

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 15 OF THE CODE OF THE CITY OF ABILENE, TEXAS, 1957, AS AMENDED, BY AUTHORIZING THE JUDGE OF THE CORPORATION COURT TO COLLECT AS COSTS EXPENSES INCURRED BY THE CITY OF ABILENE IN SECURING DEFENDANT'S PRESENCE BEFORE SAID COURT; PROVIDING A SEVERABILITY CLAUSE; REPEALING CONFLICTING ORDINANCES.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF ABILENE, TEXAS:

Section 1: That Chapter 15 of The Code of the City of Abilene, Texas, 1957, as amended, be, and the same is hereby, further amended by deleting Section 15-10, entitled "Costs", and substituting therefor a new section which shall read as follows:

"Sec. 15-10. COSTS.

In all cases filed in the Corporation Court of the City of Abilene, the Corporation Judge shall tax the following costs and no other:

1. Where the defendant enters a plea of guilty or nolo contendere, a fee of three dollars (\$3. 00) shall be assessed as costs.
2. Where the defendant enters a plea of not guilty but on trial is convicted as charged, a fee of eight dollars (\$8. 00) shall be imposed as costs.
3. In those cases where the defendant is arrested in another jurisdiction within the State of Texas, and where it is necessary for the Chief of Police of the City of Abilene to send a policeman to said jurisdiction to transport the defendant to the City of Abilene to answer charges filed against him in the Corporation Court thereof, and if the defendant enters a plea of guilty or nolo contendere, or pleads not guilty and on trial is convicted as charged, then and in that event a fee of twelve and one-half cents (\$.125) per mile, for each mile going and coming by the nearest practicable route, shall be assessed as costs to defray the expenses of such travel. Such fee shall be in addition to that which is imposed under either Paragraph 1 or 2 above."

Section 2: That if any provision of this ordinance or the application thereof to any person or circumstance shall be held invalid, such invalidity shall not affect the provision or application of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of the ordinance are declared to be severable.

Section 3: That any ordinances in conflict herewith be, and the same are, hereby repealed.

PASSED ON FIRST READING this / day of November A. D. 1962.

Abilene Reporter-News, a daily newspaper of general circulation in the City of Abilene, said publication being on the 6 day of November, A. D. 1962, the same being more than one (1) week prior to the time designated for said hearing. After such opportunity for the public to be heard, said ordinance was passed on second and final hearing.

PASSED ON SECOND AND FINAL READING on the 15 day of

November, A. D. 1962.

Mayor

ATTEST:

City Secretary

APPROVED AS TO FORM:
JOHN W. DAVIDSON, Corporation Counsel
