

**CITY OF EL PASO, TEXAS**  
AGENDA ITEM DEPARTMENT HEAD'S SUMMARY FORM

**DEPARTMENT:** Municipal Courts

**AGENDA DATE:** December 8, 2020

**CONTACT PERSONS/PHONE:** Lilia Worrell, Municipal Court Clerk, 212-5822

**DISTRICT(S) AFFECTED:** All

**STRATEGIC GOAL: NO. 2:** Set the Standard for Safe and Secure City

**SUBJECT:**

**APPROVE a resolution I ordinance I lease to do what? OR AUTHORIZE the City Manager to do what? Be descriptive of what we want Council to approve. Include \$ amount if applicable.**

A resolution that Schedule C, attached to the FY 2021 Budget Resolution and effective September 1, 2020, shall be amended to establish the administrative fee of \$10 for dismissal of certain City Code Violations regarding animals as allowed by City Code Section 7.04.080(c), effective December 8, 2020.

**BACKGROUND / DISCUSSION:**

**Discussion of the what, why, where, when, and how to enable Council to have reasonably complete description of the contemplated action. This should include attachment of bid tabulation, or ordinance or resolution if appropriate. What are the benefits to the City of this action? What are the citizen concerns?**

The change to the Municipal Code Title 7 – Animals, Section 4 C allowing the recovery fee and possible dismissal by a Judge was passed by city council on August 18, 2020.

**7.04.080 - Violation—Penalty.**



- A. Except as otherwise provided by Texas state law, any person violating any provision of this title shall be deemed guilty of a misdemeanor and shall be punished by a fine not to exceed two thousand dollars.
- B. In addition to any penalties provided herein, this title is enforceable by injunction.
- C. If a person provides proof that she or he cured the violation prior to the first court appearance, the court may assess a defendant an administrative fee set forth in the fee schedule for each violation if a charge under this section is dismissed. Euthanasia of the animal or surrender of the animal to the department is not acceptable proof that the violation was cured.

**PRIOR COUNCIL ACTION:**

**Has the Council previously considered this item or a closely related one?**

No

**AMOUNT AND SOURCE OF FUNDING:**

**How will this item be funded? Has the item been budgeted? If so, identify funding source by account numbers and description of account. Does it require a budget transfer?**

It has not been budgeted - there are no expenses that will be incurred.

**BOARD / COMMISSION ACTION:**

None at this time.

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\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**DEPARTMENT HEAD:** \_\_\_\_\_

*Lilia Worrell*

**RESOLUTION AMENDING SCHEDULE C FOR  
THE CITY OF EL PASO FY2021 FEE SCHEDULE**

**WHEREAS**, the City Council adopted the Budget Resolution for FY 2021 on August 18, 2020; and

**WHEREAS**, paragraph 48 of the Budget Resolution provides that any revisions or additions to the fees listed in Schedule C, or the process or formula used for setting fees, shall be approved by simple resolution of the City Council; and

**WHEREAS**, the City Council desires that the Municipal Court can charge a administrative fee as allowed under City Code Section 7.04.080(c); and

**WHEREAS**, this Amendment to Schedule C ensures cost recovery and sound fiscal management.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF EL PASO:**

That Schedule C, attached to the FY 2021 Budget Resolution and effective September 1, 2020, shall be amended as set forth in Attachment A, to establish the administrative fee of \$10 for dismissal of certain City Code Violations regarding animals as allowed by City Code Section 7.04.080(c) effective December 8, 2020.

**APPROVED** this \_\_\_\_ day of \_\_\_\_\_ 2020.

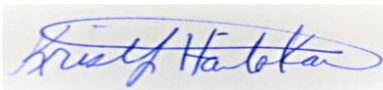
**CITY OF EL PASO, TEXAS:**

\_\_\_\_\_  
Dee Margo Mayor

**ATTEST:**

\_\_\_\_\_  
Laura D. Prine  
City Clerk

**APPROVED AS TO FORM:**



\_\_\_\_\_  
Kristen L. Hamilton-Karam  
Senior Assistant City Attorney  
20-1065-127 | 1044364  
DHS - Addition to Schedule C - Title 7 dismissals  
KHK

**APPROVED AS TO CONTENT:**



\_\_\_\_\_  
Lilia A. Worrell,  
Municipal Court Clerk

FY 2020 Schedule C  
Departmental Fee List

Line No.	Department	Account	Fee Description	Detail	Municipal Code Section	Ordinance Number	Date Last Revised	CITY ORDINANCE	Increase Based On:	Last Date Fee Increased/ Decreased	Maximum Fee Allowable
95	Municipal Court	554020	Credit Card Fee	Municipal Court transactions		contract with Justice Systems Inc.	2015		contract with Justice Systems Inc.	3.50%	3.50%
96	Municipal Court	440560	Parking Forfeits / Fines	GROUP A	12.85.110		2011	X	Study	12/06/11	
97	Municipal Court	440560	Parking Forfeits / Fines	521 Expired Meter	12.85.110		2011	X	Study	12/06/11	\$500
98	Municipal Court	440560	Parking Forfeits / Fines	503 Overtime Limit	12.85.110		2011	X	Study	12/06/11	\$500
99	Municipal Court	440560	Parking Forfeits / Fines	524 Hotel Zone-Parking	12.85.110		2011	X	Study	12/06/11	\$500
100	Municipal Court	440560	Parking Forfeits / Fines	512 Airport Limousine Zone	12.44.180B5		2011	X	Study	12/06/11	
101	Municipal Court	440560	Parking Forfeits / Fines	526 Protruding into Buffer Zone	12.85.110		2011	X	Study	12/06/11	
102	Municipal Court	440560	Parking Forfeits / Fines	504 Park on Bus or Taxi Stand	12.85.110		2011	X	Study	12/06/11	\$500
103	Municipal Court	440560	Parking Forfeits / Fines	525 Other Overtime - Contrary to Sign	12.85.110		2011	X	Study	12/06/11	\$500
104	Municipal Court	440560	Parking Forfeits / Fines	530 Passenger Loading Zone	12.85.110		2011	X	Study	12/06/11	\$500
105	Municipal Court	440560	Parking Forfeits / Fines	532 Loading Zone: General over 30 minutes	12.85.110		2011	X	Study	12/06/11	\$500
106	Municipal Court	440560	Parking Forfeits / Fines	533 Loading Zone: Commercial over 30 minutes	12.85.110		2011	X	Study	12/06/11	\$500
107	Municipal Court	440560	Parking Forfeits / Fines	534 More than one meter space	12.85.110		2011	X	Study	12/06/11	\$500
108	Municipal Court	440560	Parking Forfeits / Fines	535 Over 18" from Curb/Improper Proximity to Curb	12.85.110		2011	X	Study	12/06/11	\$500
109	Municipal Court	440560	Parking Forfeits / Fines	536 Loading Zone: Not commercial vehicle	12.85.110		2011	X	Study	12/06/11	\$500
110	Municipal Court	440560	Parking Forfeits / Fines	556 Within 30' of Stop Sign/ Stop Light	12.85.110		2011	X	Study	12/06/11	\$500
111	Municipal Court	440560	Parking Forfeits / Fines	564 Park-Funeral Zone	12.85.110		2011	X	Study	12/06/11	\$500
112	Municipal Court	440560	Parking Forfeits / Fines	567 Reserved Parking Space	12.44.180B		2011	X	Study	12/06/11	
113	Municipal Court	440560	Parking Forfeits / Fines	591 Police/Police Motorcycle Zone	12.44.180B		2011	X	Study	12/06/11	
114	Municipal Court	440560	Parking Forfeits / Fines	570 Alley-General Traffic Dist/Five Points/Not Loading	12.44.080B		2011	X	Study	12/06/11	
115	Municipal Court	440560	Parking Forfeits / Fines	571 Airport-Contrary to Signs or Markings	14.20.240A		2011	X	Study	12/06/11	
116	Municipal Court	440560	Parking Forfeits / Fines	572 Airport-Loading in Front of Terminal	14.20.240B		2011	X	Study	12/06/11	
117	Municipal Court	440560	Parking Forfeits / Fines	573 Airport-West of Terminal w/o Authorization	14.20.240C		2011	X	Study	12/06/11	
118	Municipal Court	440560	Parking Forfeits / Fines	Boot Fee	12.85.110	12170	1994	X	Study		
119	Municipal Court	440560	Parking Forfeits / Fines	GROUP B	12.85.110		2011	X	Study	12/06/11	
120	Municipal Court	440560	Parking Forfeits / Fines	551 Double Parking	12.85.110		2011	X	Study	12/06/11	\$500
121	Municipal Court	440560	Parking Forfeits / Fines	552 Wrong Side of street	12.85.110		2011	X	Study	12/06/11	\$500
122	Municipal Court	440560	Parking Forfeits / Fines	553 No Parking Zone	12.85.110		2011	X	Study	12/06/11	\$500
123	Municipal Court	440560	Parking Forfeits / Fines	574 Contrary to Angle Parking Signs	12.44.060		2011	X	Study	12/06/11	
124	Municipal Court	440560	Parking Forfeits / Fines	592 Back-in Angled Parking Only	12.44.070		2012		added	05/29/12	
125	Municipal Court	440560	Parking Forfeits / Fines	575 Alongside/Opposite Street Excavation	12.44.020F		2011	X	Study	12/06/11	
126	Municipal Court	440560	Parking Forfeits / Fines	576 Violation of Street Cleaning/Construction of Signs	12.44.220		2011	X	Study	12/06/11	
127	Municipal Court	440560	Parking Forfeits / Fines	577 Violation of Official Sign Prohibiting Parking	12.44.020I		2011	X	Study	12/06/11	
128	Municipal Court	440560	Parking Forfeits / Fines	578 News Media Zone	12.44.180(B)10		2011	X	Study	12/06/11	
129	Municipal Court	440560	Parking Forfeits / Fines	579 Inspection Zone	12.44.180B6		2011	X	Study	12/06/11	
130	Municipal Court	440560	Parking Forfeits / Fines	580 Covered Meter	12.85.110		2011	X	Study	12/06/11	
131	Municipal Court	440560	Parking Forfeits / Fines	581 In Violation of Sign/Adjacent to School	12.44.110		2011	X	Study	12/06/11	
132	Municipal Court	440560	Parking Forfeits / Fines	582 In Violation of Sign/Narrow Street	12.44.130		2011	X	Study	12/06/11	
133	Municipal Court	440560	Parking Forfeits / Fines	583 In Violation of Sign/One-Way Street	12.85.110		2011	X	Study	12/06/11	
134	Municipal Court	440560	Parking Forfeits / Fines	584 Temporary No Parking Zone	12.44.240		2011	X	Study	12/06/11	
135	Municipal Court	440560	Parking Forfeits / Fines	585 Adjacent to Safety Zone	12.44.010B		2011	X	Study	12/06/11	
136	Municipal Court	440560	Parking Forfeits / Fines	586 Yellow Curb Markings	12.44.020M		2011	X	Study	12/06/11	
137	Municipal Court	440560	Parking Forfeits / Fines	587 In-Designated Bike Lanes	12.44.020N		2011	X	Study	12/06/11	
138	Municipal Court	440560	Parking Forfeits / Fines	508 Parking within 20' of Fire Station	12.85.110		2011	X	Study	12/06/11	\$500
139	Municipal Court	440560	Parking Forfeits / Fines	509 Parking within 50' of Railroad Crossing	12.85.110		2011	X	Study	12/06/11	\$500
140	Municipal Court	440560	Parking Forfeits / Fines	548 Easement/Parkway	12.85.110		2011	X	Study	12/06/11	\$500
141	Municipal Court	440560	Parking Forfeits / Fines	559 Parking on Sidewalk	12.85.110		2011	X	Study	12/06/11	\$500
142	Municipal Court	440560	Parking Forfeits / Fines	560 Parking on crosswalk/w 20' crosswalk	12.85.110		2011	X	Study	12/06/11	\$500
143	Municipal Court	440560	Parking Forfeits / Fines	561 Parking within 15' of Fire Hydrant	12.85.110		2011	X	Study	12/06/11	\$500
144	Municipal Court	440560	Parking Forfeits / Fines	562 Obstruct by Improper Parking (alley)	12.85.110		2011	X	Study	12/06/11	\$500
145	Municipal Court	440560	Parking Forfeits / Fines	563 Blocking Driveway	12.85.110		2011	X	Study	12/06/11	\$500
146	Municipal Court	440560	Parking Forfeits / Fines	565 Parking on Median	12.85.110		2011	X	Study	12/06/11	\$500
147	Municipal Court	440560	Parking Forfeits / Fines	568 Parking on Bridge	12.85.110		2011	X	Study	12/06/11	\$500

FY 2020 Schedule C  
Departmental Fee List

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148	Municipal Court	440560	Parking Forfeits / Fines	569 In Alleys Contrary to Sign	12.44.160		2011	X	Study	12/06/11	
149	Municipal Court	440560	Parking Forfeits / Fines	<b>GROUP C</b>	12.85.110		2011	X	Study	12/06/11	
150	Municipal Court	440560	Parking Forfeits / Fines	555 Fire Lane	12.85.110		2011	X	Study	12/06/11	\$500
151	Municipal Court	440560	Parking Forfeits / Fines	589 Hazardous/Congested Place	12.44.210		2011	X	Study	12/06/11	
152	Municipal Court	440560	Parking Forfeits / Fines	590 Within Intersection	12.44.020C		2011	X	Study	12/06/11	
153	Municipal Court	440560	Parking Forfeits / Fines	<b>GROUP D</b>	12.85.110		2011	X	Study	12/06/11	
154	Municipal Court	440560	Parking Forfeits / Fines	549/550/554 Handicapped Zone/No Permit/Blocking	12.85.110		2011	X	Study	12/06/11	\$500
155	Municipal Court	440560	Parking Forfeits / Fines	<b>GROUP E</b>	12.85.110		2011	X	Study	12/06/11	
156	Municipal Court	440560	Parking Forfeits / Fines	502 Parking Prohibited / Oversize	12.85.110		2011	X	Study	12/06/11	\$500
157	Municipal Court	440560	Parking Forfeits / Fines	<b>GROUP F</b>	12.85.110		2011	X	Study	12/06/11	
158	Municipal Court	440560	Parking Forfeits / Fines	510 Parking on City Property	12.85.110		2011	X	Study	12/06/11	\$500
159	Municipal Court	440560	Parking Forfeits / Fines	511 In R-O-W Washing, Repairing Vehicle	12.44.170 & 12.44.020L		2011	X	Study	12/06/11	
160	Municipal Court	440560	Prohibition of gatherings involving underage drinking	1st offence	9.20.070	018617	12/6/2016	X		12/06/16	\$250
161	Municipal Court	440560	Prohibition of gatherings involving underage drinking	2nd offence	9.20.070	018617	12/6/2016	X		12/06/16	\$500
162	Municipal Court	440560	Prohibition of gatherings involving underage drinking	3rd offence	9.20.070	018617	12/6/2016	X		12/06/16	\$1,000
	Municipal Court	440530	Administrative Fee - Dismissal	If a person provides proof that she or he cured the violation prior to the first court appearance.	7.04.080 ( C )	019087	12/8/2020	X	Ordinance	12/08/20	\$10