

CITY OF WILLOW PARK

ORDINANCE NO. 495-03

AN ORDINANCE AMENDING ARTICLE 5.200 “OFFICE OF THE FIRE MARSHAL”, ARTICLE 5.100 “OFFICE OF FIRE MARSHAL CREATED” BY ADDING AN NEW SUBSECTION 5.201(b) AUTHORIZING A DEPUTY FIRE MARSHAL; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE

WHEREAS, the City of Willow Park wishes to provide for the health, safety and welfare of its citizens; and

WHEREAS, the City is a general law municipality with specific powers delegated to it to protect the health, safety and general welfare of its citizens; and,

WHEREAS, the City has delegated to it the authority to appoint municipal officers under §22.071 TEX. LOCAL GOV'T CODE; and

WHEREAS, the City has delegated to it the authority to adopt rules for the prevention and extinguishment of fires as are considered necessary under §342.002 TEX. LOCAL GOV'T CODE; and

WHEREAS, there is a need for a law enforcement officer who qualifies as “fire protection personnel” to assist with the orderly and efficient provision of fire protection and emergency services in the City;

NOW THEREFORE:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WILLOW PARK, TEXAS:

SECTION 1. AUTHORIZATION

The Mayor or Mayor's designee is hereby authorized and directed to implement the applicable provisions of this Ordinance.

SECTION 2. AMENDMENT

The following section is hereby revised:

Article 5.200 “Office of Fire Marshal” §5.201 “Office of Fire Marshal Created” is amended as follows:

§5.201 Office of Fire Marshal Created

(a) The office of fire marshal is hereby created. Such office shall include the fire marshal and may include a deputy fire marshal. It shall be independent of other city departments, supervised by the mayor. The fire marshal and deputy will be appointed by the mayor, with the consent of the city council and serve at the pleasure of the city council.

(b) The fire marshal is charged with the duties set forth in this Chapter or as it may be from time to time amended. If the position of deputy fire marshal is filled, the deputy will assist with duties of the fire marshal and shall also have oversight and review of any fire department or association serving the city, to assure its efficiency of operation, technical training, professional qualifications, and compliance with state or local regulatory standards, if the fire department or association receives funds, in any manner, through the city.

SECTION 3. REPEALER

That Ordinance No. 127A of the City of Willow Park, Texas and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4. SEVERABILITY

If for any reason any section, paragraph, subdivision, clause, phrase or provision of this Ordinance shall be held invalid, it shall not affect any valid provisions of this or any other Ordinance of the City of Willow Park to which these rules and regulations relate.

SECTION 5. RECITALS

The City Council hereby finds and declares all precatory language herein to be true and correct and approves and adopts the same herein as part of this Resolution.

SECTION 6. PUBLICATION

The City Secretary of the City of Willow Park is hereby directed to publish in the official newspaper of the City of Willow Park the caption hereof and the effective date of this ordinance as required by §52.011 of the TEX. LOCAL GOV'T CODE.

SECTION 7. EFFECTIVE DATE

This Ordinance shall take effect from and after its publication one time in the official publication of the City of Willow Park, Texas which publication shall contain the caption stating in substance the purpose of the ordinance.

PASSED AND APPROVED this 21st day of January, 2003.

/s/ _____
Mayor

ATTEST:

/s/ _____
City Secretary/Clerk

APPROVED AS TO FORM:

/s/ _____
City Attorney

The Willow Park City Council in acting on Ordinance No. 495-03, did on the 21st day of January 2003 vote as follows:

	<u>FOR</u>	<u>AGAINST</u>
James H. Poythress, Mayor	_____	_____
Scott Rule, Place 1	<u>XX</u>	_____
Terry Skaggs, Place 2	<u>XX</u>	_____
Brad Johnson, Place 3	<u>XX</u>	_____
Jason Ellerbusch, Place 4	<u>XX</u>	_____
Hale Alderman, Place 5	<u>XX</u>	_____