

CITY OF VON ORMY TEXAS

**ORDINANCE 2015-14
OBOLISHING 2015-09
AMENDED**

AN ORDINANCE OF THE CITY OF VON ORMY CITY COMMISSIONERS ADOPTING ABOLISHING ORDINANCE 2015-09, THE POSITION OF CITY MARSHAL AND CREATING THE POSITION OF CHIEF OF POLICE OF THE CITY OF VON ORMY; PROVIDING FOR THE DUTIES AND QUALIFICATIONS OF THE CHIEF OF POLICE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Von Ormy has established a Municipal Court, and

WHEREAS, the Municipal Court of the City of Von Ormy has need of a Chief of Police to be a valuable to it when necessary to ensure public safety while court is in session and to execute wits and process issued for the court, and

WHEREAS, the office of the Chief of Police is authorized by the Texas Local Government Code 341.021, and

WHEREAS, the Commissioners determine that it is in the best interest of the residents of the City of Von Ormy to establish the Office of Chief Police.

NOW THEREFORE BE IT ORDAINED BY THE CITY COMMISSIONERS OF THE CITY OF VON ORMY, TEXAS:

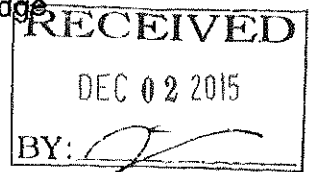
SECTION 1. The Office of the Chief of Police jus hereby created.

SECTION 2. The Chief of Police and all City Police Offices shall be certified and licensed as a law enforcement officer by the Texas Commission on Law Enforcement Officer and Standards and Education.

SECTION 3. The Chief of Police shall be appointed by either the Mayor or Commissioners and serves at the discretion thereof. A Mayor's nominee for Chief of Police shall be approved by at least one City Commissioner. The Municipal Judge shall have the authority to speak and be heard during Commissioner deliberations on a nominee for City Marshal.

SECTION 4. The Chief of Police shall act under the direction of the Municipal Judge, and shall perform the following duties.

A. Execute warrants of arrest, subpoenas, and legal process issuing out of the City of Von Ormy Municipal Court, as determined by the Municipal Judge



B. Execute other warrants of arrest, subpoenas, and other legal process as authorized by law and as determined by the Municipal Judge.

C. Serve as the court bailiff and provide security to the City of Von Ormy Municipal Court.

D. Any other duties authorized by the Municipal Judge in consultation with the Mayor, City Commissioners, or the Court Clerk

E. Execute the same power and jurisdiction as a peace officer under the Code of Criminal Procedure to prevent and suppress crime, arrest offenders, execute warrants.

F. During times of a declared emergency issued by the Mayor of the City of Von Ormy to serve under the Mayor's direction to keep the peace and ensure public safety.

SECTION 5. The Chief of Police shall have the authority to appoint one or more Police Officers to assist and ensure the proper and effective execute the duties of the Chief of Police. All such appointments must be approved by at least one City Commissioner.

SECTION 6. If any section, article, paragraph, sentence, clause, phrase or word in this Ordinance, or application thereof to any person or circumstance, is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of the ordinance, and the City Commissioners hereby declares it would have passed such remaining of the Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

SECTION 7. All other Ordinances in effect and not in conflict with this Ordinance shall remain in full force and effect,

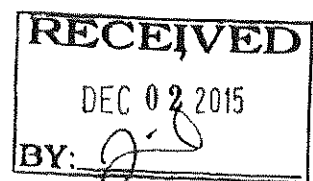
SECTION 8. The City Clerk of the City of Von Ormy is hereby directed to engross and enroll this Ordinance by copying exact caption and effective date clause in the minutes of the City Commissioners of the City of Von Ormy and by filing this Ordinance in the Ordinance Records of the City.

SECTION 9. This Ordinance shall take effect from and after its date of passage in accordance with law, and it is so ordained

SECTION 10. Pursuant to Local Government Code 24.053 *at any time, the governing body of the municipality may abolish an office that it creates and may discharge an officer, clerk, or employee that it appoints*

SECTION 11. Compliance clause and effective date

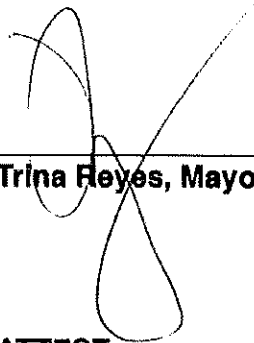
The City Commissioners finds, determines and declares that a sufficient notice was given and this Ordinance was passed in accordance with the Open Meetings Act. The Acting City Clerk is instructed to publish this Ordinance in the Official



Newspaper of the City of Von Ormy 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.

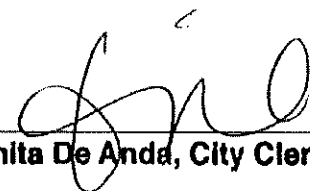
**PASSED, APPROVED, AND ADOPTED BY THE CITY COMMISSIONERS OF
THE CITY OF VON ORMY, TEXAS, ON THIS 2nd DAY OF DECEMBER 2015.**

APPROVED:



Trina Reyes, Mayor

ATTEST:



Juanita De Anda, City Clerk

