

ORDINANCE NO. 767

AN ORDINANCE OF THE CITY OF MANOR, TEXAS, AMENDING MANOR CODE OF ORDINANCES CHAPTER 4 BUSINESS REGULATIONS BY REVISING THE PROVISIONS GOVERNING THE COLLECTION OF EVIDENTIARY STORAGE FEES FOR VEHICLES TOWED TO THE POLICE DEPARTMENT FOR STORAGE; REPEALING CONFLICTING ORDINANCES; PROVIDING FOR SAVINGS AND SEVERABILITY CLAUSES; PROVIDING FOR OPEN MEETINGS; AND ESTABLISHING AN EFFECTIVE DATE; AND PROVIDING A FOR RELATED MATTERS.

WHEREAS, the City of Manor, Texas (the “City”) passed and approved Ordinance No. 486 on the 20th day of September 2017, adopting certain rules regarding business regulations and the enforcement of its business regulations as codified in Chapter 4 Business Regulations, and;

WHEREAS, it has become necessary to amend Chapter 4 Business Regulations to enhance clarity regarding the collection of evidentiary storage fees; and

WHEREAS, the City Council finds that establishing a clear process for notifying vehicle owners when a vehicle is no longer considered evidentiary is vital for effective governance; and

WHEREAS, the City Council seeks to ensure that the registered owners of vehicles understand their responsibilities regarding associated fees and towing costs, thereby improving compliance and efficiency in the handling of evidentiary vehicles; and

WHEREAS, the City Council believes that these amendments will contribute to the orderly and efficient administration of the City’s operations and enhance public understanding of the associated processes.

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

SECTION 1. Findings of Fact. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

SECTION 2. Amendment of the Code of Ordinances. The City Council hereby amends Chapter 4, Business Regulations to amend the section of Evidentiary Storage Fee, Section 4.04.007.

SECTION 3. Amendment of 4.04.007. The section of *Evidentiary Storage Fee* is amended to read as follows:

Evidentiary vehicles towed to the police department for storage will accrue a daily fee only after the City has received official notice from the court with jurisdiction over the case, the court clerk regarding case disposition, the District Attorney’s office, or any other legal closure indicating that the evidence is no longer necessary. Prior to this notification, no storage fees shall be assessed. The fees shall be paid by the registered owner of said vehicle at the time the evidentiary value is released. The registered owner will also be responsible for any towing costs incurred for transport to the police department. Failure to pay associated fees will result in the police department issuing liens against the held vehicle and/or seizure of the vehicle through court processes.

SECTION 4. Amendment of Conflicting Ordinances. All ordinances or parts thereof conflicting or inconsistent with the provisions of this ordinance as adopted herein are hereby amended to the extent of such conflict. In the event of a conflict or inconsistency between this ordinance and any other code or ordinance of the City of Manor (“City”), the terms and provisions of this ordinance shall control.

SECTION 5. Savings Clause. All rights and remedies of the City of Manor are expressly saved as to any and all violations of the provisions of any ordinances affecting towing and storage of vehicles within the City which have accrued at the time of the effective date of this ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

SECTION 6. Severability. If any provision of this ordinance or the application of any provision to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

SECTION 7. Open Meetings. It is hereby officially found and determined that the meeting at which this ordinance was considered was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551, Texas Government Code.

SECTION 8. Effective Date. This Ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Texas Local Government Code.

PASSED AND APPROVED THIS the 20th day of November 2024.

CITY OF MANOR, TEXAS:

Dr. Christopher Harvey, Mayor

ATTEST:

Lluvia T. Almaraz, TRMC City Secretary