

ORDINANCE NO. 14-09

AN ORDINANCE OF THE CITY OF SOUTH PADRE ISLAND, TEXAS, AMENDING CHAPTER 11 TO ADD ARTICLE XI TO THE CODE OF ORDINANCES OF THE CITY OF SOUTH PADRE ISLAND PERTAINING TO TOWING STANDARDS AND GUIDELINES FOR REQUESTS BY POLICE, CITIZENS OR PRIVATE TOWS; PROVIDING FOR APPLICATIONS, PERMITS, REGULATIONS, CERTIFICATIONS, AND OTHER SAFETY REQUIREMENTS; PROVIDING FOR ENFORCEMENT AND PROHIBITIONS; PROVIDING FOR A PENALTY NOT TO EXCEED FIVE HUNDRED DOLLARS (\$500.00) FOR EACH VIOLATION; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City previously relied on a Towing Agreement to provide guidelines for towing services in the city limits; and

WHEREAS, the Agreement did not have a provision for private tows and companies were making private tows and failing to notify the police department, which resulted in numerous stolen vehicle calls;

WHEREAS, consistent, safe and enforceable tow service guidelines are necessary for police department-initiated calls, citizens direct requests, and private property (contract) calls within the city limits; and

WHEREAS, the Code of Ordinances of the City of South Padre Island needs to be amended to add a section for Wrecker services;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SOUTH PADRE ISLAND, TEXAS:

Section 1. Chapter 11 of the Code of Ordinances of the City of South Padre Island is amended to add Article XI, Sec. 11-200, et seq., as follows:

“Article XI

WRECKERS

Sec. 11-200 DEFINITIONS

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Auction: means the sale of motor vehicles not claimed by the lawful owners and reported to the South Padre Island Police Department as abandoned.

Abandoned vehicle: is defined as set forth in Chapter 683 of the Texas Transportation Code, as may be amended.

Chief of police: means the South Padre Island Police Chief.

City limits: The city of South Padre Island’s city limits

Designated person: means a person designated by the chief of police.

Drop fee: means the price to be charged in lieu of a towing fee where, after a wrecker has been dispatched to, or is at the scene of a tow, and has physically attached or connected the vehicle to the auto wrecker, and the vehicle has not been towed from the property, and when the vehicle owner requests its release.

Inspections: means the inspection of insurance certificates and permits by officers of the South Padre Island Police Department for wreckers who conduct services within the city limits of South Padre Island. The designated officer or person in charge of overseeing the wrecker rotation list can also, upon request check wrecker bill invoices at the vehicle storage facility.

Motor vehicle or vehicle: means a vehicle for which the issuance of a certificate of title is required under Chapter 501, of the Texas Transportation Code; or any other device designed to be self-propelled or transported on a public highway.

Owner of a vehicle: means a person named as in the certificate of title issued for the vehicle under Chapter 501, of the Texas Transportation Code, in whose name the vehicle is registered under Chapter 502, of the Texas Transportation Code, or a member of the person's immediate family, or who holds the vehicle through a lease agreement.

Twenty-four hour wrecker service: means that in order to be categorized as a 24-hour wrecker service, the permit holder must have two telephone lines or a telephone capable of receiving two lines listed with the city which can be answered 24 hours, seven days a week. The wrecker company must be able to immediately advise the police department of the availability of a wrecker. The permit holder must have two-way communications between the wreckers and the wrecker service office.

Vehicle storage facility: means a garage, parking lot, or any facility owned or operated by a person other than a governmental entity for storing or parking ten or more vehicles, a year, as set forth in the Texas Occupation Code § 2303.002(8), the Vehicle Storage Facility Act, or the successor statute/code provisions.

Wrecker rotation list: means the rotation list of wrecker companies licensed and approved by SPI-PD police chief to readily respond to emergency calls for service.

Private property tow: is when an owner/manager of a privately owned property contracts with an approved wrecker company to tow improperly parked vehicles from their premises.

Consent tow: means an individual owner/operator of a vehicle in need of towing, calls a wrecker service of their choice, to conduct the tow via their request.

Wrecker: means any motor vehicle used for the purpose of towing or removing disabled, abandoned, or wrecked vehicles.

Wrecker business: means the business of towing or removing vehicles on the public streets, regardless of whether the purpose of the towing is to remove, repair, wreck, store, trade or purchase such vehicle, when the towing is done to remove a wrecked or disabled vehicle from the scene of a collision at the instance or request of the owner thereof, or the police department or fire department, or to remove a vehicle from an unlawfully parked position at the instance or request of the police department or fire department.

Wrecker company: an individual, corporation, partnership, or other association engaged in the wrecker business of towing vehicles for compensation or with the expectation of compensation for the towing or storage of the vehicles and includes the owner, operator, employee, or agent of a wrecker company.

Sec. 11-201 PURPOSE

This ordinance is designed to set guidelines for police department-initiated calls, citizens' direct request, and private property (contract) calls for tow service within the city limits of South Padre Island. All emergency wrecker services listed on our police department's rotation list require regulations in order to avoid competitive speeding, unnecessary delay, and confusion by wrecker services. Such regulations are necessary in order to avoid traffic hazards and to minimize the danger of injury to persons and damage to property. Additional guidelines concerning citizen's direct request and private property tows are created to reassure fair and equitable treatment to our local tow companies, as well as our citizens and visitors alike.

Sec. 11-202 REQUIRED APPLICATION

Each tow company desiring to be placed on the city of South Padre Island's wrecker rotation, and/or to conduct private property contract towing, shall make application, in writing, on a form provided for that purpose, to the chief of police. Each application shall contain the name, address and telephone number of the wrecker

company. The application shall also contain a list of all wreckers to be used by the company, to include type of unit, year model, vehicle identification number and current tow truck registration. Copies of current insurance policies for all wreckers listed and the storage facility shall also be provided. A current copy of the storage facility license shall be provided with the application. Photocopies of all driver's license for all drivers of the company, and a statement that the applicant does or does not desire to appear on the wrecker rotation list shall accompany the application. Every application when filed shall be sworn to by the applicant. Any application with false information or incomplete documentation will not be processed.

Sec. 11-203. PERMIT ISSUANCE BY CHIEF OF POLICE; SAFETY, INSURANCE AND OTHER REQUIREMENTS

Subject to the maximum numerical limits on the number of tow companies which may be placed on the wrecker rotation and/or approved to conduct private property towing, as set out in sec. 11-216 of this Article, the chief of police, or his designee, shall issue a permit to all wrecker companies making appropriate application and desiring to be placed on the city's wrecker rotation list and/or conducting private property towing, provided however that any such applicants selected must comply with the provisions of this Article. No certificate authorizing wrecker companies, and/or their drivers, to conduct business within the city limits shall be issued unless the following requirements are met:

(1) Every wrecker proposed to be used by the applicant shall comply with the following minimum safety requirements:

- a. Each wrecker shall be not less than three-quarters ton in size and shall be equipped with booster brakes.
- b. Each wrecker shall be equipped with a power winch line and boom, with a factory-rated lifted capacity of not less than 5,000 pounds single line capacity.
- c. Each wrecker shall carry as standard equipment: tow bars or roller bars, safety chains, a fire extinguisher, wrecking bars, an axe and oil absorbent material. The applicant shall have dollies if needed, but they are not required equipment for each wrecker.
- d. Each wrecker proposed to be used shall comply with the requirements of sec. 11-204 of this Article.
- e. Each wrecker so qualifying shall be issued safety and insurance compliance inspection certificates.

(2) Insurance Requirements.

a. Each wrecker company shall produce and keep in full force and effect a policy of public liability and property damage insurance issued by a casualty insurance company authorized to do business in the State of Texas and in the standard form approved by the board of insurance commissioners of the state, with the insured provision of such policy including the city as an insured, and the coverage provision insuring the public from any loss or damage that may arise to any person or property by reason of the operation of a wrecker of such company and providing that the amount of recovery on each wrecker shall be in limits of not less than \$500,000.00 for damages arising out of bodily injury to or death of one person in any one accident, and \$100,000.00 for injury to or destruction of property in any one accident. Failure to maintain insurance will result in immediate removal from the rotation list.

b. A list of all wrecker operators/drivers and a copy of their Texas Operator License shall be submitted with the above insurance policies. It shall be the obligation of the wrecker company to keep the South Padre Island Police Department informed of any changes in their drivers and to provide the city with evidence of compliance with Section 521.459 Transportation Code.

c. Each wrecker company on the rotation list must meet all vehicle storage facility requirements as stated in Section 18.91 and/or other applicable section(s) of the Texas Department of Transportation Motor Carrier Rules and Regulations and the requirements of this ordinance.

(3) Taxes. No delinquent taxes shall be due the city upon any wrecker company or vehicle storage facility for which such permit is sought.

(4) Fees.

a. *Annual fee.* There is hereby imposed an annual fee of \$50.00 per wrecker company. The fee will cover either or both, to be placed on the city rotation list and/or to conduct private property tows.

b. *Inspection fee.* There is hereby imposed an annual inspection of \$25.00 per wrecker unit for each unit of each wrecker company.

c. *Operator/driver permit.* While this ordinance does require permitting of tow truck operator/drivers, there is no charge for the operator/drivers permits issued by this agency.

(5) A copy of all current licenses, registration and/or certificates issued by the state allowing the applicant to operate a wrecker or a vehicle storage facility shall be required upon initial application and upon payment of annual fees per wrecker company or wrecker unit.

(6) Each wrecker unit shall have the wrecker company's name and telephone number of the business operating the wrecker unit permanently inscribed on each side of the cab of the wrecker in letters no less than two inches high in contrasting colors. No temporary signs of any kind will be permitted.

(7) A certification to continue providing services on the city's wrecker rotation list may be revoked for failure to meet and/or maintain the required standards and regulations of state law (including, but not limited to, Chapter 684 of the Transportation Code) and/or this Article.

(8) If a wrecker certification is revoked, the wrecker will not be allowed to continue service for calls from South Padre Island Police Department from the rotation list or private property towing, until the wrecker company produces proof of compliance with the required standards and regulations.

(9) Any wrecker conducting rotation and/or private property towing within the city limits, shall maintain or contract with, a state permitted vehicle storage facility within 10-miles (driving miles) of the City of South Padre Island, Texas. Vehicles towed pursuant to this ordinance shall be stored at a facility complying with this section.

(10) Any wrecker company conducting rotation and/or private property towing within the city limits, shall maintain a place of business for conducting operations, including towed vehicle storage, no further than State Hwy 100 and CR 510, Laguna Vista, or within 10-miles of South Padre Island's city limits.

(11) All wrecker companies must agree to comply with all sections of the South Padre Island Police Department wrecker ordinance/SOP, a copy of which will be provided at time of application or annual renewal.

(12) All wrecker companies applying for placement on the voluntary wrecker rotation list must agree to respond to all requests for wrecker service initiated by the city and must abide by this Article as well as all other applicable local, state and federal laws and regulations.

(13) All wrecker companies applying for placement on the voluntary wrecker must agree to send an authorized representative to all auctions at which that company has vehicles set for auction.

Sec. 11-204 STATE INSPECTION REQUIREMENT; WRECKER SAFETY AND INSURANCE COMPLIANCE INSPECTION CERTIFICATE

Each application for placement upon the wrecker rotation list, and those wrecker services conducting private property towing services, shall state that each wrecker of the company has been inspected and approved under the direction of the Texas Department of Public Safety, and a current inspection sticker shall be affixed securely to the inside of the windshield of the wrecker vehicle. No person shall operate a wrecker in the city unless a permit to engage in such activity has been issued to such wrecker by the South Padre Island Police Department. No permit or safety and insurance compliance inspection certificate shall be transferable, and every permit and

safety and insurance compliance inspection certificate shall expire at midnight on December 31 of the calendar year in which issued. Each permit and safety and insurance compliance inspection certificate will be void immediately upon expiration and/or cancellation at which time any such wrecker shall no longer be used on rotation with the South Padre Island Police Department, and the wrecker company shall return the permit and safety and insurance compliance inspection certificate to the city police department upon request.

Sec. 11-205 SUSPENSION AND/OR REVOCATION OF PERMIT

For those wrecker companies engaged in providing services on the city's rotation list, the companies may have their permits suspended and/or revoked under the following conditions:

(1) A wrecker company may have its permit suspended:

a. For seven days for any violation of this Article or state law if a violation occurs within a twelve-month (12) period.

b. For twenty days for a second or subsequent violation of this Article or state law.

(2) A wrecker company may have its permit revoked:

a. For a third or subsequent violation of this Article or state law if a violation occurs within a twelve-month (12) period.

b. If it causes or permits the operation of a city certified wrecker either owned or contacted for, by an unlicensed driver on the public roadways.

c. If it causes or permits the operation of a wrecker (either owned or contracted for) not certified by the city, on the public roadways.

d. If it fails to maintain in force the insurance required for the operation of a wrecker company, vehicle storage facility or its wreckers as required by the laws of Texas.

e. If it or its employees or agents operates a wrecker or the wrecker company in any way which endangers the life or safety of any person, including but not limited to any of the following ways: (i) grossly negligent operation of a wrecker used by the wrecker company; (ii) Criminal assault committed by the permit holder, his agents, or employees during the normal course of business. The chief of police shall not revoke the permit if the permit holder permanently terminates the employment of such employee immediately upon its becoming known to him that such conduct did take place; (iii) intentionally submits false information on the application to be placed on the wrecker rotation list with the South Padre Island Police Department; (iv) convicted of a violation under this Article; (v) convicted of fraud or theft, as defined in the Texas Penal Code, in the conduct or operation of the permit holder's wrecker company; (vi) guilty of criminal trespass or theft.

Sec. 11-206 SUSPENSION OR REVOCATION HEARING

(a) Upon the filing of a written complaint against a wrecker company or any agent or employee thereof filed by any person with the chief of police or designated person, upon his own admonition charging violation of any of the terms of this Article or any ordinance of the city or laws of the state regulating motor vehicles or crimes of moral turpitude or for good cause shown, the chief of police or designated person *may* conduct a hearing with reference to such complaint, accordingly:

(1) Notice of the hearing shall be sent to the wrecker company by certified letter, return receipt requested or by hand delivery.

(2) Said notice to the wrecker company shall set forth the section of this Article or state law the complaint is based upon, the allegations made against the wrecker company, and, where appropriate, the date and location the violation occurred.

(3) The hearing shall take place within ten (10) days of delivery of the notice of hearing, unless otherwise agreed by the parties. The wrecker company shall be provided by certified letter, return receipt requested or by hand delivery notice of the time, date, and location of the hearing.

(4) At the hearing the wreckers company may present evidence and testimony in its defense and may cross-examine any witnesses.

(5) After such hearing the chief of police may revoke or suspend the authorization of the wrecker service company to continue providing service on the city's wrecker rotation list, as well as revoke permits issued to conduct private property towing.

(b) After the chief of police has reviewed the findings of the complaint for suspension or revocation of the permit of any wrecker company, he shall make a determination and declare such findings along with the terms, if any, of the suspension of a temporary or permanent nature. The decision of the chief of police shall be presented in writing and sent to the wrecker company by certified letter, return receipt requested or by hand delivery.

(c) The decision of the chief of police under this section may be appealed to the city manager, provided that notice of appeal must be perfected within ten calendar days from receipt of the chief of police's decision. Notice of appeal is perfected by sending a certified letter, return receipt requested, addressed to the city manager of the City of South Padre Island, stating that an appeal from the decision of the chief of police is desired. The city manager shall hold a hearing on the matter within a reasonable time after receipt of such return and shall issue a decision thereon within a reasonable time after such hearing which decision shall be final and un-appealable.

Sec. 11-207 WRECKERS TO BE SUMMONED BY POLICE OR FIRE; RESPONSE TIMES

(a) No wrecker service shall drive to or near the scene or site of an accident or collision on the streets of the city unless such person/company has been called by the police or fire department or by the owner or operator of a vehicle involved in said collision; Only wreckers that have been officially summoned will be able to conduct the tow.

(b) Wreckers summoned by the police department are subject to cancellation. Wreckers shall respond anywhere in the city within 30 minutes. If cancelled, the wrecker company will be placed back on the rotation list for another call. Wreckers summoned to calls where the police have not arrived, will not hook up the vehicle until the police arrive. Fees for non-hook ups will not be charged.

Sec. 11-208 SOLICITING WRECKER BUSINESS AT SCENE OF ACCIDENT PROHIBITED; PRESENCE AT SCENE AS EVIDENCE OF VIOLATION

No person shall solicit in any manner, directly or indirectly on the streets of the city, the business of towing any vehicle which is wrecked or disabled on a street, regardless of whether the solicitation is for the purpose of soliciting the business of towing, removing, repairing, wrecking, storing, trading or purchasing such vehicle. Proof of the presence of any person engaged in the wrecker business or the presence of any wrecker or motor vehicle owned or operated by any person engaged in the wrecker business, either as owner, operator, employee or agent, on any public street in the city at or near the scene or site of a wrecker, accident or collision, within one hour after the happening of a wrecker, accident or collision, shall be prima facie evidence of a solicitation in violation of this section.

Sec. 11-209 PROHIBIT INTERCEPTION OF COMMUNICATION FROM THE POLICE/FIRE DEPARTMENT RADIO FREQUENCY

No wrecker company, shall intercept any message emanating through the medium of the police or fire department radio frequency or divulge or publish the existence, contents, substance, purpose, effect or meaning of such intercepted communication; and no person, not being entitled thereto, shall receive or assist in receiving any such message and use such message, or any information therein contained, for his own benefit or for the benefit of another person.

Sec. 11-210 WRECKER ROTATION LIST

(a) If the owner of a vehicle involved in an accident or collision is physically unable to name the wrecker company desired, or declines to name one or if the South Padre Island Police Department is called relating to a request for wrecker company, the investigating or responding officer or employee shall cause the request for wrecker company to be initiated from the wrecker rotation list maintained by the South Padre Island Police Department. Any wrecker company requesting to be placed on the city wrecker rotation list shall meet the requirements as set out in sec. 11-202 through 11-204 of this Article.

(b) The wrecker company shall immediately notify the chief of police or his designated person, in writing, of any changes in status as it relates to any insurance, drivers, wreckers' registration, certificates, vehicle storage facilities, permits or any factor that may impede its ability to comply with this Article.

(c) The wrecker company on the wrecker rotation list shall notify the South Padre Island Police Department on a form provided for that purpose of all abandoned vehicles, which were towed as a result of a rotation call, in their vehicle storage facility in accordance with Section 683.031 of the Texas Transportation Code. In addition the notification shall include the \$5.00 fee required by Section 683.031.

(d) On receiving a communication from the South Padre Island Police Department, the wrecker company presently on call, or its duly authorized agent, shall tow the disabled vehicle and remove such vehicle from the public streets of the city. On each succeeding communication or the inability or refusal of an owner to name a wrecker company, the next wrecker company on the list shall be called, and proper rotation on such list be on a per-call basis for each wrecker company holding a permit in accordance with procedures established by the chief of police.

(e) South Padre Island Police Department will be conducting periodic inspections for insurance, inspection certificates and permits of wreckers on rotation responding to calls for service. Wreckers that respond to calls for the police department that do not have an issued permit on file, will not be allowed to tow any vehicles. Violation of this article will result in a complaint filed against the wrecker company. The designated officer or person in charge of overseeing the wreckers on the rotation list can also upon request check receipts at the vehicle storage facility.

Sec. 11-211 PRIVATE PROPERTY TOWS

Only those wrecker companies approved and permitted by the city of South Padre Island can conduct private property contract towing within our city limits. Those approved tow companies will meet all the mandated requirements concerning licensing and insurance as specified in this ordinance. Private property towing includes but is not limited to condos, townhouses, and hotels. Wrecker companies approved to operate under the ordinance will agree to the following:

(1) The wrecker service will have in their office, a signed agreement with the owner/manager of said private property, or whomever has the authority to legally represent the private property, indicating their desire to have the towing enforced.

(2) For every vehicle towed, the wrecker service will indicate on their paperwork which private property representative approved that particular tow.

(3) Fees for private property tows will be followed as specified in sec. 11-212 of this Article.

(4) Wrecker services conducting private property tows, will within two (2) hours of towing a vehicle, notify the South Padre Island Police Department Dispatch by fax, using the designed form provided by the city, and by phone to a dedicated number. Phone numbers may be changed by giving notice to the Wrecker/Towing Companies. In the event of facsimile and/or phone problem, the wrecker service will drop-off the completed form to South Padre Island Police Department within the two-hour timeframe.

Sec. 11-212 MAXIMUM RATES

Approved wrecker companies conducting rotation and/or private towing services agree to follow the rates as set herein as a condition of being approved to operate within the city limits.

(1) The wrecker service fees for vehicles under three tons:

a. Police initiated / rotation calls: \$185.00

b. Private property tows: \$200.00

c. Add-on cost for equipment use, such as, dollies, go-jacks, skates and/or winching, the additional fee is \$30.

d. If the vehicle is located in high water an additional fee of \$50.00 per hour after the first hour may be charged.

e. If the wrecker company is required to wait more than one hour after arriving on the scene of the tow to connect the vehicle an additional fee of \$7.50 may be charge for each 15 minutes in wait time after the first hour.

f. If the vehicle owner or operator request that the vehicle be towed to a location outside the city limits the wrecker company may charge an additional fee of \$2.00 for every mile outside the city limits.

(2) The wrecker service fee for vehicles over three tons in response to a call from any employee of the city acting in his official capacity, shall be \$250.00 per hour with a one hour minimum. Additionally, vehicle owners requiring heavy-duty or specialty wreckers will be able to make arrangements with a heavy-duty wrecker service, with fees that are reasonable for that service.

(3) The wrecker service fee pursuant to sec. 11-213 of this Article, the "drop fee" shall be \$85.00.

Sec. 11-213 DROP FEES

If the owner or operator of a vehicle which is parked in violation of this Code or state law arrives after the wrecker has been physically attached to the vehicle, but before the vehicle is removed from the property, a towing company shall release the vehicle at the scene for a fee not to exceed the drop fee of \$85.00, as set forth in sec. 11-212 of this Article.

Sec. 11-214 SAFETY PRECAUTIONS

Each wrecker company that has been issued a permit by the police department shall follow standard safety precautions and operation procedures generally recognized in the wrecker business to and from and at the scene of an accident or collision and shall comply with all traffic laws, including local city ordinances. Each wrecker company at the scene of an accident or collision shall promptly remove all debris from the accident or collisions occurring on the public right of way.

Sec. 11-215 PENALTIES FOR VIOLATIONS

(a) Any owner of a wrecker company, agent or employee of a wrecker company, driver or operator of a wrecker found guilty of violating this ordinance or any of the state laws, shall upon conviction be subject to a fine, as provided by Sec. 21-1 the Code of Ordinances.

(b) Only permitted wrecker services of South Padre Island will be allowed to conduct police initiated rotation tows and private property contract tows for service. Unapproved and unpermitted wrecker companies conducting anything other than consent towing services to individuals will be issued a municipal court citation for violating this ordinance.

(c) In addition to the remedies in this section, the city shall be entitled to injunctive or other civil remedy in any court of competent jurisdiction in accordance with the laws of the state.

Sec. 11-216 MAXIMUM NUMBER OF WRECKER COMPANIES

The number of wrecker companies approved to operate on the city South Padre Island rotation list and/or to conduct private property towing within the city limits, shall be set by the city council from time to time and such number may be increased or decreased at the discretion of the city council, based partially on the police chief's recommendation. The maximum number or names of wrecker companies may be changed by City Council by

appropriate resolution. Upon adoption of this article, those wrecker companies which are currently on the city's rotation list shall be allowed to apply with the city to continue on the rotation list and/or to conduct private property towing service, if they meet the criteria set out in this ordinance, they shall remain on the rotation list. Following that process, any remaining positions on the rotation list shall be filled by drawing from a pool of applicants created by the chief of police and certified to qualify pursuant to this Article.

(a) Currently the maximum amount of wrecker services authorized to conduct business on the police rotation list is four (4) wrecker services. They are: 1) Paradise Towing, 2) Bay Area Towing, 3) A-pro Island Beach Towing, and 4) Cantu's Towing.

(b) Currently the maximum amount of wrecker services authorized to conduct private property towing services within the city limits of South Padre Island is four (4). They are: 1) Paradise Towing, 2) Bay Area Towing, 3) A-pro Island Beach Towing, and 4) Cantu's Towing.”

Section 2. This Ordinance repeals all portions of any prior ordinances or parts of ordinances of the Code of Ordinances in conflict herewith.

Section 3. Any violation of this Ordinance may be punished by a fine not to exceed Five Hundred Dollars (\$500.00) for each offense or for each day such offense shall continue and the penalty provisions of Section 21-1 of the Code of Ordinances is hereby adopted and incorporated for all purposes.

Section 4. If for any reason any section, paragraph, subdivision, clause, phrase, word, or provision of this Ordinance shall be held invalid or unconstitutional by final judgment of a court of competent jurisdiction, it shall not affect any other section, paragraph, subdivision, clause, phrase, word, or provision of this Ordinance for it is the definite intent of this City Council that every section, paragraph, subdivision, clause, phrase, word, or provision hereof be given full force and effect for its purpose.

Section 5. This Ordinance shall become effective when published in summary form or by publishing its caption.

PASSED, APPROVED, AND ADOPTED on First Reading, this 2nd day of July 2014.

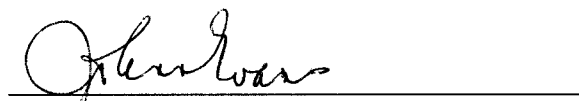
PASSED, APPROVED, AND ADOPTED on Second Reading, this 16th day of July 2014.

ATTEST:

CITY OF SOUTH PADRE ISLAND, TEXAS



Susan Hill, City Secretary



JoAnn Evans, Mayor Pro-tem

