

AN ORDINANCE | 99730

AMENDING AND ESTABLISHING FEES ASSOCIATED WITH CODE COMPLIANCE ENFORCEMENT, AND AMENDING THE CORRESPONDING SECTIONS OF THE CITY CODE TO REFLECT SUCH CHANGES.

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WHEREAS, A full time Code Enforcement Officer is dedicated to the responsibility of conducting monthly inspection of all licensed salvage yard and auto dismantlers; and

WHEREAS, the cost of enforcement of the city's regulations regarding salvage yards and auto dismantlers is approximately \$35,525 or \$507.50 per location.; and

WHEREAS, state law authorizes the city to be reimbursed for its costs in removing a junked vehicle; **NOW THEREFORE**,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. Section 16-189 of the City Code of the City of San Antonio hereby is amended by adding the language that is underlined (added) and deleting the language that is stricken (~~deleted~~) as follows:

Sec. 16-189. License fees.

The annual fee for each establishment or location licensed by this article shall be ~~two hundred fifty dollars (\$250.00)~~ five hundred dollars (\$500.00) paid to the City of San Antonio with the application for the license. The fee will be refunded in the event the license is refused. The license shall cover the period from the first day of January through the last day of December of each year. Only the first year's license may be prorated each month or fraction thereof. The fee for issuing a duplicate license for one which is lost, destroyed, or mutilated shall be ten dollars (\$10.00).

SECTION 2. Section 19-365 of the City Code of the City of San Antonio hereby is amended by adding the language that is underlined (added) and deleting the language that is stricken (~~deleted~~) as follows:

Sec. 19-365. Post-hearing violator prosecuted; vehicle towed.

(a) If, after a motor vehicle hearing, any person so ordered fails to remove the junked vehicle within the period specified at the hearing, the hearing officer may turn over the record of the case to the chief prosecutor of the municipal courts for consideration of criminal charges, and may cause the

removal of the junked vehicle or vehicle part(s) to a demolisher or scrap yard, and dispose of any personal property contents as abandoned property.

(b) A fee of twenty-five dollars (\$25.00) shall be charged for each junked vehicle or part thereof transferred by the City for disposal or salvage.

SECTION 3. Should any Article, Section, Part, Paragraph, Sentence, Phrase, Clause, or Word of this ordinance, or any appendix thereof, for any reason, be held illegal, inoperative, or invalid or if any exception to or limitation upon any general provision herein contained be held to be unconstitutional or invalid or ineffective, the remainder shall, nevertheless, stand effective and valid as if it had been enacted and ordained without the portion held to be unconstitutional or invalid or ineffective.

SECTION 4. No other provision of the City Code is amended hereby. All other provisions shall remain in effect.

SECTION 5. It is officially found, determined, and declared that the meeting at which this ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this ordinance, was given, all as required by Texas Revised Civil Statutes Annotated as amended Title 5, Chapter 551, Government Code.

SECTION 6. The publishers of the City Code are authorized to amend said Codes to reflect the changes adopted herein.

SECTION 7. This ordinance take effect October 1, 2004.

PASSED AND APPROVED this 16th day of September 2004.



M A Y O R

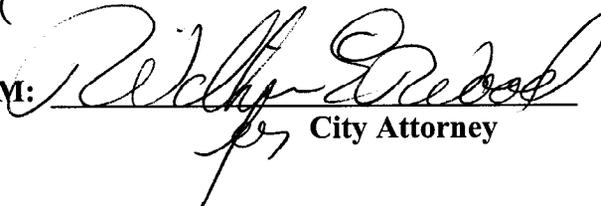
EDWARD D. GARZA

ATTEST:



City Clerk

APPROVED AS TO FORM:



City Attorney