

ORDINANCE NO. O-2018-88

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS, AUTHORIZING THE EXECUTION OF A CONTRACT TO PROVIDE SERVICES FOR THE COLLECTION OF DEBTS AND ACCOUNTS RECEIVABLES, I.E., FINES, FEES, COURT COSTS, RESITUTION AND OTHER DEBTS ORDERED TO BE PAID BY TYLER MUNICIPAL COURT, AND PROVIDING FOR A FEE TO DEFRAY COSTS OF COLLECTION PURSUANT TO ARTICLE 103.0031 OF TEXAS CODE OF CRIMINAL PROCEDURE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Article 103.0031 of the Texas Code of Criminal Procedure authorizes the City of Tyler to so contract with a private attorney for the collection of the fees listed above and to impose an additional fee in the amount of thirty percent on each debt or account receivable that is more than sixty days delinquent and which has been referred to an attorney for collection; and

WHEREAS, the City of Tyler has determined that it is in the public interest to ensure the prompt payment of delinquent court-imposed fines, fees, court costs, and other debts as provided by statute; and

WHEREAS, the City of Tyler, pursuant to Article 103.0031, Texas Code of Criminal Procedure, is entering into a contract with a private firm, Perdue, Brandon, Fielder, Collins & Mott L.L.P. (Perdue), to provide services for the collection of debts and accounts receivables, i.e. fines, fees, court costs, restitution, and other debts ordered to be paid by Tyler Municipal Court serving the City of Tyler; and

WHEREAS, the City of Tyler deems it in the public interest to pass this ordinance authorizing an additional collection fee for the collection of delinquent fines, fees, court costs and other debts;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS:

PART 1: FINDINGS. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City of Tyler and made a part of this ordinance for all purposes and findings of fact.

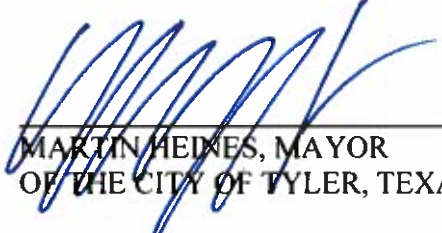
PART 2: AUTHORIZATION OF COLLECTION CONTRACT. That the Mayor is hereby authorized to enter into a contract with a private firm, Perdue, Brandon, Fielder, Collins & Mott L.L.P. (Perdue) to provide services for the collection of debts and accounts receivables, i.e., fines, court costs, restitution, and other debts order to be paid by the Tyler Municipal Court serving the City of Tyler.

PART 3. Collection Fee. In accordance with Article 103.0031 of the Texas Code of Criminal Procedure, there is hereby imposed an additional fee of thirty percent (30%) on all debts and accounts receivable, i.e., fines, fees, court costs, restitution, and other debts that are more than sixty (60) days past due have been referred to a private firm (Perdue) for collection.

PART 4. 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 5. Since this ordinance has a penalty for violation, it shall not become effective until after its publication in the newspaper as provided by Section 85 of the Charter of the City of Tyler, Texas, which date is expected to be December 14, 2018.

PASSED AND APPROVED, this the 12th day of December, 2018.



MARTIN HEDNES, MAYOR
OF THE CITY OF TYLER, TEXAS

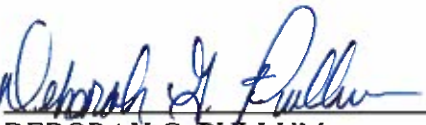
ATTEST:

APPROVED:



CASSANDRA BRAGER, CITY CLERK





DEBORAH G. PULLUM,
CITY ATTORNEY