

ORDINANCE NO. 7389

AN ORDINANCE AMENDING SECTIONS 24.44, "CIVIL PENALTY," AND 24.45, "ENFORCEMENT OF PARKING VIOLATION ORDERS," OF ARTICLE III, "ADMINISTRATIVE ADJUDICATION OF PARKING OFFENSES," OF CHAPTER 24, "MUNICIPAL COURT AND ADMINISTRATIVE ADJUDICATION," OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY UNDER THE PROVISIONS OF SECTION 10.05 OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS; PROVIDING A SEVERABILITY CLAUSE; AND SETTING AN EFFECTIVE DATE.

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

**Section 1**

That Section 24.44, "Civil Penalty," of Article III, "ADMINISTRATIVE ADJUDICATION OF PARKING OFFENSES," of Chapter 24, "MUNICIPAL COURT AND ADMINISTRATIVE ADJUDICATION," of the Code of Ordinances of the City of Garland, Texas, is hereby amended *in part* to read as follows:

**"Sec. 24.44 Civil Penalty**

...

(B) A civil penalty must be paid no later than the 65th day after the issuance of the citation. A penalty paid after that date is subject to a \$25.00 late fee and a collection fee, as authorized by Section 103.0031 of the Texas Code of Criminal Procedure, in the amount of thirty percent of the total amount of penalty and fees. The collection fees will be used to compensate any third-party private attorney or private vendor who earns the fee by collecting the unpaid amount.

..."

**Section 2**

That Section 24.45, "Enforcement of parking violation orders," of Article III, "ADMINISTRATIVE ADJUDICATION OF PARKING OFFENSES," of Chapter 24, "MUNICIPAL COURT AND ADMINISTRATIVE ADJUDICATION," of the Code of Ordinances of the City of Garland, Texas, is hereby amended to read as follows:

**"Sec. 24.45 Enforcement of parking violation orders**

For parking violations, in addition to the remedies provided by section 24.52, a final order of liability may be enforced by any one or more of the below methods:

(1) Impounding the vehicle that is the subject of the order when it is found on any public street or other public or City-owned property, if the person charged has committed five or more parking violations in any 12-month period that have not been resolved either by a finding of no liability or by payment of all penalties and costs assessed by the hearing officer;

(2) Placing a "boot" or similar device that prohibits movement of the vehicle that is the subject of the order when the vehicle is found on any public street or other public or City-owned property, if the person charged has committed three or more parking violations in any 12-month period that have not been resolved either by a finding of no liability or by payment of all penalties and costs assessed by the hearing officer;

(3) Imposing a late fee in the amount of \$25.00 for any civil penalty not paid within the designated period;

(4) Imposing a collection fee of an amount not to exceed thirty percent of the unpaid civil penalty and late fee amounts due; or

(5) Denying any parking permit or privileges issued or granted by the City."

**Section 3**

That Chapter 24 of the Code of Ordinances for the City of Garland, Texas, as amended, shall be and remain in full force and effect save and except as amended by this Ordinance.

**Section 4**

That a violation of any provision of this Ordinance shall be a misdemeanor punishable in accordance with Sec. 10.05 of the Code of Ordinances of the City of Garland, Texas.

**Section 5**

That the terms and provisions of this Ordinance are severable and are governed by Sec. 10.06 of the Code of Ordinances of the City of Garland, Texas.

**Section 6**

That this Ordinance shall be and become effective immediately upon and after its passage and approval.

**PASSED AND APPROVED** this the 13th day of December, 2022.

**CITY OF GARLAND, TEXAS**

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Mayor

**ATTEST:**

**PUBLISHED:**

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City Secretary