

ORDINANCE NO. 2024-32

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS, AMENDING WYLIE'S CODE OF ORDINANCES, ORDINANCE NO. 2021-17, AS AMENDED, CHAPTER 66 (LIBRARY), ARTICLE I (IN GENERAL), SECTION 66-3 (REFUSING TO PAY OVERDUE FINE; MISDEMEANOR) AND APPENDIX A (COMPREHENSIVE FEE SCHEDULE), SECTION VIII (PUBLIC LIBRARY), SUBSECTION A (LIBRARY FEES) TO AMEND OVERDUE FINE, REPEAL EXTENDED USE FEES, ADD HOTSPOT REPLACEMENT FEES, AND AMEND MEETING ROOM FEES; PROVIDING A SAVINGS/REPEALING CLAUSE, SEVERABILITY CLAUSE, PENALTY CLAUSE AND AN EFFECTIVE DATE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

WHEREAS, the City Council of the City of Wylie, Texas ("City Council") has previously adopted Ordinance Nos. 1974-12 and 1999-12 and a Comprehensive Fee Schedule ("Comprehensive Fee Schedule") for the City of Wylie, Texas ("Wylie"), which is codified in Appendix A of the Wylie Code of Ordinances, Ordinance No. 2021-17, as amended ("Code of Ordinances")' and

WHEREAS, the City Council has investigated and determined that it would be advantageous and beneficial to the citizens of Wylie to amend Chapter 66 (Library), Article I (In General), Section 66-3 (Refusing to pay overdue fine; misdemeanor), and Appendix A (Comprehensive Fee Schedule), Section VIII (Public Library), Subsection A (Library Fees) of the City's Code of Ordinances, Ordinance No. 2021-17, as amended ("Code of Ordinances");

WHEREAS, the City Council finds that it is in the best interest of Wylie and its citizens to amend the Code of Ordinances as set forth below.

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

SECTION 1. Findings Incorporated. The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2. Amendment to Chapter 66 (Library), Article I (In General), Section 66-3 (Refusing to pay overdue fine; misdemeanor), and Appendix A (Comprehensive Fee Schedule), Section VIII (Public Library), Subsection A (Library Fees) of the Wylie Code of Ordinances. Chapter 66 (Library), Article I (In General), Section 66-3 (Refusing to pay overdue fine; misdemeanor), and Appendix A (Comprehensive Fee Schedule), Section VIII (Public Library), Subsection A (Library Fees) is hereby amended as follows:

**"CODE OF ORDINANCES
Chapter 66 – LIBRARY
Article I. – IN GENERAL**

...

Sec. 66-3. – Refusing to pay ~~overdue fine~~fee; misdemeanor.

Every person who is assessed a penalty pursuant to library policy for failure to return any item lent them by the library and who refuses to pay the penalty shall be deemed guilty of a misdemeanor.

..."

**“APPENDIX A
WYLIE COMPREHENSIVE FEE SCHEDULE**

...

VIII. - Public Library.

A. Library Fees.

Extended use fees:

~~DVD, per day/per item: \$0.10~~

~~Mobile Hotspots, per day/per item: \$0.50~~

~~All other, per day/per item: \$0.10~~

Replacement fees:

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Hotspot replacement parts and process fee: \$15

Hotspot replacement cost: \$100 (Device \$85 + replacement parts and processing fee \$15)

...

Meeting Room Fees:

Meeting Room (Monday— Saturday):	Users other than non-profit organizations: \$45.00 per hour, non-refundable. Non-profit 501(c)(3) organizations: \$30.00 per hour, non-refundable. Proof of non-profit status is required.
Meeting Room (Sunday):	100.00 per hour for all users, non-refundable.
Conference Room (Monday— Saturday):	Users other than non-profit organizations: \$20.00 per hour, non-refundable. Non-profit 501(c)(3) organizations: The Conference Room is free to non-profit organizations. Proof of non-profit status is required.
Conference Room (Sunday):	\$100.00 per hour for all users, non-refundable.
Foyer (Monday— Saturday):	Users other than non-profit organizations: \$40.00 per hour, non-refundable. Non-profit 501(c)(3) organizations: \$25.00 per hour, non-refundable. Proof of non-profit status is required.
Foyer (Sunday):	\$100.00 per hour for all users, non-refundable.

...”

SECTION 3. Penalty. Any person, firm, corporation or entity that violates this Ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined a sum not exceeding two thousand dollars (\$2,000.00) if the violation relates to the public health and sanitation, otherwise the fine shall be a sum not exceeding five hundred dollars (\$500.00). Each continuing day's violation shall constitute a separate offense. The penal provisions imposed under this Ordinance shall not preclude the Wylie from filing suit to enjoin the violation. Wylie retains all legal rights and remedies available to it pursuant to local, state and federal law.

SECTION 4. Savings/Repealing. All provisions of the Code of Ordinances shall remain in full force and effect, save and except as amended by this or any other ordinance. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

SECTION 5. 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. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional or invalid.

SECTION 6. Effective Date. This Ordinance shall become effective from and after its passage and publication as required by the City Charter and by law.

DULY PASSED AND APPROVED by the City Council of the City of Wylie, Texas, on this the 24th day of September, 2024.

Matthew Porter, Mayor

ATTEST:

Stephanie Storm, City Secretary

Date of publication in The Wylie News: October 3, 2024