451 and 721.005 of the Texas Transportation Code, the vehicles used to perform certain law enforcement duties by the Town of Horizon City Police Department are exempt from the inscription requirements of Section 721.004, as such vehicles may be designated from time to time by the Police Chief and approved by the Mayor.

2. DESIGNATION OF AUTHORIZED PERSONS

The person(s) and/or position(s) designated to sign all applications, registration forms, and/or affidavits necessary to obtain regularly designated license plates for the vehicle approved by the Town of Horizon City to be unmarked are:

- A. Mayor
- B. Town Treasurer
- C. Town Clerk
- D. Chief of Police

3. FINDINGS OF FACT

The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.

4. SEVERABILITY CLAUSE

That if any section, subsection, paragraph, clause, phrase, or provision of this Ordinance shall be adjudged invalid or held unconstitutional, the same shall not affect the validity of this Ordinance as a whole or provision thereof, other than the part so decided to be invalid or unconstitutional.

5. EFFECTIVE DATE

The necessity for making and approving the tax levy for the year, as required by the laws of the State of Texas, requires that this Ordinance shall take effect immediately from and after its passage, as the law in such case provides.

6. PROPER NOTICE & MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

PASSED & APPROVED this, the 12th day of June ~~September~~ 2018, by a vote of 7 (ayes) to 0 (nays) to 0 (abstentions) of the City Council of the Town of Horizon City, Texas.

TOWN OF HORIZON CITY, TEXAS:

by: _____

Ruben Mendoza, Mayor

ATTEST:

Elvia Schuller, TRMC, City Clerk

APPROVED AS TO FORM:

Bertha A. Ontiveros, Assistant City Attorney



First reading: 5/29/2018

Second reading: 6/12/2018

Ordinance No. _____
Exemption from Vehicle Inscription, HC 2018