

CITY OF STARBASE, TEXAS

ORDINANCE NO. 2026-9

AN ORDINANCE OF THE CITY OF STARBASE, TEXAS, ESTABLISHING THE STARBASE MUNICIPAL COURT; PROVIDING FOR FINDINGS OF FACT, PURPOSE, DEFINITIONS; APPOINTMENT OF A PROSECUTOR, JURISDICTION; PROCEDURES FOR THE OPERATION AND ADMINISTRATION OF THE COURT; AUTHORIZATION TO IMPOSE COURT COSTS AND FEES; AUTHORIZATION TO COLLECT CIVIL AND CRIMINAL FINES OR PENALTIES WITHIN THE RANGES SET BY STATE LAW; PROVIDING FOR SEVERABILITY AND REPEALER; PROVIDING FOR ENGROSSMENT AND ENROLLMENT OF THIS ORDINANCE; AND PROVIDING FOR COMMUNITYATION AND AN EFFECTIVE DATE.

WHEREAS, the City of Starbase, Texas (the “City”), incorporated as a Type C general law municipality on May 20, 2025, incorporated pursuant to Chapter 8 of the Texas Local Government Code; and

WHEREAS, pursuant to Texas Local Government Code Section 51.052, the City approved Ordinance No. 2025-11-19-F02-OR, adopting the powers and authority of a Type A municipality, without limitation, based on an assessed tax valuation of \$500,000 or more on its most recently approved tax roll, and pursuant to Section 51.051 the city approved Resolution 2025-05-29-Q02-RE, declaring the city has 501 or more inhabitants and has the same authority and is subject to the same duties as a Type “A” general law municipality; and

WHEREAS, the City Commission is authorized to establish a municipal court as authorized by the Texas Government Code, Chapter 29; and

WHEREAS, the City Commission finds that the enactment of this ordinance is necessary for the good government, peace, and order of the municipality and proper for carrying out the power granted by law to the municipality; and

WHEREAS, the City Commission determines that the creation of a municipal court is necessary to provide for the proper conduct of the business of the City and efficient disposition of cases arising in the municipality; and

WHEREAS, after due deliberation and consideration, the City Commission has determined that this Ordinance should be adopted, and that such Ordinance is in the best interest of the community health, safety, and welfare of the citizens of the City;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF STARBASE, TEXAS:

SECTION 1. Incorporation of Premises. The premises set forth above are incorporated herein as if set forth verbatim.

SECTION 2. PURPOSE. This ordinance is adopted to establish a municipal court as authorized by Texas Government Code Chapter 29.

SECTION 3. DEFINITIONS. Words and phrases used in this ordinance shall have the meanings set forth in the section. Other words and phrases shall be given their common, ordinary meaning unless the context clearly requires otherwise. Headings and captions are for reference purposes only, and shall not be used in the interpretation of this ordinance. The words below shall have the following meanings:

(A) "City" means the City of Starbase, Texas.

(B) "Person" means any human individual or corporation, organization, government or governmental subdivision or agency, business trust, estate, trust, partnership, association, and any other legal entity.

(C) "State" means the State of Texas.

SECTION 4. CREATION OF MUNICIPAL COURT. A court, to be known as the "Municipal Court of the City of Starbase, Texas," is hereby established. City Commission may establish additional courts by subsequent ordinance.

SECTION 5. JURISDICTION. The municipal court shall have the original and concurrent jurisdiction provided by Texas law for municipal courts, including, but not limited to, section 29.003 of the Government Code and Article 4.14 of the Code of Criminal Procedure.

SECTION 6. JUDGES OF COURT. The Mayor shall serve as Ex Officio Judge until such time as the City Commission by ordinance appoints a municipal judge and such judge shall serve a term of two (2) years as set out in Texas Government Code Section 29.005. Each subsequent appointment or re-appointment of a municipal judge shall be by ordinance. In the absence of the Municipal Court Judge the City Commission may appoint one or more temporary associate judges by ordinance to serve in the absence of the appointed Municipal Court Judge.

SECTION 7. COURT RULES. The court may make and enforce local court rules, practice, and procedure as necessary to expedite the management of the court docket; provided such local court rules are consistent with the Code of Criminal Procedure, Texas Rules of Evidence, and the Texas Rules of Appellate Procedure.

SECTION 8. CLERK OF COURT. The City Commission may provide for the appointment and hiring of a municipal court clerk and shall prescribe the duties and qualifications of the municipal court clerk by separate ordinance or resolution as authorized by Texas Government Code Section 29.010.

SECTION 9. COURT FACILITIES. The City Commission shall provide a courtroom or courtrooms as may be necessary, jury rooms, offices, office furniture, libraries, law books, and other facilities and supplies that the City Commission determines necessary for the proper operation of the municipal court.

SECTION 10. COURT SESSIONS. The Municipal Judge shall convene dockets at such frequency as is required to resolve the matters effectively and efficiently before the Court.

SECTION 11. COURT SEAL. The use of an official seal of the municipal court authorized. The seal shall contain the phrase that follows:

"Municipal Court of the City of Starbase, Texas."

SECTION 12. COMPLAINTS AND PLEADINGS. Complaints and pleadings must substantially conform to the relevant provisions of Chapters 27 and 45 of the Code of Criminal Procedure.

SECTION 13. PROSECUTION. The City Attorney, or Assistant City Attorney, or Deputy City Attorney designated by the City Attorney shall serve as the Municipal Court Prosecutor. The Prosecutor shall be appointed by Ordinance.

SECTION 14. FEES AND FINES. The municipal court clerk shall collect and administer all fees and fines authorized by state law and City ordinances. Fees and minimum and maximum fines shall be in the amounts established by state law, or municipal ordinance.

SECTION 15. Severability. It is hereby declared to be the intention of the City Commission that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the City Commission without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

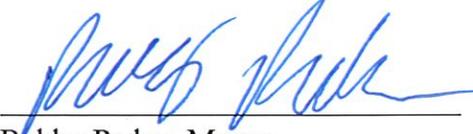
SECTION 16. Repealer. This Ordinance shall be cumulative of all provisions of all ordinances of the City of Starbase, as amended, and shall not repeal any of the provisions of such ordinances, except in those instances where provisions of such ordinances are in direct conflict with the provisions of this Ordinance.

SECTION 17. Engrossment/Enrollment. The City Clerk is hereby directed to enroll and engross this Ordinance by reflecting the passage of this Ordinance in the minutes of the City Commission and by filing this Ordinance in the Ordinance Records of the City.

SECTION 18. Effective Date. This Ordinance shall become effective upon its passage and publication as required by law, and it is so ordained.

PASSED AND APPROVED by the City Commission of the City of Starbase, Texas, on this ___ day of February 2026.

CITY OF STARBASE, TEXAS


Bobby Peden, Mayor

ATTEST:


Gretchen Norton, City Clerk



APPROVED AS TO FORM:


Marie N. Johnson, Assistant City Attorney