

ORDINANCE NO. O-2010-177

AN ORDINANCE AMENDING ORDINANCE NUMBER 2009-155 OF THE CITY OF MAGNOLIA, TEXAS HERETOFORE INITIALLY PASSED AND APPROVED ON THE 9th DAY OF JUNE 2009, BY REPLACING SECTION E OF SECTION IV ENTITLED "Administration of Photographic Traffic Enforcement System" WITH A NEW SECTION E and MAKING OTHER FINDINGS.

WHEREAS, THE CITY COUNCIL OF THE CITY OF MAGNOLIA HAS HERETOFORE ADOPTED AN ORDINANCE NO. 2009-155 ESTABLISHING A PHOTOGRAPHIC TRAFFIC ENFORCEMENT SYSTEM A (RED LIGHT CAMERA SYSTEM),

WHEREAS, said Ordinance Number 2009-155, Section IV, Section E provides for the time period for a notice of violation to be sent to the owner of a vehicle, and

WHEREAS, after study and review the City Council of the City of Magnolia has determined that said ordinance should be amended, and

WHEREAS, notice of the agenda for this meeting, was given in accordance with law by posting the same at the place reserved and designated for notices of public meetings and public activities and prior to the adoption of this ordinance;

AND NOW THEREFORE, BE IT ADOPTED BY THE CITY COUNCIL OF THE CITY OF MAGNOLIA, TEXAS:

1. The City Council of the City of Magnolia having reviewed the findings of fact and conclusions as herein set out and adopts the same for inclusion in this ordinance if the same had been repeated verbatim herein.
2. Ordinance Number 2009-155 of the City of Magnolia, Texas is hereby amended by replacing section E of Section IV entitled "Administration of Photographic Traffic Enforcement System" with a new section E which shall provide as follows:
 - E. "A notice of violation shall be mailed to the owner of the motor vehicle not later than the 30th day after the date the violation is alleged to have occurred. The notice of violation shall be mailed to:
 1. the owner's address as shown on the registration records of the Texas Department of Motor Vehicles; or
 2. if the vehicle is registered in another state or country, the owner's address as shown on the motor vehicle registration records of the department or agency of the other state or country analogous to the Texas Department of Motor Vehicles."
3. The City Secretary or that office designee is instructed to attach this Amending Ordinance No. O-2010-177 to Ordinance 2009-155.

4. The remaining provision of Ordinance 2009-155 shall remain in effect.
5. The City Secretary is instructed to publish this Ordinance in the Official Newspaper of the City of Magnolia in the manner provided and for the time required by Section 52.011(a) of the Local Government Code at which time this Ordinance takes effect.

PASSED AND ADOPTED by a vote of 4 "ayes" in favor and 0 "no's" against on this, the 8 day of June, 2010.



Mayor, Todd Kana

Attest:



City Secretary, Debra Brent

Approved as to Form:

Leonard V. Schneider, City Attorney