

AN ORDINANCE AMENDING CHAPTER 9, "COURTS," OF THE ABILENE CITY CODE, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING A PENALTY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

PART 1: That Chapter 9, "Courts," of the Abilene City Code be amended as set out in Exhibit "A," attached hereto and made a part of this ordinance for all purposes.

PART 2: That if any provision or any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way affect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.

PART 3: That any person, firm or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than Two Hundred Dollars (\$200.00). Each day such violation shall continue, or be permitted to continue, shall be deemed a separate offense. Said ordinance, being a penal ordinance, becomes effective ten (10) days after its publication in the newspaper as provided by Section 19 of the Charter of the City of Abilene.

PASSED ON FIRST READING this 12 day of March,
A. D. 19 87.

PASSED ON SECOND AND FINAL READING this 10 day of
March, A. D. 19 87.

ATTEST:

Patricia Hancock
CITY SECRETARY

David Stubbeman
MAYOR

APPROVED:

Harry Conroy
CITY ATTORNEY

Exhibit "A"

That Chapter 9, *Courts*, of the Abilene City Code, be amended by adding a new Section 9-8.1, *Citations for City Codes & State Laws*, to read as follows:

Sec. 9-8.1. *Citations for City Codes & State Laws.*

- a. When any person is found in violation of any provision of the codes adopted by the City of Abilene or of the laws of the State of Texas, an agent or employee of the City of Abilene may, if the person agrees to sign a citation, issue a citation which shall require the person to appear in court within the time provided on the citation. The citation shall give the person at least ten (10) days to answer any charge of violation of any provision of the codes adopted by the City of Abilene.
- b. Signing the citation shall only be a promise to appear and is not an admission of guilt.
- c. It shall be unlawful for any person, upon being issued any citation, to give the City of Abilene's agent or employee a false name or address.
- d. It shall be unlawful to fail to appear in Municipal Court within the time provided in the citation, provided the citation gave the person at least ten (10) days to answer any charge of violation of any provision of the codes adopted by the City of Abilene.
- e. The following information shall be contained on the citation:
 - (1) Name of the Defendant
 - (2) Address of the Defendant
 - (3) Driver's license or other identification

The following information may be included for informational purposes, but shall not nullify any promise to appear:

- (1) Date of violation
- (2) Place of violation
- (3) Offense charged
- (4) Name of person issuing citation

Additional or other charges shall not be precluded by the issuance of citation.