

Bond Case Briefs

Municipal Finance Law Since 1971

CODE ENFORCEMENT - TEXAS

State v. Cooper

Court of Criminal Appeals of Texas - November 20, 2013 - S.W.3d - 2013 WL 6081452

Defendant was found guilty, in the Plano Municipal Court, of two violations of city's property maintenance code, and was fined \$300 and \$200, respectively. Defendant appealed.

After grant of review, the Court of Criminal Appeals, held that charging instrument was insufficient to state offense against defendant for alleged violation of maintenance code.

Municipal code of ordinances contained requirement that persons be given notice that they are in violation of the code before such persons can be charged, and charging instrument failed to allege that defendant was given notice before being charged.