

CITY OF WILLOW PARK, TEXAS
ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF WILLOW PARK, TEXAS AMENDING THE CITY OF WILLOW PARK CODE OF ORDINANCES, CHAPTER 12 “TRAFFIC AND VEHICLES”, BY ADDING ARTICLE 12.06 “AUTOMATIC LICENSE PLATE RECOGNITION CAMERAS”, ADDING §12.06.001 “TEMPORARY USE”; PROVIDING FOR SAVINGS AND SEVERABILITY CLAUSES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Willow Park, Texas is a Type-A general law municipality (the “City”) located in Parker County, created in accordance with the provisions of Chapter 6 of the Local Government Code, and operating pursuant to the enabling legislation of the State of Texas; and

WHEREAS, the City of Willow Park desires to revise its City ordinance regarding policies and procedures to restrict and regulate the installation of automatic license plate recognition cameras; and

WHEREAS, the City of Willow Park submitted the revisions to Chapter 12 “Traffic and Vehicles”, Article 12.06 “Automatic License Plate Recognition Cameras” to the City Council for its review, all in compliance with Chapter 1 “General Provisions”, Article 1 “Code of Ordinances” §1.01.007 “Amendments or additions to code” of the City of Willow Park Code of Ordinances; and

WHEREAS, the City of Willow Park City Council finds and determines that the revision to Chapter 12 “Traffic and Vehicles”, adding Article 12.06 “Automatic License Plate Recognition Cameras” and §12.06.001 “Temporary Use”, will be in the best interest of the citizens of Willow Park.

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

SECTION 1. All the above premises are hereby found to be true and correct and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

SECTION 2: Amendment. That Chapter 12 “Traffic and Vehicles”, of the City’s Code of Ordinances is hereby amended and revised by adding Article 12.06 “Automatic License Plate Recognition Cameras”, as set forth below:

12.06 Automatic License Plate Recognition Cameras.

a. Definitions

“Automatic license plate reader camera” means one or more fixed high-speed cameras used independently or in combination with software or a computer algorithm to convert an image of a license plate into computer-readable data.

“Captured plate data” means global positioning system coordinates, dates and times, photographs, license plate numbers, vehicle characteristics, and any other data collected by an automatic license plate reader system.

"Department" means the Department of Public Safety.

"Governmental entity" means: (A) this state, a political subdivision of the state, or an agency or department of the state or a political subdivision of the state; or (B) an officer or employee of an entity described by section (A)

SECTION 3: Amendment. That Chapter 12 "Traffic and Vehicles", of the City's Code of Ordinances is hereby amended and revised by adding Article 12.06 "Automatic License Plate Recognition Cameras", § 12.06.001. Temporary Use as set forth below:

12.06 Automatic License Plate Recognition Cameras.

§ 12.06.001. Temporary Use.

(a) The City of Willow Park shall not operate an automatic license plate reader system, and shall not enter an agreement with a governmental entity to operate a license plate reader system unless such agreement is for a temporary use which includes a time period of one hundred eighty (180) days or less, and an agreement is entered with a governmental entity and that entity may operate an automatic license plate reader system or use captured plate data produced by the system only for the following purposes:

- (1) detecting or investigating a criminal offense punishable as a felony;
- (2) identifying unregistered or uninsured motor vehicles;
- (3) investigating a report of a missing person;
- (4) identifying or recovering a stolen motor vehicle; or
- (5) controlling access to a secured area with secured boundaries that are not open to the public with limited secure access points.

(b) A governmental entity, or a person acting on behalf of a governmental entity, may not:

(1) operate an automatic license plate reader system for the purpose authorized under Subsection (a)(2) in a manner that intentionally targets individuals based on race, ethnicity, or income level or disproportionately targets those individuals in a manner that exceeds the applicable group's proportion of the overall population in the boundaries of the governmental entity's jurisdiction; or

(2) share captured plate data with, sell captured plate data to, provide captured plate data through a subscription to, transfer captured plate data to, or otherwise make captured plate data available to: (A) a person that is not a governmental entity, except as provided by Subsection (d); (B) a governmental entity for any purpose other than a purpose authorized under Subsection (a); or (C) the federal government, or any agency, department, or person acting on behalf of the federal government.

(c) Any agreement entered by the City of Willow Park and a governmental entity may not authorize a person acting on behalf of the entity under a contract to access captured plate data unless the contract specifically authorizes the access.

(d) A governmental entity or a defendant in a criminal case may apply for a court order from a court of competent jurisdiction to require the retention and disclosure of captured plate data.

SECTION 3: Savings/Repealing Clause. All provisions of any ordinance in conflict with this Ordinance are hereby repealed; but such repeal shall not abate any pending prosecution for violation of the repealed Ordinance, nor shall the repeal prevent prosecution from being commenced for any violation if occurring prior to the repeal of the Ordinance. Any remaining

portions of conflicting ordinances shall remain in full force and effect.

SECTION 4: Severability. Should any section, subsection, sentence, clause, or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. Willow Park hereby declares that it would have passed this Ordinance, and each section, subsection, sentence, clause, or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional or invalid.

SECTION 5: Effective Date. This Ordinance shall become effective upon its passage.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF
WILLOW PARK, THIS _____ DAY OF _____ 2026.

Teresa Palmer, Mayor

ATTEST:

Deana McMullen, City Secretary